



CITY COUNCIL MINUTES

Irrigon City Council Meeting

October 21, 2008

7:00 P.M.

Irrigon City Hall

500 NE Main Avenue

1. Call to Order/Roll Call

Mayor James Ray called the meeting to order at 7:00 p.m.

Mayor Ray called on Joe Cox to lead the Pledge of Allegiance.

Council Members present: Ken Matlack, Robert Flournoy, Mayor Pro-Tem Jack Johns, Harold Poeling, Elleanor Partridge and David Burns.

Staff Members present: City Manager Gerald Breazeale, Penny Moore Utility Billing Clerk, and Public Works Director Keith White.

Citizens present: Meredith De Heaven; Joe Cox; Bev Bridgewater; David Wood; Gloria Wood; Paki Perala; Amy Sandy; Tanna Dole; Thomas Skach and Lyman Branson II.

At this time Mayor James Ray introduced Tanna Dole and David Wood as two of three prospective citizens interested in serving as a member of the Irrigon City Planning Commission. Mayor Ray asked the council if they had a chance to read the letters of interest in their packet.

Councilor Ken Matlack made the motion to appoint Tanna Dole, David Wood and Dale Beamer (not in attendance) to the planning commission. Councilor David Burns seconded the motion. Vote was taken. Motion carried unanimously.

City Manager Gerald Breazeale issued the oath of office to Tanna Dole and David Wood as Planning Commission members. Dale Beamer will be sworn in at the November 4, 2008 Planning Commission meeting.

2. Comments from Citizens not on the Agenda – Max. 5 Minutes/person

Amy Sandy addressed the council as a volunteer for the children's playground, stating that she has been helping to find funding and also she will host a parent meeting on Thursday, October 23, 2008 to organize a committee that will help with the fundraising, along with organizing the Irrigon Chamber of Commerce fundraising cookbook. Ms. Sandy is looking for anyone that would like to submit recipes. Ms. Sandy stated that the Irrigon Elementary School will have a fundraising event for the playground also.

Ms. Sandy presented a petition for support of the children's playground. Ms. Sandy stated that Home Depot offered support of a cash donation or with the equipment, she asked for permission to apply for a Home Depot online grant. Mayor James Ray stated that this children's playground would be accessible for wheel chair and the disabled. Councilor Harold Poeling made the motion to allow Ms. Sandy to apply for the online grant to Home Depot with a provision that the City Manager to see the final draft before applying for the grant. Councilor Elleanor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

3. Approval of Minutes – September 16, 2008 Council Meeting

There was one correction to be made, page 2, number 4, first sentence, change vacate to vacant.

Councilor Bob Flournoy made the motion to approve the minutes as corrected. Mayor Pro-Tem Jack Johns seconded the motion. Vote was taken. Motion to approve the September 16, 2008 minutes passed unanimously.

At this time Councilor Ken Matlack brought up old business from the September 16, 2008 meeting regarding Christine Sorenson's question about the city's web site minutes not being posted since February 2008. Councilor Matlack asked if this issue had been taken care of. Penny Moore stated that the minutes were up to date except for September 16, 2008; she was waiting for approval of the minutes before posting to the web site.

Councilor Matlack asked Public Works Director Keith White about an update of the city working with ODOT on removal of the asphalt on Sixth Street. Mr. White stated that he has a local contractor to pull all the asphalt out; ODOT needs to come back and re-cut the asphalt.

Also, there was a discussion on the new espresso stand; Councilor Matlack expressed his concern about customers turning their cars around to exit onto the road. Councilor Matlack stated that if people were allowed to park in that area of Highway 730 before what would be the difference with cars pulling in and out from the highway, and from his point of view it looks like it would be safer access, why is ODOT so apposed to this access from the highway? Councilor David Burns reported that he contacted the head person of ODOT concerning the same issue. The person Councilor Burns talked to stated that no application for change was applied for by the Pearsall's and that this access to and from Highway 730 was under the old rule. Councilor Burn stated ODOT's reason being that since there is a street adjacent to where you could enter and exit, they would not allow you to enter or exit that off Highway 730. The consensus was that the application would be turned down; the council is in support of getting access to and from the highway. Councilor Burns stated that he would talk to the Pearsall's regarding this matter.

4. Correspondence

There was correspondence from Irrigon Junior-Senior High School thanking the City Council for reducing the SDC fee. The saving will be used toward future concessions and restroom facility. At this time an invoice from number 17 accounts payable of the agenda was brought up to renew the Irrigon Junior-Senior High School Boosters Club membership dues. Councilor Harold Poeling made the motion to pay the dues of \$70.00. Councilor Elleanor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

The correspondence from the League of Oregon Cities was in regards to cities submitting local photographs for use in the LOC calendar. City Manager Breazeale asked for any photos people were willing to share.

