



## CITY COUNCIL MINUTES

Irrigon City Council Meeting

November 17, 2009

6:00 p.m.

**Irrigon City Hall**

**500 NE Main Avenue**

### Call to Order/Roll Call

Mayor James Ray called the meeting to order at 6:00 p.m.

Mayor Ray invited the audience to join in the Pledge of Allegiance.

Council present: Ken Matlack, Harold Poeling, Mayor Pro-Tem Jack Mayor, Eleanor Partridge, David Burns, and newly appointed Arnold Theisen.

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

Citizens present: Christine Sorenson, David Wood, Representative Greg Smith, Genevieve Smith, Jeannett Conner and Don Hurd.

### Oath of Office

City Manager Gerald Breazeale issued the oath of office to Arnold Theisen and he was sworn in as a city council member.

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

Christine Sorenson addressed the council regarding the city logo asking about the proper grammar to “Where Lewis & Clark and The Oregon Trail Meet”. Ms. Sorenson stated that it would not be proper language. The council consensus is that it is not past-tense.

David Wood handed out a questionnaire from the Economic Development Committee (CDC) to the council regarding the City of Irrigon, when approximately thirty foams are returned a tally will be made and announced.

Councilor Burns asked Mayor Ray if this would be the proper time to address that Don Hurd had contacted some of the council members. Mayor Ray stated that if Don Hurd arrives, this issue would be under "additional discussion" at the end of the agenda.

#### Approval of Minutes – 2009 Council Meeting

It was moved by Councilor Burns and seconded by Councilor Poeling to approve the minutes as presented. Motion carried unanimously.

#### Correspondence

There was a letter from the Morrow County Court to allocate Tippage Fees (\$6,500.00) to the City of Irrigon for the water line to the Irrigon Sports complex. City Manager Breazeale stated that the money allocated was not enough to complete the project; however, these funds will buy the materials to extend the water line from Tenth Street down to Twelfth Street from Washington Avenue. It was stated that the Marina Park District has the responsibility to put in the water line.

Representative Greg Smith arrived at 6:10 p.m.

At this time Representative Greg Smith presented a flag that flew over the capitol building on November 7 in honor of the Veteran's Day celebration. Rep. Smith presented the Oregon state flag to Mayor Ray on behalf of Irrigon. A photo of Rep. Smith and the Mayor was taken.

Representative Greg Smith left at 6:15 p.m.

#### Economic Development Committee – David Wood

David Wood stated that there will be no December meeting, however, they will resume in January 2010.

#### Water Improvement Project

City Manager Breazeale stated that the final close out payment request from Swaggart Brothers had been received. This is for the retainage that the city has been holding pending completion of the punch list items.

It was moved by Councilor Poeling and seconded by Mayor Pro-Tem Johns to approve final retainage to Swaggart Brothers for \$146,506.07. Motion carried unanimously.

Manager Breazeale stated that the city has obtained an extension on the payment for the OECDD loan because of the delay due to the Highway 730 portion of the project.

It was moved by Councilor Burns and seconded by Councilor Partridge to approve amendment no. 1, contract no. S07003 to be paid for the water system improvements. Motion carried unanimously.

Manager Breazeale stated that the invoice from Tetra Tech for the work that they are doing on the water improvement project is \$5,034.54. These payments are usually included in the accounts payables; however, because of the large expense for this project he wanted the council to be aware of the costs.

It was moved by Councilor Poeling and seconded by Councilor Partridge to approve the Tetra Tech invoice for \$5,034.54. Motion carried unanimously.

#### Prime Amendment No. 1 – Tetra Tech, High School Sewer Project

City Manager Breazeale stated that the extension lines to the high school that replace the septic tanks have had additional construction work done that is associated with the landscaping issues. The completion of this job involves work to resolve the landscape issues with the contractor which exhausted the approved budget of \$9,120. Public Works Director Keith White stated that the contractor Western Utility put in the line and the hydro-seed did not take on the cuts in the lawn at the school because of the heat. Western Utility, Morrow County School District (MCSD), and the city are blaming each other and no one is taking responsibility for finishing this project. The MCSD would like the city to give them \$3,800.00 to put in sod. If the sod does not grow, it would be the MCSD responsibility at that point. The planting of the sod would happen in the spring.

Mr. White stated that after hooking up the Irrigon High School to the conventional sewer system the Bio-Chemical Oxygen Demand (BOD) is showing an increase in food strength, the current BOD was 188 m/l compared to the normal 120-130 range, which is good news for the city.

