



## Harrisburg City Council Minutes December 21, 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 Mayor Robert Duncan. Also present were as follows:

- Kimberly Downey
- Mike Caughey
- Robert Boese
- Adam Keaton
- City Administrator Brian Latta
- City Recorder/Asst. City Administrator Michele Eldridge
- Public Works Director Chuck Scholz

### The matter of Approving the Consent List for December 21, 2016

- Caughey **motioned to approve the consent list for December 21, 2016. He was seconded** by Keaton. **The City Council then voted unanimously to approve the consent list for December 21, 2016. The Approval of the Consent List approved the following actions:**
  - **Payment of the November 2016 Bills**
  - **The Minutes of November 9, 2016**

### The matter of Approving Ordinance No. 947, "AN ORDINANCE TO LEVY NUISANCE ASSESSMENTS AGAINST REAL PROPERTY IN THE CITY OF HARRISBURG."

**Staff Report:** Eldridge informed the City Council that these were all nuisance abatements because of violations of City code. These were all specifically in relation to overgrown vegetation. She explained the process that the City follows when sending out violation notices, before we can get to the point of obtaining a warrant to do the work. She also explained that once an invoice was sent to a property owner, that we had to give them a 30 day period in which to respond. These nuisances were all started in August.

- Boese had a question about the number of hours on the invoices. When he added up the hours, he realized that it's for more hours than we could have for an employee.
- Scholz told him that in actuality; these are hours for several employees. We had multiple pieces of equipment that were used, as well as multiple vehicles.

Downey noted that she knew one of these was a foreclosure; Caughey added that he knew one home was vacant since before they moved to Harrisburg. Latta said that all of these were for vacant properties.

- Caughey **motioned to Approve Ordinance No. 947, "AN ORDINANCE TO LEVY NUISANCE ASSESSMENTS AGAINST REAL PROPERTY IN THE CITY OF HARRISBURG"**, and was **seconded** by Downey. The City Council then voted **unanimously to approve Ordinance No. 947, and therefore levying assessments against the real property as listed in the ordinance.**

The matter of Adopting Ordinance No. 948, "AN ORDINANCE OF THE CITY OF HARRISBURG AMENDING MUNICIPAL CODE CHAPTERS 5.05 BUSINESS LICENSE PROGRAM, 5.10 SOLICITOR LICENSE, 5.15 SOCIAL GAMES LICENSE, 5.20 SECONDHAND DEALER LICENSE, AND 5.25 STREET & SIDEWALK VENDOR LICENSE AND ADDING CHAPTERS 5.07 HOME OCCUPATION LICENSE AND 5.09 COMMERCIAL TRUCK LICENSE."

**Staff Report:** Latta said that this had gone to the Government Committee, which looked at all of the chapters in regards to business, with the exceptions of marijuana. His purpose was to streamline the process, and to create more efficiency in the code. He noted that in order to be more efficient, that we wouldn't bring license approval to Council, unless something is contentious. We were also shortening the timeframe for reviewing a business. He added that John Loshbaugh had made a suggestion, that we should remove the word 'License' when referring to commercial trucks, because it's not technically a license. It should be a permit instead.

- Caughey agreed with the suggestion from Loshbaugh.
- Former Councilor Don Shipley, (1125 S. 6<sup>th</sup> St.) who was in the audience, said that they had a sign saying no solicitation allowed in the park, but people still go door to door. We always tell them that we can cite them if they keep going. Should we call you if they show up?
- Latta told him yes. We keep track of them all. It clearly says that they may not solicit at any property that has a sign up saying no solicitation. He suggested that if they come around during the weekend, to contact dispatch, who can send a deputy.
- Keaton said that he had sent some formatting suggestions to Eldridge, (who was on vacation) otherwise, he was wondering why we had added background checks.
- Latta told him that it was required already for solicitations and social games, and wasn't a new process.
- Boese agreed with the change that Loshbaugh was suggesting. He would be confused that we were referring to a CDL. (Commercial Driving License.)
- Caughey agreed.
- Downey then **motioned to amend the proposed language for the Commercial Truck License, and to make it a Commercial Truck Permit throughout the chapter. She was seconded** by Keaton, and the **City Council voted unanimously to approve the motion to amend the language of Commercial Truck License to Commercial Truck Permit.**
- Keaton then **motioned to approve Ordinance No. 948, "AN ORDINANCE OF THE CITY OF HARRISBURG AMENDING MUNICIPAL CODE CHAPTERS 5.05 BUSINESS LICENSE PROGRAM, 5.10 SOLICITOR LICENSE, 5.15 SOCIAL GAMES LICENSE, 5.20 SECONDHAND DEALER LICENSE, AND 5.25 STREET & SIDEWALK VENDOR LICENSE AND ADDING CHAPTERS 5.07 HOME OCCUPATION LICENSE AND 5.09 COMMERCIAL TRUCK PERMIT."** He was **seconded** by Caughey, and the **City**