5. Appointment of Planning Commission Members

This item was done under the minutes (number 3).

6. Master Services Agreement – Tetra Tech

City Manager Gerald Breazeale went over the background of SCM engineering work that was used for the wastewater system. There were problems in the past with SCM and some design and support issues, the company that bought SCM was Tetra Tech and City Manager Breazeale is encouraged that Tetra Tech will stand behind their work, and Tetra Tech has a complete history of the city's wastewater system.

At this time Paki Perala from Tetra Tech took the floor to answer any questions. Councilor Ken Matlack was concerned about all the time and money that has been put into making the system work and how this issue could be handled better.

Mr. Perala stated that Tetra Tech had invested in ways to make the system work better. One of the facts is that the city has not grown as anticipated, so even today after 3 ½ years later the design isn't where it should be. Councilor Bob Flournoy noted that the city attorney's signature is not on the contract.

Councilor Flournoy made the motion to approve the master service agreement pending the city attorney review and sign the contract. Councilor Ken Matlack seconded the motion. Vote was taken. Motion carried unanimously.

7. West Extension Irrigation District Right of Way Discussion - Beverly Bridgewater

Mayor James Ray introduced Beverly Bridgewater, Manager of the West Extension Irrigation District. Ms. Bridgewater stated that the district water line pipes are old and regardless if they are inactive or active the issue is that they are federally owned assets that are in the city streets. Ms. Bridgewater questioned why the master crossing agreement with the Bureau of Reclamation for the active lines and the abandon lines had not been taken care of. Mayor Ray read Ordinance 135 stating that the city has jurisdiction and exercises regulatory control over all public right of ways within the city under the authority of the city charter and state law. (Ord. 135, 2-11-1997). Mayor Ray stated the city does not believe that BOR has a superior claim to the right of way in this case.

There was a discussion on a letter that City Manager Gerald Breazeale sent to Michael Bommer, the manager in the Hermiston's field office of the Bureau of Reclamation in September 2007, over a year ago. Ms. Bridgewater stated again that the government requires a crossing agreement. Councilor David Burns stated that he believes the issue needed to be addressed. City Manager Breazeale stated that the city does not come in contact with the Federal assets. The BOR has not come up with evidence of the Bureau's control of the right of way. City Manager Breazeale stated that the issue a city controlled right of way. Ms. Bridgewater was not satisfied that no improvement had been made in this meeting. She will contact the BOR to see about a session involving all parties.

8. Request for Street Vacation – Riverview Avenue – Tom Skatch

Mayor James Ray addressed Tom Skatch stating that the request for vacation is denied on Riverview Avenue because the Fire Marshall would not approve it. The Fire Marshall stated that the publics need for travel options and access are far more important.

Tom Skatch responded by reviewing the same history of the mobile home park that he presented during the September 16, 2008 meeting, which is also stated in his letter to the council.

Mr. Skatch prepared a petition with four names for the vacation. City Manager Gerald Breazeale stated that he had received a phone call this day from a resident on Riverview opposing the vacation of the right of way. City Manager Breazeale stated that his recommendation was not to vacate the street. In his opinion the need to get from east to west is the higher need for the public. It's in our Transportation System Plan not to make long cul-de-sacs, and dead end streets. Presently there is no east/west access other than the state highway.

Councilor Bob Flournoy made the motion to deny the vacation of Riverview Avenue. Elleanor Partridge seconded the motion. Councilor Ken Matlack stated that the removal of the stop sign was because of parking issues, and he would support reversing the signs. Vote was taken. Motion carried unanimously.

9. Resolution No. 08-21, A Resolution Establishing Written Policies and Procedures for the City of Irrigon to Establish Identity Theft Prevention and Identity "Red Flags" as Required by the FACT Act of 2003

City Manager Gerald Breazeale recommended that the city pass this resolution requiring a systems and procedures in place to help prevent identity theft. The resolution states what information is private and what information is public record.

Councilor Bob Flournoy made the motion to approve Resolution No. 08-21. Councilor Elleanor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

10. Water Improvement Project
 - a) Partial Pay Request No. 5

City Manager Gerald Breazeale stated that the contractor is requesting payment no. 5. Councilor Harold Poeling made the motion to approve payment of \$347,851.49 to Swaggart Brothers. Councilor Bob Flournoy seconded the motion. Vote was taken. Motion carried unanimously.

