

**MINUTES OF THE CITY OF HEPPNER CITY COUNCIL MEETING
HEPPNER CITY HALL, 111 N. MAIN STREET, HEPPNER, OREGON
7:00 PM July 10, 2023**

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

ATTENDEES:

**Corey Sweeney
JoAnna Lamb
John Doherty
Sharon Inskeep
Cody High
Dale Bates
Tom Wolff
Chad Doherty
Eric Chick
Bill Kuhn**

Absent: Steve Rhea

Members of the Public: Lorrie Fox, Terri Gentry, Tim and LeAnn Wright, Barb Orwick, JoyceKay Hollomon, Doug and Kelly Holland, The Collins Family, Judy Healy, Kyle, Darcy, and Garrett Robinson, Rosa Cayce, Paul Lauritsen, Nathen Braun.

On Zoom: Adam Doherty, Greg Prothman

1. GENERAL BUSINESS

- A. Call to Order. Corey Sweeney called the July 10, 2023 meeting of the City of Heppner City Council to order at 7:00 PM.
- B. Pledge of Allegiance. Corey Sweeney led attendees in the Pledge of Allegiance to the Flag.
- C. Announcements - None
- D. Correspondence - None
- E. Requests – Animal Permits
 - 1. Cody High: up to 10 chickens.

2. The Kelton Family: up to 10 chickens

Motion to approve the animal permits to Cody High and the Kelton Family by JoAnna Lamb. Seconded by Dale Bates. Cody High abstained. Motion Carried.

F. Presentations

1. Zoom meeting with GMP Consultants: Greg Prothman

GMP Consultants have been hired to help with the recruitment of a City Manager. They provided a sample of the advertisement. They are concerned that the salary range isn't high enough. The Council feels that the salary of \$80 to 85 thousand is a fair wage for Heppner. The job is really for code enforcement and going to meetings. They don't look after the Park District, swimming pool, or police force. If they need to go higher that is a later discussion if there are no viable applicants.

2. COMMUNICATIONS FROM THE PUBLIC

1. Tim and Jeanne Collins were present to discuss their concerns about the proposed Circuit Court building. He is in favor of keeping that service in Heppner but does not like the location as it is in his backyard.

Lorrie Fox wants to know what the impact on their street will be. Corey Sweeney explained that there have been no discussions about sidewalks etc. yet on Elder or Aiken Street. The main entrance will be below the building. There will be very minimal or no traffic on Aiken Street. The only thing that will be in that area is a small parking lot for 3-4 employees. The main parking lot will be in front of the building.

Kyle Robinson asked how this would affect the Rodeo. Corey explained that the lot will be unused during the weekend and will be open for Fair/Rodeo parking.

Patrick Collins asked about the proposed sites for the building were. Corey can speak about 7 of the sites as they are City property. The others were private and were discussed during Executive Session last November. The City offered everything they could to try to make this stay in Heppner. The City Hall building was offered, the soccer field at Hager Park, the Public Works shop, the lot on Chase and May, and Thomson Square. Morrow County picked the option of using property they already owned. This was the best option to keep it here. The State will not allow the Circuit Court to stay in the existing courthouse any longer. Irrigon, Lexington and Boardman all had ground to build on. There is an ORS that stipulates that the County Court has to stay in Heppner. Circuit Court can be anywhere in the county, but the funds from the state had to be one complete build.

Jeanne Collins is concerned about the safety of the school with the court building being so close. There hasn't been a circuit court case in 3 years. It's mostly on Zoom or settled before it goes to court. The Sheriff's department works with the court for security. The court has to have a bailiff and prisoners are transported by

the sheriff's office. In 45 years, Bill Kuhn said he has never witnessed a dangerous situation in the courthouse. It's one of the most secure places in the area.

Corey Sweeney and Tom Wolff met with the County and Morrow County has secured the money and made the decision on the property. That was when the announcement was made in the paper and released to the public. We don't want Heppner to lose this opportunity or these jobs. This City will work with individuals and property owners and take comments and work to make this project happen. Tom Wolff said that at that meeting he asked about parking for the Rodeo. County Commissioner Chairman David Sykes assured him that during Rodeo there will be no circuit court hearings. There will be a small parking lot in the rear of the building that will fit about 12 vehicles. All out front of the building will be public parking for that facility.