Councilor Burns questioned the increase in payment of this project. It was stated that there is a retainage of \$2,350 being withheld from Western Utility.

It was moved by Councilor Poeling and seconded by Councilor Partridge to approve the increase of \$1,750.00 making the payment to Tetra Tech Prime Amendment No. 1 for **\$10,870.00**. Motion carried after a vote of Councilor Matlack, yes; Councilor Poeling, yes; Mayor Pro-Tem John, yes; Councilor Partridge, yes; Councilor Theisen, yes; and Councilor Burns, no.

#### Sewer Extension 2009 Phase 1

City Manager Breazeale gave an update report on the sewer extension stating that work has begun on the project with the manhole set at the intersection of First Street and Columbia Avenue. The work is being done by JAL Construction the same contractor working on the First Street and Columbia Avenue Pedestrian and Bicycle Project. Extra work is being done on the water/sewer lines that the city will not have trouble with in the future at no cost to the tax payers. The city will be ending up with a \$1.4 million project off of a \$930,000.00 award.

#### First and Columbia Pedestrian and Bicycle Project

It was reported that the lights are in and lit on Columbia Avenue, also the sidewalks are going in.

#### Seventh Street Right of Way Adjustment – Per 1995 Council Decision

Jeanett Conner a returning resident to Irrigon has property at the corner of Seventh Street and Idaho Avenue. Ms. Conner brought an issue to the attention of the city manager. Ms. Conner stated that back in 1995 the city council agreed to narrow the right of way of Seventh Street from Highway 730 down to Idaho in exchange for property that was donated south of Idaho down to Utah. For some reason that narrowing of the right of way was never accomplished, the assessor maps show a 70 foot right of way there. Ms. Conner produced the proper papers and

Manager Breazeale found the minutes to the city council meeting confirming the adjustment. The city needs to give up 10 feet on either side, which was marked, however, never recorded.

City Manager Gerald Breazeale stated that he is not aware of subsequent action that would have changed the direction of the city council over 10 years ago; this city council has the right to make the decision to correct the Seventh Street right of way adjustment.

It was moved by Councilor Matlack and seconded by Councilor Partridge to make the Seventh Street right of way adjustment to give up 10 feet on either side, which is marked. The Motion carried unanimously.

#### LRA Report (Umatilla Army Depot Closure)

City Manager Breazeale stated that he has been attending the Local Reuse Authority (LRA) meetings, the last meeting was November 12, and he believes it is beneficial to be involved to obtain any information on how it may affect Irrigon.

The LRA is a recognized governing body for the future use of this Army Depot. The LRA Board consist of two members from the Port for Morrow, two members from Morrow County, two members from Umatilla, two members from Umatilla County, two representatives from the Tribes and two non voting members.

The Port of Morrow, Port of Umatilla, and the Tribes have indicated they would submit a notice of interest. The city council has adopted a resolution authorizing the city manager to submit a notice of interest which was due November 23, 2009.

Manger Breazeale has interviewed a consultant that he would like the council to authorize hiring to entertain the possibility of putting in wind and solar electric generation. This consulting would cost approximately \$4,500.00.

Don Hurd arrived at 7 p.m.

Manager Breazeale stated that a presentation to the LRA will be on December 17, 2009. Manger Breazeale stated that it would be helpful if the council could attend the LRA meeting. After the LRA meeting and all the notices of interest are received, they will come up with a plan for distribution of the Umatilla Army Depot. Manager Breazeale stated that one point of interest is that the LRA knows that The City of Irrigon is involved and to insist that Division Street remain open to Highway Interstate 84 (I-84). This would allow the citizens of Irrigon access to I-84 and any development at the army base. The city wants to be involved in the entire economic future at the army base. The city is asking for the West 2 miles, the 100 and 200 block buildings. Manager Breazeale stated that the buildings are not in the best conditions; however, he believes the city can use them. The rail is also desired, it would be suggested that the switch be put back in. The city has a plan for the water and sewer system, and the igloos for storage.

Manager Breazeale requested authorization to submit an application for Connect Oregon III and to include resumes. Manager Breazeale is attempting to get estimates from Union Pacific to install a switch and rail to access the base.

It was moved by Councilor Poeling and seconded by Councilor Partridge to hire a consultant for the possibility of putting in wind and solar electric generation. Motion carried unanimously.

It was moved by Councilor Poeling and seconded by Councilor Burns to authorization the city manager to submit application to Connect Oregon III for installing the rail switch. Motion carried unanimously.