11. Right of Way Acquisition – Fourteenth Street

City Manager Gerald Breazeale stated that he did not have progress to report this month. The appraiser is still working to obtain a value for the property.

12. Move Water/Sewer Deposits to Interest Bearing Account

City Manager Gerald Breazeale stated that the city has a water trust account where the water/sewer deposits from new customers are deposited. Currently the water/sewer accounts do not pay any interest. City Manager Breazeale recommended that the funds be put into an interest bearing account.

Councilor Harold Poeling made the motion to move water/sewer deposit funds to an interest bearing account. Councilor Bob Flournoy seconded the motion. Vote was taken. Motion carried unanimously.

13. Authorize Application to OECDD for Loan for Sewer Main Extensions

City Manager Gerald Breazeale asked to take out a loan with OECDD through their wastewater program for \$617,770 to extend sewer mains from Fourth Street to First Street along Main Avenue and then north along First Street. This would allow a conversion for the Tumbleweed Subdivision to conventional sewer. This would stay in compliance with DEQ.

Councilor David Burns asked if the loan was a matching grant. City Manager Breazeale replied that it was a straight loan and the state asked that the City apply for the funds.

Councilor Harold Poeling made the motion to allow the loan application for sewer main extensions. Mayor Pro-Tem Jack Johns seconded the motion. Vote was taken. Motion carried unanimously.

14. Needs and Issues List for Tippage Fee Applications

City Manager Gerald Breazeale reported that this year the County Commission 2008 tippage fees would be \$500,000, distributed county wide. City Manager Breazeale recommended that the request list in the council's packet be submitted to the Needs and Issues with the city's priorities as a community. The sports complex intersection and Washington Street improvements would be from Tenth to Twelfth Streets along Washington Street with sidewalks on both sides of street, along with street lights. This application is supported by the Park District.

The Park District is entertaining putting in a RV Park down by the river where the city vacated Twelfth Street; this would bring more traffic to that area. City Manager Breazeale advised the council for a need of an agreement with the Park District that they will hold their application for the RV Park and support the city's application for the improvements to Washington Street. Mayor James Ray pointed out that the city would have up to three years to spend the funds awarded.

Councilor Ken Matlack made the motion to approve the 2008 tippage fee requests as outlined in order given. Mayor Pro-Tem Jack Johns asked to abstain from voting because to his property value would go up. *Mayor Pro-Tem. Johns asked that this be noted.* City Manager Breazeale stated that this should not be a conflict of interest. Councilor Bob Flournoy seconded the motion. Vote was taken. Motion carried unanimously.

15. Report from the Morrow County Sheriff

Councilor Ken Matlack stated that the Sheriff's Department had received several complains as well as the schools asking for an increase presence for the school. Councilor Matlack stated that the code officer that comes early in the morning has been working school zones.

16. Staff Reports

- a) Report from the Public Works Director- There was no report this month from Keith White.
- b) Report from the Finance Officer- Brandy McNamee included in the report graphs illustrating the city's revenues versus expenses over the last year.
- c) Report from the City Manager- There was no comments from the council.

17. Accounts Payable

City Manager Gerald Breazeale submitted a travel reimbursement/expenditure sheet for \$524.16 that was not included in the accounts payable expenses sheets.

Councilor Ken Matlack made the motion to approve and pay this expense. Councilor Eleanor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

Councilor Bob Flournoy made the motion to approve and pay the accounts payable. Mayor Pro-Tem Jack Johns seconded the motion. Vote was taken. Motion carried unanimously.

18. Additional Discussion

Councilor Ken Matlack reminded the council of an earlier discussion about a change in the stop signs on Riverview with signs stating 20 feet back (no parking from here to there) at the intersection.

Riverview Park Manager Lyman Branson offered to purchase and set up two stop signs making the intersection a 4-way stop. Public Works Director Keith White stated that the Park was fully in their rights to put up the signs.

Regarding the parking concerns of Councilor Matlack, Mr. Branson will send out a notice to park residents stating that they must not park within 25 feet on intersection of Riverview.

Council Bob Flournoy made the motion to increase the contribution to the Irrigon Junior-Senior High School Boosters Club membership dues from \$70 to \$100. Councilor Harold Poeling seconded the motion. Vote was taken. Motion passed by vote of 5 to 1. Councilor David Burns voting "no".

Adjournment- There was no further business before the council at this time; the meeting was adjourned at 9:25 p.m.

Next Regular Meeting Date – November 18, 2008

If you would like to attend and need assistance, please call Irrigon City Hall at 1.541.922.3047 or TTY relay 1.800.735.2900