Terri Gentry isn't sure who is in charge of all this. Is the serious discussion already done? Are any adjustments going to be made? Is the City or the County in charge? They will have to go through the City Planning Commission for permission to build in Heppner. Corey Sweeney said we will now try to work everything out to make it work for everyone. Terri is concerned that if there isn't enough parking there will no longer be a rodeo. It is only 3 days a year but is a big impact for some people. She wants to make sure she stays in the loop. Corey said that there is still some time, as it is not breaking ground until 2025. The City wants to be transparent and open about this process. Cody said this is the first of hopefully many meetings. The County is the ones deciding what they want to build. The City determines if issues have been corrected for them to be approved to build. Everyone will not be happy but our job is to see what is the best for everyone. Tom Wolff said that it was made very clear to him that the site has been picked. The city comes into the picture with the Conditional Use permit for upgrades to the street, replacement of the bridge, curbs, gutters, sidewalks. How big is the parking lot, fencing, amenities, trees. Those are the types of issues that would come before the City Planning Commission. As citizens, Tom asked that they go to the County Court, as they make the ultimate decisions on the size and placement of the building, parking lots etc. The City has no decision making capabilities on the site at this time.

2. Barb Orwick gave a report for the Neighborhood Center. They are still open. They hours are from 9:30 to 4:30. They are still taking donations. She asked that if you make a donation to please shop also. There were 16 volunteers in June, for a total of 192.25 minutes.
3. Kelly and Doug Holland asked what the status on Kenny Stookey was. Corey has been working on this. Kenny was given 30 day's notice which was up on July 9th. Now the police can get involved to have him vacate the property. The Hollands feel that there is no teeth in the City's policy regarding this. Cody High said that it seems that the situation has no teeth because no action has been taken whatsoever. Mayor Sweeney has started the process. Interim City Manager Tom Wolff has followed through and they have begun the phase to correct it. We now

begin the phase of punishment. There should be seeable action before the next meeting.

3. CONSENT AGENDA

A. June 12, 2023 City Council meeting minutes.

Motion to approve the minutes by John Doherty. Seconded by Dale Bates. Motion Carried

B. Approval of Monthly Bills

We are almost finished with Premiere. ODOT came and did the inspection and a crosswalk on Willow and Chase was installed on the wrong side of the intersection. That has to be corrected. ODOT recommended contacting Ferguson Engineering and instruct them to contact the subcontractor. Tom received an email that said Ferguson was not made aware of that requirement. Ferguson Engineering has disbanded. Kenny Delano the project surveyor will try to find a way to get this accomplished and get the project closed out. They had spoken to Kraig about it previously and it did not seem to be an issue with him. He requested assistance getting the correct forms to submit. Kenny will make a trip to Heppner and measure each ramp, but said he is not a certified ADA inspector. It was decided that the Public Works crew would be able to remove the crosswalk and put it in the correct area. The ODOT inspector will close out when she receives pictures of its completion.

Motion to approve the monthly bills by JoAnna Lamb. Seconded by John Doherty. Motion Carried

C. Financial Statement – For information only

4. REPORTS

A. Fire Chief Report

- 4 Lift Assists
- 3 Secure Landing Zone
- 1 Natural Vegetation fire, Mutual Aid to Lexington
- 3 Motor Vehicle Accidents with injuries
- 1 Natural Vegetation Fire Mutual Aid to Echo
- 1 Motor Vehicle Accident with injuries Life Flighted
- 1 Natural Vegetation fire Mutual Aid to lone
- 2 Natural Vegetation Fire Mutual Aid to HRFPD
- 1 Baler Fire at Little Butter Creek
- 1 SAR HRFPD
- 1 Natural Vegetation Fire in City Limits

1 Natural Vegetation Fire Mutual Aid to Umatilla County

Awaiting Ready to Build with options of a Type 3 Engine for RFPD.

Received a Grant from Oregon State Fire Marshalls Office for CWRR.

Awaiting funds from 2 Grants from Community Wildfire Risk Reduction with OSFM. One for City Protection and the other for the WIU at Blakes Ranch.

Conducted the last work day at Blakes Ranch. Worked to clear the road systems, fell trees and removed brush.

The old command vehicle will be surplus by next week. There are two interested parties. The funds from it will be split 50/50 between City and Rural, as it was acquired that way.

B. Morrow County Sheriff's Department

Nathen Braun read the report. There were 349.75 hours for the month of June. There were 18 citizen contacts, 11 dog calls, 12 traffic stops, 12 warnings. There was a citation issued for a driving complaint in the ODOT work zone. Total incidents were 173 and 2 misdemeanor arrests.

Cody High asked how they determine Heppner hours. Nathen said their time doesn't start until they get to Heppner. Any time they are in the city doing Heppner business that is Heppner time. If they are in the city not doing Heppner business, it is not included in Heppner time. If someone from Heppner is transported to jail, it is included in Heppner time.