**Council voted unanimously to approve Ordinance No. 948, to modify the business license program for the City of Harrisburg.**

**The matter of Approving Resolution No. 1148, "A RESOLUTION ACCEPTING THE CANVASS OF ELECTION VOTES FROM THE NOVEMBER 8, 2016 GENERAL ELECTION FOR THE HARRISBURG CITY COUNCIL POSITIONS (MAYOR AND 3 COUNCIL POSITIONS); CITY OF HARRISBURG MEASURE 22-163 IMPOSES CITY TAX ON MARIJUANA RETAILER'S SALE OF MARIJUANA ITEMS AND MEASURE 22-164 PROHIBITS ESTABLISHMENT OF RECREATIONAL AND MEDICAL MARIJUANA FACILITIES IN HARRISBURG."**

**Staff Report:** Eldridge explained that this was the finalization of the election process, in which the City Council had to accept the canvass of voting results for both the Council members and Mayor position, as well as the results of the two Measure's we had on the ballot.

- Boese asked if we have had anyone asking about establishing a recreational or medical marijuana business in town?
- Latta told him that we've had a few. We let them know what we were doing before Council adopted the ordinance to be on the ballot. There was nothing very serious. He then explained why we had both a tax, and prohibition on marijuana. If the Council, or federal government, were to allow marijuana in the future, we would have the ability to tax it.
- Mayor Duncan appreciated that he had done that.
- Downey thought the voters understood exactly what was going on, considering the votes received. She then **motioned to Approve Resolution No. 1148, "A RESOLUTION ACCEPTING THE CANVASS OF ELECTION VOTES FROM THE NOVEMBER 8, 2016 GENERAL ELECTION FOR THE HARRISBURG CITY COUNCIL POSITIONS (MAYOR AND 3 COUNCIL POSITIONS); CITY OF HARRISBURG MEASURE 22-163 IMPOSES CITY TAX ON MARIJUANA RETAILER'S SALE OF MARIJUANA ITEMS AND MEASURE 22-164 PROHIBITS ESTABLISHMENT OF RECREATIONAL AND MEDICAL MARIJUANA FACILITIES IN HARRISBURG."** She was **seconded** by Keaton, and the **City Council voted unanimously to accept the canvass of election votes from the General Election of November 8, 2016.**
- Eldridge noted that the Certificate of Election was there for each Councilor, and that we would process the oaths at the first meeting in January.

**The matter of Approving Resolution No. 1149, "A RESOLUTION AMENDING THE JOB DESCRIPTION FOR THE UTILITY BILLING I AND II JOB DESCRIPTIONS AND ADDING THE MUNICIPAL COURT CLERK JOB DESCRIPTION."**

**Staff Report:** Eldridge said that this and the next item on the agenda had already been approved by the Personnel Committee. The job descriptions have been updated to include the Municipal Court Clerk duties, and to create the municipal court clerk position.

- Caughey **motioned to Approve Resolution No. 1149, "A RESOLUTION AMENDING THE JOB DESCRIPTION FOR THE UTILITY BILLING I AND II JOB DESCRIPTIONS AND ADDING THE MUNICIPAL COURT CLERK JOB DESCRIPTION."** He was **seconded** by Downey, and the **City Council voted unanimously to approve Resolution No. 1149, and thereby amending the Utility Billing I and II Job Descriptions, and adding the Municipal Court Clerk Job Description.**

**The matter of Approving Resolution No. 1150, "A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL; POLICY NO. 103 EQUAL OPPORTUNITY AND POLICY NO. 105 HARASSMENT TO COMPLY WITH RECENT AMENDMENTS TO OREGON REVISED STATUTES."**

**Staff Report:** Eldridge noted that these updates were suggested by the CIS Attorney to account for legislative changes during the short session. She briefly explained why the changes were made.

