



## **CITY COUNCIL MINUTES**

Irrigon City Council Meeting

February 17, 2009

7:00 PM

Irrigon City Hall

500 NE Main Avenue

1. Call to Order/Roll Call

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

Mayor Ray asked for everyone to stand for the Pledge of Allegiance.

Council Members present: Robert Flournoy, Ken Matlack, Jack Johns, Eleanor Partridge, David Burns and Harold Poeling.

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

Citizens present: Michael Roxbury, Andrew Sorenson, Christine Sorenson, Vickie Volk, Meredith DeHaven, Larry Long, Larry Burns, Dominic Starke, David Wood, Gloria Wood and Amy Sandy.

2. Election of Mayor and Mayor Pro-Tem

City Manager Gerald Breazeale stated that the first meeting of an odd numbered year the Irrigon Charter states that the council will hold elections for the Mayor and Mayor Pro-Tem. This was overlooked in the January meeting.

Mayor James Ray stated interest in remaining Mayor until elections in 2011, he stated having unfinished business to attend to. Councilor David Burns moved to nominate James Ray for Mayor and close the elections. Councilor Ken Matlack seconded the motion. The motion to accept James Ray to serve as Mayor passed unanimously.

Councilor Ken Matlack nominated Mayor Pro-Tem Jack Johns to continue as Mayor Pro-Tem. Councilor Harold Poeling moved to accept Jack Johns for Mayor Pro-Tem. Councilor Eleanor Partridge seconded the motion. The motion to accept Jack Johns to serve as Mayor Pro-Tem passed unanimously.

3. Correspondence

Vickie Volk, President of the Irrigon Chamber of Commerce made a request for the wagon that is jointly

owned by the Chamber and the City of Irrigon be entered in parades this year, transported on an 18 foot trailer that either herself or her husband would drive. The consensus of the council was in favor to allow transporting the wagon to be entered in parades by the Chamber.

Councilor Ken Matlack asked about a letter that City Manager Gerald Breazeale stated was dropped off late that afternoon by Gordon Musselman. Mr. Musselman had asked that the Mayor read his letter at the meeting tonight. Mayor James Ray read the letter and each issue was addressed. 1. Mr. Musselman complained of a rise in water rates. It was stated by the Mayor that this had not happened yet. 2. Mr. Musselman complained that the city needs a better managed union. Mayor Ray stated that the city has no union. 3. Mr. Musselman complained that no one was watching the contractors or the paving company as they worked into the night and did an incomplete job and then they removed all their men and equipment before any city representative showed up. Public Works Director Keith White stated that he believed this was referring to paving done to city hall. 3b. Mr. Musselman complained that the people who did these "despicable curbs" built and completed them at Fifth and Main before anyone from city hall discovered they were built all wrong. Manager Breazeale stated that the valley gutter in front of city hall did not follow that contour as shown on the plans and rather than have the contractor remove it, the contractor was asked to build the curbs on Fifth Street. 3c. Mr. Musselman complained that a city worker mowed all the lawn in front of city hall with a big gang mower and then another city worker spent 3 ½ hours re-mowing the same lawn with a small walk behind mower with a grass catcher. Keith White stated that this was the sods first cutting done by corrections. 3d. Mr. Musselman complained that the city paid someone to make the drop box without a slot. It takes two hands to use it. Manager Breazeale stated that the drop box was not custom made, it was purchased as is. 3e. Mr. Musselman complained that the street beside city hall is all wrong. The curbs interfere with turns and the recess at the drop box won't even accommodate a small car. The design is another waste of money. 3f. Mr. Musselman complained that he heard rumors that the city is paying the city manager mileage to drive to and from Heppner for work. It was answered that the city manager does not get paid for mileage to drive to and from Heppner. 3g. Mr. Musselman complained that we do not need sidewalks. We already have a foot/bike path. No comment was made to "we" do not need sidewalks. Councilor Robert Flournoy noted thanks to Mr. Musselman for his comments.

#### 4. Approval of Minutes – January 27, 2008 Council Meeting

Councilor Ken Matlack moved to accept the January 27, 2009 minutes. Councilor Robert Flournoy seconded the motion. The motion to accept the January 27, 2009 minutes passed unanimously.