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

Water Dept. – Replaced water meters at 345 N Gilmore, 245 W Center, 235 W Church, and 124 N Main St. Replaced the meter box at 124 N Main St. Continued the monitor and adjusted the wells physically. Cleaned the chlorine pump and replaced lines at Reservoir 1. Repaired a water leak in the service line at Les Schwab. Sprayed weeds around the well houses. Worked on the master meter list and GIS. Started inventory for the customer side service lines. Completed the Water Consumer Confidence Report and Tarina sent it into Oregon Health Authority.

The Council discussed the extra work and materials for the repairs that had to be made at Les Schwab, as this was caused by the ODOT construction project.

Sewer Dept. – Cleaned the contact basins twice. Did 17 Septic dumps. Installed a recirculating pump at the treatment plant. Fixed the dewatering pump on the left side of the contact basin. Began training Alea on the treatment plant duties.

Streets Dept. – Raised some drip system lines on Main St. Took the Senior Banners down. Finished putting up the hanging baskets. Fertilized the baskets once a week.

Fixed pot holes on Thompson St. Hauled a dead deer to the ODOT yard. Attended ODOT project meetings. Worked many days on the downtown irrigation for the flower baskets and trees.

Parks Dept. – Put up soccer goals at Hager Park. Worked on irrigation at Hager. We finally found a short in the wiring. Fixed the mulching deck. Replaced a belt and spring. Replace a leaking irrigation valve at Hager Park.

Other. – Attended the Utilities Commission meeting.

D. City Manager Report

1. Re-started the Fire Hall Gen-Set Project – commenced work to be done.
2. Discussed with Kim Cutsforth – COE Flood Plain area in the City and at Mill site.
3. Discussed with John Edmundson – Feral Cat issues in Hospital Neighborhood.
4. Discussed Sheriff Patrol with the Deputy – asked him to patrol behind Heritage Museum Building. Deputy Stutzman is to assume City Patrol as of 7/1/23.
5. Discussed a “To do List” as prepared by Mayor Sweeney and Kraig Cutsforth.
6. Met with ODOT Inspector Michelle Owens and PW Chad Doherty on final walkthrough and pictures on the Gale Street project.
7. Discussed with Tamara Mabbott and Zoomed the Morrow County Board of Commissioners meeting regarding the County's Goal 9 Planning requirement. Industrial Lands within the Willow Creek Valley” 20-year needs study.
8. Updated, formatted, and completed the City's 2023-2024 Budget, and filed with the County Assessor and County Clerk's offices.
9. Attended, with Mayor Sweeney, the POM-County-Cities quarterly update meeting in Boardman. Spoke on Heppner's behalf (made Heppner's presence known).
10. Call from Tom Logan regarding sidewalk repair in front of the Forest Service building. (Kraig Cutsforth's promise of financial assistance.)
11. Discussed with Fire Chief Steve Rhea the Blakes Ranch and City “Fire Prevention Grants” received.
12. Prepared for and attended the Utility Commission Mtg on June 29.
13. Discussed with Jerry Healy a Code Violation site in the City. Healy offered a solution.
14. Met with Mayor Sweeney and Board of Commissioners Chair David Sykes on the new Circuit Court Bldg project and location.
15. Discussed and dealt with weed issues and spraying at the Fire Hall lot.
16. Researched a MORE agreement document and prepared for Council presentation.
17. Visited with Ryan DeGraff – Business Oregon department.
18. Held daily update confab with PW Director Chad Doherty.
19. Reviewed WCVEDG agenda and attended the meeting on July 9. Applied for disbursement of grant funds for demolition at 290 and 300 N Chase Street. \$7,503.00.

20. Called BMP and discussed City Manager's search contract with Dave Zabell – set the Zoom conference for the Council meeting/
21. Purchased and presented a card and flowers to Mindy Wilson on her final day with the City.
22. Requested a PW employee to clean-out and dispose of waste cardboard and newspapers in rear City Hall Hallway.
23. Discussed with PW Chad Doherty a potential employee.
24. Discussed with Staff the Employee Compensation Matrix. It will need to be re-built and updated. Should be done annually.
25. Visited with Chris Sykes – general City affairs.
26. Welcomed new employee Heather Kelton.
27. Visited with new City Patrol Officer Stutzman.
28. Met with resident Jeanne Collins regarding the new Circuit Court Bldg.
29. US Army Hager Park requirements. Chad & Tom are meeting with the inspectors tomorrow.
30. Annual Audit engagement letter. The letter has been sent to the auditor.
31. Sheriff's Contract Issues, there were some concerns about this. This can be discussed tonight.
32. Small City Allotment Grant application. The latest application was inadequate. Tom will re submit the application before the July 31st due date.
33. Quit Claim Deed with Kraig Cutsforth should be recorded with Morrow County.
34. Heppner Chip-Seal project.
35. City Camera installation Program. The cameras will be installed the first week of August.
36. CenturyTel issues with the city account will be addressed.
37. Worked on the effluent agreement with Hoskins and the Golf Course has expired and the agreement needs to re-signed.
38. The new server has been ordered.
39. An address on Alfalfa Street has been changed by request of the property owner.
40. Attended a WCVEDG meeting. At the meeting it was decided that the Heppner City Manager be a permanent member on that board.