- Downey **motioned to approve Resolution No. 1150, "A RESOLUTION AMENDING THE CITY OF HARRISBURG EMPLOYEE MANUAL; POLICY NO. 103 EQUAL OPPORTUNITY AND POLICY NO. 105 HARASSMENT TO COMPLY WITH RECENT AMENDMENTS TO OREGON REVISED STATUTES."** She was seconded by Caughey, and the **City Council voted unanimously to approve Resolution No. 1150.**

The matter of Reviewing the Planning Commissioner and Budget Committee Member Applications to Fill Vacancies on the Commission and Committee

**Staff Report:** Eldridge commented that the Planning Commission had an opening that had been advertised, due to Francisco Garcia-Mendez leaving the Planning Commission. His term had been served, and his new job duties took up too much time to serve for another term. The Planning Commission position is a 4 year term, and luckily, Rhonda Giles is willing to serve in that position.

- Caughey said that having worked with Giles on the Sesquicentennial Committee; he was blown away by her knowledge of town, and what she can accomplish.
- Downey asked why Giles was interested in the Planning Commission.
- Rhonda Giles said that she works with Eldridge on the board of the HFEA (Harrisburg Festival & Events Association) and on the Sesquicentennial committee as well. She was recently on the executive team with Pacific Source, where she had worked for over 23 years. She's regrouping now, and wanted to do something more for the community. This seems a natural fit, and is closer to home for volunteering.
- Downey said she didn't know how Giles kept up with all the changes with insurance and the ACA. She noted that the Chairperson is currently Todd Culver. He runs a tight ship. Actually, Rob Boese was her Planning Commission Chairperson when she served on the Planning Commission. It's a great way to learn about the town. She told her that sometimes there are stressful decisions to make, but it's all important to the town.
- Latta added that we are just starting to update our entire zoning ordinance again. We are getting into the fun stuff, such as lot sizes, and other issues in residential neighborhoods.
- Giles thought it would be similar to reviewing a code track, which was similar to a job she had to do previously.
- Caughey **motioned to appoint Rhonda Giles to the Planning Commission for a four-year term, expiring on December 31, 2020. He was seconded by Downey. The City Council then voted unanimously to approve the appointment of Rhonda Giles to the Harrisburg Planning Commission.**
- Eldridge noted that the Budget Committee had three openings. Two of the incumbents were willing to serve again; those positions are three-year terms, and are appointed by the Mayor.
- **Mayor Duncan then appointed Barb Shipley and Marilyn Pollard to serve on the Budget Committee with terms ending on December 31, 2019.**

The matter of a Discussion with the Harrisburg Library Guild

**Staff Report:** Latta said that the Harrisburg Library Guild had sent a letter to the City Council, which is in the agenda bill. In general, they discussed the sale of the Cedar Square building and property that had been set aside for a future Library. The resolution is still in place, but now the land is no longer there, or won't be soon. He suggested that the City Council meet with them in a work session.

- Barb Shipley, 1125 S. 6<sup>th</sup> St., was the current president of the Harrisburg Library Guild. With her tonight was Marilyn Pollard, and Michele Eldridge is also a board member. She thanked the Council for allowing us to be here tonight. We've continued with our fundraising, of which the biggest fundraiser is the annual tea. We've also published our first cook book, in time for the Sesquicentennial Event. We are thrilled with the fire department, and are happy that their bond passed. We are concerned about the property, because we are now back to trying to determine where the new Library will be located. We are working on our Capital Campaign, and truly, the value of the land was used as part of the funds raised, and we really can't go forward with grant funders until we have the location of the future library. We are happy to discuss this in a work session, where we can talk about options. She knows that we were discussing the property next door, and it's not really clear about where we are on that. We did recently have a grant approved, for \$10,000 which supplied the Library with new computers.
- Mayor Duncan asked if you are applying for grants, and that you actually need a piece of property for those? Does the City have an inventory of land, and is it possible to designate it for that use, while continuing to look for other properties?
- Latta told him yes; but there really is only one property that could be used that way. It's the water tower lot. He is still having ongoing conversations with the owner of the lot next door, but that's a slow moving ship. We had also thought about purchasing the two homes next door to City Hall, which could be used. He thought one of those two properties is the ultimate goal. He has not approached either property owner, one is local and the other is out of state. We can talk about that at the work session. The HRA (Harrisburg Redevelopment Agency) is another resource to look at. The agency can submit money to purchase land, that could be used for the purpose of the construction of a Library/Community Center. He thinks those are a couple of the opportunities that are available to us. We can always designate land.
- Downey asked where the water tower was?
- Latta told her it's the only land the City has that is currently vacant; it's behind Hurds. The HRA could conceivably buy another piece of property. During the work session, we can identify a lot to purchase, and work on that.
- Downey asked about the property that Tony Cross owns.
- Latta noted that was at Kesling and 3<sup>rd</sup> St. He knows the house is for sale, but he doesn't know if Cross is actively trying to sell the the lot there or not.
- Downey asked if HLG was aware that the fire department was going to purchase the land there.
- Shipley said that we were notified.
- Caughey asked if we identify a lot as being a future library location, and you start the capital campaign, can we switch lots later?
- Shipley said she wasn't certain as to how the funding agencies would handle that. Some of them are very particular in how things are done....they have a room where they keep all the hoops you have to jump through. It might work, but it could also backfire.
- Caughey thought we needed to explore alternate means.
- Boese asked once you start down that road, what is the timeframe for construction?
- Shipley said that it would move fairly quickly, based upon having property, and a certain percentage of the capital we needed. We are a stand still right now.
- Boese said that he would like to talk about this in a work session. We can get more information.
- Downey would like to have that opportunity to do that.