## Report from the Morrow County Sheriff

It was moved by Councilor Burns and seconded by Councilor Partridge to accept the Sheriff's report. Motion carried unanimously.

## Staff Reports

Public Works Director Keith White stated that Don Hurd will have a final inspection on the water and sewer lines in Charity Loop and the request has been turned over to a third party inspector. The next step is the lighting and street work.

It was moved by Councilor Partridge and seconded by Councilor Burns to accept all of the staff reports. Motion carried unanimously.

## Annual Audit

City Manager Breazeale stated that the annual audit received excellent marks and our systems are much improved over prior years. There were no cash discrepancies found. Internal controls are stronger than they have ever been and the city has great knowledge of the financial position at all times. Councilor Burns stated that the council should be congratulated; there was a consensus from the council and a round of applause.

It was moved by Councilor Matlack and seconded by Councilor Partridge to accept the audit report. Motion carried unanimously.

## City request for Corp. Property for Park Purposes

Manager Breazeale stated that Ron Musser, head of the real estate division of the Portland Corp. of Engineers office indicated that he would be sending a letter regarding the status of Irrigon's request for the desire to expand the existing leased Marian Park facility west into the area previously identified as a possible swimming pool location. Manager Breazeale and Mr. Musser talked about leasing, not purchasing the property and there seemed to be no indication that there were any problems. The lease for the property would likely be for 30 years. Manager Breazeale stated that the city might want to pursue buying the property.

## Council Goals

Manager Breazeale stated that it had been two years since the council has had a goal setting session. Manager Breazeale went on to say that goals set in 2007 are continually being worked off. The council reviewed resolution 07-17 and deleted goals that have been completed. Items deleted were; move recycling station; establish a community development committee; and, provide recognition for beautification efforts. Added to the list were; provide signage for interpretive site; beautify the lots on Columbia & First Street; and an aquatic center.

Councilor Theisen suggested that the lot east of the senior center needs to be planted in grass or something to beautify the lot. David Wood stated that the CDC would like to see a community garden there for the citizens of Irrigon.

There was a brief discussion of the stink that comes from west of town which Councilor Burns said keeps people from moving to Irrigon. The DEQ said they can't regulate the stink.

It was moved by moved by Councilor Burns and seconded by Mayor Pro-Tem Johns to write a letter to the Morrow County Commissioner's and the letter to be signed by the entire City Council member's. Motion carried unanimously

Councilor Poeling suggested a letter be sent to Rep. Smith and direct calls to the Morrow County Commissioner's. It was stated that a draft in the form of a resolution would be ready for passage at the December meeting.

### Accounts Payable

It was moved by Councilor Poeling and seconded by Councilor Partridge to approve and pay the accounts payables. The motion carried unanimously.

### Additional Discussion

Mayor Ray recognized Don Hurd in the audience. Don Hurd handed out a letter to the council members. Mayor Ray stated that the council does not except a letter at the last minutes when there has been no time read the contents. Mr. Hurd stated that everything is in order and ready to proceed.

Mayor Ray asked Public Works Director Keith White where the street stands in the Turkey Run Subdivision. Mr. White stated that Mr. Hurd has a third party inspector, Steve Varner of Tetra Tech. Mr. Varner has done the inspection on the sewer and piping which it appears to have passed the general test and the water also passed and the street is roughed it and Mr. White is not sure of the amount of rock put down. Mr. White stated that he sees problems; first of all, usually all of the work is complete before any occupancy can move into the home. The completion of this subdivision has been going on for approximately 12 years.

Back in 1999 neither Planning nor Council required Mr. Hurd to have a street plan or profile on this subdivision. Mr. White stated that Public Works and the Council have the responsibility to have things done the right way. Emergency services have to have a street to go on to provide service. The building inspector will not give occupancy to a subdivision that is not completed, there needs to be running water, the sewer needs to be able to be used and the street accessible by emergency services. Councilor Matlack commented that he wants to make sure that the project is done correctly before people move in.

It was stated that it is up to the building inspector to approve a facility for occupancy.

### Adjournment

Being no further business, the meeting adjourned. It was moved by Councilor Poeling and seconded by Councilor Partridge to adjourn at 8:27 p.m. The motion carried unanimously.

Next Regular Meeting Date – December 15, 2009

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

SIGNED:

ATTEST:

\_\_\_\_\_  
James Ray, Mayor

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Gerald W. Breazeale, City Manager