6. BUSINESS

A. Old Business

1. Sewer Project Update – Chad reported the effluent agreement is close to being done. Anderson Perry are close to being ready to search for funding for the Sewer Project.
2. Water System Update – Chad has been working on the Water conservation Plan with Oregon Water Association Utilities. It has been accepted.

3. Street Project Update – This was covered earlier in the meeting. We do have an agreement with Morrow County for a chip seal project. This has been pushed out to spring as crack sealing needs to be completed first.

B. New Business

1. Check signers

The Bank of Eastern Oregon requires council minutes authorizing check signers and as admin on the accounts. Currently the authorized check signers are Dale, Kraig, Chad, Corey and Adam.

Motion to remove Kraig Cutsforth as a check signer for the Bank of Eastern Oregon accounts and add Interim City Manager Tom Wolff by JoAnna Lamb. Seconded by Cody High. Motion Carried

Motion to remove current signers from the Lone Pine Investments brokerage account and add Tom Wolff, Corey Sweeney and Dale Bates as new signers by Cody High. Seconded by John Doherty. Motion Carried

Motion to remove Mindy Wilson as admin on the city accounts at Bank of Eastern Oregon and add Heather Kelton as admin by Sharon Inskeep. Seconded by Cody High. Motion Carried

2. Oregon House Bill 3115 discussion (Homeless Policy)

This was a bill provided by Oregon Legislature that mandated every city to come up with a “Homeless Solve Resolution”. City or Boardman recently created and passed a “Homeless Resolution”. The Resolution says that you can’t camp overnight in the City. It says that there will be venues where they may be placed. Boardman has partnered with Hermiston where there is a homeless shelter going in between Hermiston and Umatilla. There will be penalties for camping on the street and defecating on the street. Tom recommends that the City of Heppner adopt this as part of our “Homeless Policy” as required by House Bill 3115. This would be an Ordinance. This will be voted on at the August Council meeting.

3. MORE Agreement

A MORE Agreement is a Global Interagency Contracting Agreement. This is being files for the City of Heppner. It streamlines Interagency Agreements.

4. Tom Logan: Forest Service Building sidewalk repair

This was brought before the Utilities Commission Meeting. The Commission recommended not to give the \$4,900 to help repair Tom Logan's sidewalks as it sets a precedence. This is a rental property that he collects income on. Tom Logan claims that city utility work caused the damage to his sidewalk. Tom Logan had scheduled to have the work done at a cost of \$25,000 with the verbal agreement of Kraig Cutsforth that the city would contribute \$4,900. Tom Wolff explained the history of the property to Tom Logan. There were some old underground fuel tanks there that were not compacted correctly and probably led to the problem. Tom Wolff said that he defends Kraig Cutsforth's decision to some degree as there was money left in the "Sidewalks" fund. The Budget Committee has asked to use that money and close that line for a few years. We have now discovered what that potential use for it was going to be. Tom does not recommend that the City subsidize that sidewalk improvement. It would undermine our policy and our Ordinance that sidewalks are the responsibility of the landowner or adjacent landowner. This is what was recommended by the Utilities Commission.

Motion to follow the recommendation by the Utilities Commission by John Doherty. Seconded by JoAnna Lamb. Motion was carried 4 to 2 with Sharon Inskip and Cody High voting opposed.

Cody High commented that he understands where the Utilities Commission is coming from. He understands Tom Wolff's point of setting a precedence. It would have been a great thing to know beforehand if he was the property owner prepared to invest money into the property with the city as a partner in that. He would be unhappy. It was not the right course of action to begin with.

The motion was carried.

7. MINUTES OF COMMISSION MEETINGS – For information only.

8. REPORT FROM CITY ATTORNEY – Bill has been working on the street vacation. He will have another conversation with them as he thinks they do not fully understand how it will work.

9. REPORT FROM MAYOR, CITY COUNCILORS - Cody suggests that the City streamlines the Animal Permit process. When people apply, it is usually approved. This may be able to be taken care of by City staff in the office instead of going to Council.

10. ADJOURNMENT – Meeting adjourned at 9:24 PM