- Latta said that Council might want more information about that, and he would be interested, in what work has been done on the capital capaign. What donors do you have, etc.
- Shipley told him we could get that information.

Downey asked if we would be interested in the property at the water tower? Shipley told her that personally, she wouldn't be. It's not ideal; but if it's available, and the only option, then yes. Downey said that it's been there for a hundred years, and she's not sure why the City would want to build it there. Shipley said that she was glad to know that the discussion with the property owner for the vacant lot is still under way. That's the ideal lcoation for a Library. Boese asked about designs; what has the Library Guild had in mind? Shipley reminded Council that we had conceptual designs, and those can be used at any lot. Boese thought it would work better than what we have now. Mayor Duncan thought it ironic that the current library is located in the old fire station; which Shipley was not aware of.

Don Shipley then asked what the Fire Department was doing with the property on 6<sup>th</sup> St. Latta thought they were working with Audrey Wheddon, who is the paintball business owner on a lease/buy option. Giles knew that they were working with that person. Boese liked the idea of a Library/Community Center. Shipley added that she knew that there was a community room, where events could be held. Boese thought that would require a fairly large building. Shipley said that it would be nice to get those wheels turning. Latta said that could be scheduled for a work session in January, or February. Shipley thought January would work better. We'll have more guild members in the future; we have several who weren't here because they were really sick. Latta said then earlier is better. Shipley told the City Council that 2017 is our year.

The matter of Approving a Social Games Premise License for Angela Gazeley D.B.A. Ron-D-Voo Tavern, Located at 162 S. 2nd St.

**Staff Report:** Eldridge said that these licenses were based off of the old ordinance standards, and therefore required that we follow these steps. There are a few conditions tied into this approval.

- Downey **motioned to approve the Social Games Premise License for Angela Gazeley, d.b.a Ron-D-Voo Tavern with conditions 1, 2 and 3. She was seconded** by Caughey, and the **City Council voted unanimously to approve the issuance of the social games premise license for Angela Gazely d.b.a Ron-D-Voo Tavern.**
- Downey asked what the problem was that was mentioned?
- Eldridge said that they were operating two tables without an authorized card dealer. She shut down those two tables, until they complied with the requirements. They immediately took care of the problem, and obtained more authorized card dealers. She was told that the person who complained had been tossed out of a card game because of their behavior.

The matter of Approving a Social Games Table License for Charles Pecorilla, for Operating 4 Social Games Tables at Locations with Approved Premise Licenses

**Staff Report:** Eldridge said that this was the main license holder, who had met with Council in the past; Charlie Pecorilla.

- Downey **motioned to approve the Social Games Table License for Charles Pecorilla, as conditioned. She was seconded** by Caughey, and the **City Council voted unanimously to approve the issuance of a Social Games Table License for Charles Pecorilla, for the operation of 4 social games tables.**

### The matter of Discussing the Operating Needs of the Harrisburg Municipal Court

**Staff Report:** Latta told the City Council that Judge Blake is very good, and also very affordable. We had 12 to 15 people at the last court session, and he was done with them within 20 minutes; he's very efficient. He (Latta) said that we now need to look at adding in traffic court. In July, when we separated from Linn County administering our Municipal Court, we decided to use our new court to only process municipal code offenses, and that traffic cases would continue to Justice Court. We send criminal offenses to the Linn County Circuit Court. That's worked really well so far; the deputies were able to accommodate that. One of the downfalls of doing that, however, is that traffic is a good generator of revenue for the courts. Justice Court sees a very little portion of that, generally only 25%. He discussed it with Judge Blake, who told him that we could do that, but the only issue is that we don't have enough space at this location. He suggested that we share a court space with Linn County. So Latta checked with Judge Lemhouse, who initially told him that there wasn't any problem with it, as long as we don't interfere with his operations. We talked about the availability of his bench space, to which he initially said yes, but then on second thought, told us no; we couldn't use it. He didn't really have a solid reason for the 'no', but he felt that we could use the space, and create our own judge bench. That wouldn't be as functional as we'd like.