#### 5. Request for Support of Forming a District for Financing the 450 Radio Network

Michael Roxbury Fire Chief of Umatilla addressed the council stating that he also is the chair of the Bi-County 450 MHz Communication System Board that is currently governing the radio system that will come to an end this time next year, which also ends the financing. Chief Roxbury stated that funding is needed and requested a resolution from the council in support of forming a district to raise funds necessary to maintain the radio network provided initially by CSEPP for communication between all emergency agencies. This issue will need to be voted on by the registered voters of the county. This district would cover both Morrow and Umatilla Counties. This system is to preserve what has already been funded and paid for.

Councilor Harold Poeling moved to sign the resolution to support forming a district to raise funds to maintain the 450 Radio System. Councilor Robert Flournoy seconded the motion. The motion to sign the resolution to support the 450 Radio System passed unanimously.

6. Correspondence

There were no correspondences.

7. Public Hearings

Mayor James Ray **opened** the public hearing starting with **Ordinance No. 195-09** to amend the Irrigon City Code Title 10, Chapter 2, Article E., Recreation Lands District. City Manager Gerald Breazeale stated that this ordinance is to update zoning codes for a recreation area along the river. This would give the city a little better leverage with the Corps of Engineers for what the city wanted to do with the property and also included the land owned and operated by the Irrigon Parks District. The Parks District applied for a building permit, but since there is no definition to the zone, the request was unable to be processed. The Irrigon Planning Commission has recommended that the Irrigon City Council adopt Ordinance No. 195-09 to define the uses allowed in the zone.

Mayor Ray read **Ordinance No. 196-09** to adjust charges listed in Schedule "A" of Ordinance No. 104. Manager Breazeale stated that this ordinance would adjust the existing water rate upward. Manager Breazeale reviewed the proposed water rates with a power point presentation from the first hearing on rates. When the first public hearing on the rates was voiced, the public said to do it gradually, which the city did, the base rate was raised to \$12. The voters approved a tax for the city to repay the loan if the city chooses to do that, and or raise the rates. The city is proposing to not raise the taxes but raise the user fees. Customers would pay for the amount of water they use. The base rate would increase from \$12 to \$14; users who used in excess of 1003 cubic feet (7,502 gallons) would see an increase from \$0.007 per cubic foot to \$0.0104 per cubic foot. Manager Breazeale stated that even with the proposed increase Finance Officer Brandy McNamee says the city will still be \$40,000 short.

Manager Breazeale discussed that the prior water rate increase was not enough to support the water bond payments. He continued to say that he knows it is difficult for the council to make a decision to raise property taxes before bond payments are due, however, the city can raise the water rates as an alternative to support the bond. A survey was taken of other cities and their water rates for comparison. Some cities increase water rates on a percentage automatically each year to keep up with inflation costs.

Mayor James Ray **closed** the public hearing.

8. **Council Action**

City Manager Gerald Breazeale read by title only the first reading of **Ordinance No. 195-09**. Manager Breazeale read by title only the second reading of **Ordinance No. 195-09**.

Mayor Pro-Tem Jack Johns moved to approve **Ordinance No. 195-09, An Ordinance Amending the Irrigon City Code Title 10, Chapter 2, Article E., Recreation Lands District**. Councilor Robert Flournoy seconded the motion. Vote was taken. Councilors Ken Matlack, Bob Flournoy, Harold Poeling, Eleanor Partridge, David Burns and Mayor Pro-Tem Jack Johns voting YES, the MOTION CARRIED unanimously.

9. **Council Action**

City Manager Gerald Breazeale read by title only the first reading of **Ordinance No. 196-09**. Manager Breazeale read by title only the second reading of **Ordinance No. 196-09**.

Councilor Bob Flournoy moved to approve **Ordinance No. 196-09, An Ordinance Adjusting Charges Listed in Schedule "A" of Ordinance No. 104.** Councilor Ken Matlack seconded the motion. Vote was taken. Councilors Ken Matlack, Bob Flournoy, Harold Poeling, Eleanor Partridge, David Burns and Mayor Pro-Tem Jack Johns voting YES, the MOTION CARRIED unanimously.

10. Water Improvement Project – Partial Pay Request No. 9

- a) City Manager Gerald Breazeale stated that the signed document for the partial pay request number 9 had not been received. The council could approve the request for \$173,534.90 not to be paid until signed document is received. Councilor Bob Flournoy asked who's responsible for the document not arriving on time. Manager Breazeale stated that the contractor and the engineer are responsible to get pay requests to city hall on time. These requests are subject to approval and signature of the engineer, contractor and the rural development agency.