He (Latta) is coming to Council now, because we want to go to the judge to use the space, because we do need it. A little bit of pressure would be good here because we do own the building, which they lease from us. However, we have to notify Linn County by the end of the year, if we decided not to go forward leasing the space to the County. He is hoping that with that pressure that we would be allowed to use the bench. Right now, the Linn County Justice Court processes south county offenses, in Harrisburg, Halsey, and Brownsville. It can operate anywhere in the county. If they left, you would lose that, but you wouldn't lose the City functionality. He feels that we could work together to a mutual benefit. If the court wasn't there, however, we could have some opportunities to use that space, such as for a Library expansion. That wouldn't thwart the 2017 plans; it would be an opportunity to move things around and give us a little more space.

- Caughey asked what our income is annually from the lease of that space.
- Latta told him around \$900 a month. We get just over \$10,000 a year.
- Caughey said then traffic fines could be paid to the City, if we hold that court?
- Latta told him that we are working in order to get more traffic laws enforced. If we had 15 to 20 citations a month, it would probably generate \$30,000 to \$40,000 in revenue.
- Caughey said then we'd be operating in the positive.
- Latta told him yes. The net results.
- Downey commented that if you are thinking of giving him notice, then giving him notice at the end of the month is too soon. She felt that he should get input from the citizens on how they feel, and she thinks it's too soon to do that. He built that, with county funds, that current bench. He didn't have one that was adequate. Perhaps we could counter with 'renting' the bench. Perhaps that would help the situation. She just felt it wasn't a good to tell them by the end of the month.
- Latta said that we can say we are going to re-negotiate that lease to rent the bench. Knowing how Lemhouse is working with him, he might say forget it, and decide to leave using Harrisburg as a location.
- Downey doesn't feel like on our end, that we are ready to make that decision. Can we talk to his boss?
- Latta said that he's an elected official, and therefore, he is his own boss.
- Downey asked if he's got someone in the county that he answers to.
- Latta said that his budget is approved by the Linn County Commissioners. However, he doesn't have a direct report as a Judge.

- Caughey said it doesn't seem like that.
- Latta said that is good input. We can re-negotiate our lease. It's set up to roll over automatically.
- Downey was wondering what he would be comfortable with, for us using the bench. He said that at first, he would let us use it, and that it wasn't a big deal. But if we work with him to say something like we wish to rent it, it would be better than going to him with an ultimatum. Nobody wants that.
- Latta said that's not the approach he gave to him.
- Downey said but that is what you are telling us.
- Latta said that he told him this is what we'd like to do. He was initially very approachable. The first response was verbal, and it seemed like there was no problem. The second response was written, more direct, and very judgelike. We are being treated like a tenant, and he is the landlord. It's our building; they are renting it from us.
- Downey felt it was probably just a personal issue then. There should be no reason that we can't rent that.
- Latta said we can go to him, and find out if there is something we can do to make it work.
- Downey said she'd like us to negotiate with him and Linn County.
- Latta said that was his original approach, but then the Judge returned with the opposite of what he originally told him.
- Boese suggested that perhaps it would be better for somebody else other than Latta to meet with him.
- Latta said perhaps that would help.
- Downey suggested that the Mayor could join you.
- Caughey asked who owned the physical property.
- Latta told him that we do.
- Boese said that he agrees with a peaceful negotiation. We can see how he reacts with the Mayor there. But if we are pursuing taking traffic from the county, are they ok with that?
- Latta said it's not their decision; it's ours. When we took over Municipal Court, we weren't prepared to take on those responsibilities. Now we know how to do that, so it makes sense to transition that back to the City. Most cities that have municipal court also have traffic. We would receive 100% of the revenue.
- Downey said that she got a lot of feedback on traffic court. They want to keep it here, but they don't care who administers it.
- Keaton asked if we started out with regular municipal court, and are adding traffic; is there a possibility of eventually adding criminal in the future?
- Latta said he didn't think so. Crime is a revenue sucker. He's all for letting Linn County retain that element. It would also increase our attorney's time if we had crime. We would also need to increase our Judge's time because of pre-trial hearings. While we will add a little bit of work time for the Judge because of traffic; traffic is mostly in and out.
- Keaton doesn't want to deal with it if it's an increased burden.
- Downey added that the District Attorney's office deals with that, and they do a good job on it.

The matter of Presenting the City's Draft Five-Year Strategic Plan

**Staff Report:** Latta said that he's only a month late on the draft, but here it is. We've made



some changes, which he briefly summarized. He asked if Council had a chance to review it yet; if so, we can cover that tonight. If they'd rather bring it to the future where we can discuss it more in-depth, we can do that as well.

Council briefly discussed the issue. Downey would prefer to go through it in-depth, but she didn't want to proceed past February, in the off chance that we come up with an added event. Boese agreed, and didn't want to rush through it, as did Keaton. ***The consensus was to go over the Strategic Plan draft at a future meeting.***

#### The matter of Discussing the Closing of the Harrisburg Municipal Court Bank Account

**Staff Report:** Latta said that the Finance Officer should be arriving soon if anyone has in-depth questions. He noted that this was an account that was utilized by the Justice Court as it operated the municipal court. They transferred it to us when we took over the Municipal Court operations. Therefore, we'd like to close this account, because everything has been transferred.

- Caughey **motioned to direct the City staff to close the Municipal Court bank account and transfer all funds to the City bank account. He was seconded** by Downey, and the **City Council voted unanimously to allow the closure and transfer of the Municipal Court Bank Account to the City's bank account.**

#### The matter of Discussing N. 8<sup>th</sup> Street Water Line Replacement

**Staff Report:** Public Works Director Chuck Scholz explained the work that they were doing on 8<sup>th</sup> St. This is the original line in this area, which is 4", and is cast iron. Right now, maintenance is hard in this area, because high-speed flushing can't be done. High-speed is preferred, because it provides for scouring velocity. We have to do low pressure flushing, which requires that we close valves, and even with low pressure, we've blown holes in the line. It's now proceeded to the point that we can no longer flush it, even with low pressure flushing. There are funds in the water fund that are contingency, which can be used for water line replacement and emergencies, and therefore, since we can't adequately serve that area, he is recommending that we do the work.

- Caughey asked how old the line was.
- Scholz told him fairly old. He thought back to 1945 or so. The line was put behind where they thought a sidewalk might be eventually.
- Mayor Duncan thought it could even be back in the 1930's for that area.
- Boese asked if they have a sidewalk in that area.
- Scholz told him they don't. This line is roughly 6' to 6.5' back from the curb, which means that we are digging up 6' of citizen's yards every time we work on it. The last work they had to do required tearing up a cement driveway. We have funds in reserve, and he recommends that we need to do this.
- Caughey asked if it was a dead end line, or is it continued?
- Scholz said it's continued. It goes from Diamond Hill Road, and then connects to Arrow Leaf. All the service lines will be replaced during this project.

Boese asked how large the service line would be on a 6" pipe. Scholz said they would be 1". Boese asked if it would be shot with a directional driller, or conventional with a backhoe. Scholz told him it would be shot with a directional. We would also upgrade the services to radio reads in that area. Boese asked if it needed to go to the Public Works Committee. Scholz said that it had, and they recommended that we move on this right away. Our engineer is close to having the plans ready to go. We've done so much work in this area, that staff is familiar with where all the other utilities are located. Boese asked if the water quality would be improved in this neighborhood, and Scholz told him absolutely; it would be. Caughey asked about the possibility of using the line there for other purposes, but Scholz said that we would abandon it.

It's not large enough for storm lines. This line isn't adequate for other utilities to use either. The new cast iron lines have a cement lining, this old one does not. New Cast Iron is wrapped with plastic to preserve the soil that is around it; however the new line on 8<sup>th</sup> will be PVC.

- Caughey **motioned to approve the construction and installation of a new waterline on N. 8<sup>th</sup> as outlined on the proposed drawings. He was seconded** by Downey and the **City Council voted unanimously to approve the construction and installation of a new waterline on N. 8<sup>th</sup> St.**

#### Others:

##### Priceboro Fence Issue

- Latta updated the Council on the Priceboro Fence issue. He wanted to do a property line adjustment, but doing so would require us to follow the public hearing process to allow anyone that wanted to buy the surplus property to bid on it. We were worried about somebody who was not the owner making a bid on the property, but feel that they would likely not bother for only a 1' strip of property. He has now been informed that the City can withdraw the property, so if anyone other than the property owner made an offer, we could back off from the sale. We also have an issue of the property in the park being outside of the City. Therefore, if we plan on doing a property line adjustment, we need to first annex the park, and then can do the lot line amendments. He asked for consensus from Council; are they ok with him starting the process of property line adjustments with the property owners, and subsequently, the annexation of Priceboro Park.

**Consensus from all of Council was yes, to allow him to proceed.** They asked him what would happen from this point. Latta said that he'll contact the property owners and see if they are willing to accept this. If so, we'll annex the park into the City, and then allow them to do a property line adjustment. If they choose to not do that, then starting later in 2017, we'll allow them to rent or lease the property. Caughey asked why a property owner wouldn't agree to that. Latta said one property owner on the most southern property hasn't responded to any of his overtures. He thinks that they are upset with the City, or tired of the issue. We are trying to do everything we can. Downey added that the property owner also has the biggest discrepancy on his property compared to the rest.

##### Fees Workbook

- Latta said that with the changes to the business license ordinance, some of the fees will need to be changed. We do need to add some fee's as well. That would likely go to the Government Committee. He will also talk in the future about rental license fees, since he has a property owner who doesn't like that at all.

##### Sewer Line Leak

- Scholz said that we had a sewer line break, on our pressurized sewer line. This is the line that comes directly out of our main pump station on S. 2<sup>nd</sup> St, and heads out to the treatment facility. On a Sunday, a Gheen employee happened to notice bubbling in their parking lot. He related that there aren't many choices available to us with this kind of a line break. We couldn't pump to the wastewater facility, so the choices were initially thought to be to either run a line to the river, or dump sewage. Either of those have fines involved. Instead, we turned the pumps off at the station, and surcharged the system. We used the collection pipes and manholes, and allowed them to fill up, while we were making repairs. It's a deep sewer line, so we had to wait overnight to start emergency repairs. We monitored manholes all over town. The line got finished, and we were still

10" from overflowing into the Willamette. We were able to turn on the pumps, and recovered in about 6 hours. The flow we had was held overnight, and into the next day, at approximately 20 hours of sewage holding within the system.

- Latta said fortunately, those days were dry for us.
- Boese asked how large the lines were there.
- Scholz told him 10". It's a C-900 pressurized sewer line. It had 187 lbs. of dynamic head pressure. We are generally at 160 lbs., with roughly 30 lbs. at the end. What we did was well within the tolerances of that pipe. The line split horizontally; we don't know why. We are guessing that it's a manufacturing defect. It happened by Knife River, and the DEQ was aware of it; the good news is that we didn't overflow.
- Downey said that when she took a tour of the underground City in Seattle, she hadn't been previously aware of things like a tide affecting a sewer system. She didn't think about the river affecting it.
- Scholz said that if the river comes up, it starts backing up the storm water system. It's a good thing that we have a flat sewer system. It worked as a giant holding tank. Most towns that have this happen to them, have hills, and valleys, and would have had no choice but to overflow into the river.
- Downey asked what if it had overflowed. What do you say to people?
- Scholz told her we would have posted no swimming signs, stay out of the water, etc. It would have been in the news.
- Downey asked if we would be fined, even though that might be the only option we have.
- Scholz told her yes.
- Latta added that we might be fined still. The break is a sewer line leak; that's not allowed. He said that Scholz and the Public Works crew really did a great job. They resolved the situation, involved the state, and did everything right.

#### Poplar Tree Plantation:

- Scholz told the City Council that the bad side of the story during the bad weather is our poplar tree plantation. People in town heard lots of little booms going off. It was our poplar trees snapping.
- Keaton said that he thought it was transformers at first.
- Scholz said that the bad thing is that the poplar trees are part of the wastewater system. They aren't just trees. We've lost about a 1/3<sup>rd</sup> of all of our trees. It looks like a tornado went through.
- Downey said that a lot of the farmers heard it.
- Mayor Duncan asked what we need to do now.
- Scholz told him that we contacted the insurance company, and are trying to make a claim on it; although he has to note that it's damaged a lot more than what we can get from our insurance. One way or another, we'll have manpower and time spent out there. We have to cut and save what tree's we can, remove the ones that are damaged, and replant, which is what we need for the long term. We hope it's only a third of our trees that are affected, because the uptake and those discharge rates are included as part of our wastewater permit.

Mayor Duncan asked Scholz if replacement trees will grow, or will the ones that are only lightly damaged be ok. Scholz told him that the first couple of years of a poplar's life has a low uptake. All summer we worked in the plantation, trimmed all the tree's, and hauled out all of the deadwood, and finished on the 9<sup>th</sup> of November. That was almost two years' worth of maintenance back work. It basically took two people two summers to do all the work. Caughey asked if most of the damage was in the poor variety of trees, and Scholz confirmed that they were hit the harder. The good variety is the only kind we'll be replanting. We have to fix the

trees and the piping, because we can't discharge into the river in the summer. Caughey asked if we would have a contractor take care of it all, and Scholz told him most likely if we can afford it. We need to know how much of the process piping was ripped up and destroyed from tree's falling. We can't go in there yet, because there's still ice, and branches snapping; even yesterday, we still had tree's coming down. Caughey thought we decided to plant more trees anyhow. We were going to plant about 7 acres. Scholz told him that we can't replant until we replace the process piping, because the trees would die if the process piping can't bring the reuse water to them. Latta said that we have an insurance claim in. The limit for the process piping is \$1.2 million. We anticipate a loss of several hundred thousand dollars. Unfortunately, we'll have an increase in our insurance costs over the next several years with that kind of a claim. We can't assess all the damage as of yet, so that will need to be done. We'll remove trees, and then access the process piping, and will repair what we can. Scholz said it will take a while for the plantation to recover from this.

#### Moore St. Project

- Latta said that as you remember, we went out for bid for the Moore St. Project, which closes in January.

#### Contract Cities/Linn County Sheriff's Office

- Latta said that we've met with other contract cities, and we are going to propose a unified contract with the sheriff's office for all seven cities that have contracts. Council won't be left out of the process; so you will see that contract in the future. We used Harrisburg's contract as a template. Some of all of our concerns are the same, but each City will have its own specific section in the contract. One thing we want to eliminate is the 5% increase that they put into their contracts every year. The actual percentage of increase is very complex to manage, but they are really guessing when they come up to the 5% increase. For a City, that's very hard to manage. Our property values are capped at a 3% max increase per year, while the contract with the sheriff's office exceeds that by 2% every year. We would like to propose that we tie the annual increase based on the increase of our property valuation for the City. That would be more affordable for all the cities, and still result in an annual increase to the sheriff's office. We are also proposing a quarterly meeting with all the contract cities. The next step for us to take is to meet with the sheriff. Some of the other cities are waiting for their newly elected officials to get on board. The Sheriff's office knows what we are doing, and they are amenable to that.
- Downey thought that a uniform contract would be easier for them to work with.
- Latta said there would still be individualized focus areas in the City. One might be an emphasis of drugs over traffic concerns. We will have some priorities, and minimum hours we want spent on the focus areas.
- Downey said that we are hoping that the federal government will start helping more with fighting drugs, especially heroin.
- Latta said that as we start to meet with the sheriff's office that it might be good to have a representative from Council attending. Not all cities have a councilor, or their Mayor coming. The meetings have generally been on Thursday's at 2:00.
- Downey would really like to go, but would likely be unable to at that time.
- Keaton thought it would need to be someone who is retired.
- Latta said that Loshbaugh might be willing to do that.
- Caughey volunteered to do this.

### Water Study

- Caughey asked how the water study was coming.
- Scholz said we questioned that ourselves. We found out that our consultant had a heart attack. He's ok, more or less, and is back, but it was a bit of a setback. He's recovering at home. He was supposed to have gotten the study to us the first week of December, but he had a relapse. Now they are hoping to have that to us sometime in January.
- Mayor Duncan asked how long a lead time the City needs before holding a special election?
- Latta said that you can do that whenever you'd like. He would think it would be mid-March for the May primaries. He is hopeful to have something to present in January.
- Scholz said that report won't go all the way down to a feasibility study, because that kind of report would cost twice as much as what we've paid. But we will know what his suggestions are, and potential cost for them.
- Latta said that once we have a price tag through our own analysis, we'll be able to get our heads around what we should do. We'd go to the public in February in a town hall meeting again, and gauge the interest from the citizens. Then we can tackle this in March, with a resolution to put it on the ballot in May. He's not certain about the exact timetable, but he feels it's doable. Between May and November is also an option. We'd have to pay for that election, but it can sometimes be a better option than waiting until the general election. He does know that the school isn't prepared to go out for the bond until 2018.
- Downey was concerned about that, because she's now hearing from people that they are concerned about the school, more than they are about water.
- Latta said that the school might benefit from a grant from the state. He believes that they have access to a retrofit for seismic upgrading. In any case, he thinks that is taken care of.

**With no further business to discuss, the City Council adjourned at 8:32pm.**

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Mayor

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City Recorder