Councilor Ken Matlack moved to approve partial pay request number 9 \$173,534.90 subject to signatures of engineer, contractor and the rural development agency. Councilor Eleanor Partridge seconded the motion. Councilor David Burns stated that formal comment would be made to the contractor stating that this is not going to be acceptable to pay if the signed documents have not been received on time. The motion to approve partial payment no.9 to the contractors passed unanimously.

- b) Change order Number

Manager Breazeale stated that there are some outstanding change orders that will need to be at a special meeting to go over issues subject to change. It was suggested that the council meet Tuesday, March 3 at 6 p.m. just before the planning commission meeting. Consensus of the council indicated that this would be satisfactory.

11. Resolution No. 09-01, A Resolution Allowing the City of Irrigon to Transfer \$7,000 from the General Fund (10) Contingency Line Item to Parks Improvement (40) Parks Improvement Capital Line Item for the Skate Park Camera Mounting and Donor Sign.

City Manager Gerald Breazeale explained that the city received tippage fees for two cameras to be mounted at the skate park. The city installed the first camera earlier but was short of grant funds for the second one to be installed. The second camera will give more security and hopefully act as a preventer of vandalism. The donors for the skate park were told that they would be provided a donor's wall to commemorate their donation. Manager Breazeale suggested transferring funds to allow this wall to be purchased, thus completing the Don Baxter Skate Park.

Councilor Harold Poeling moved to accept Resolution No. 09-01 to transfer \$7,000 from general fund to parks improvement fund for the skate park camera mounting and donor sign. Councilor Eleanor Partridge seconded the motion. The motion to accept Resolution No. 09-01 passed unanimously.

12. Resolution No. 09-02, A Resolution Allowing The City of Irrigon to Authorize Gerald Breazeale, Irrigon City Manager to Extend the Interim Financing Through the Interim Lender, Bank of Eastern Oregon for the Water Improvement General Obligation Bond to August 1, 2009

City Manager Gerald Breazeale stated that this interim financing is a loan that was taken out to pay the contractor while USDA finalizes the project and then at completion the USDA pays for the expenses. The

city would need to pay off approximately \$1,648,000 that was borrowed, the loan is due March 1, 2009, the city is asking for an extension of the interim financing to August 1, 2009.

Councilor Bob Flournoy moved to accept Resolution No. 09-02 to extend the interim financing until August 1, 2009. Councilor Harold Poeling seconded the motion. The motion to accept Resolution No. 09-02 passed unanimously.

13. Downtown Planning Project

City Manager Gerald Breazeale reported that the project is coming together; the consultants are setting up another Technical Advisory Committee meeting for March 5, 2009. The consultants will have three proposals to present at the meeting. Some planning work was authorized through the Main Street program with OCADD and they will have supporting work also.

14. Local Reuse Authority

City Manager Gerald Breazeale stated that the City of Irrigon has submitted a need for surplus property and the city is interested in mostly the western portion that goes out through Division, this would entail approximately a three mile area. Manager Breazeale will submit a proposal before the June deadline.

15. Moose Lodge Outdoor Extension of Activities

The Moose Lodge has applied for a permit for a permanent fence. The fence will make an area for smokers to go outside to smoke. The Oregon Liquor Control Commission has asked that the council approve the Moose Lodge fence and to conduct their business outdoors in the fenced area. Larry Long representing the Moose Lodge stated that this would be to extend their drinking and social activities to the outdoor space. Mr. Long stated that they do not intend to have music or serve outside; the area is for carrying their drinks outdoors to smoke and socialize. During the day time they would like to use the area for projects for the community, which in turn the money raised goes to a hospital in the east to help children. Mr. Long stated that very little money goes to them, only enough to maintain the Lodge.

Councilor Harold Poeling moved to approve the Moose Lodge to build a fence and to conduct their business outdoors in the fenced area. Councilor Eleanor Partridge seconded the motion. The motion to approve the Moose Lodge outdoor extension of activities passed unanimously.

16. Social Gambling Discussion

City Manager Gerald Breazeale stated that at the last planning commission meeting there was some informal discussion on social gambling. Manager Breazeale asked for direction from the council whether to pursue, and if so, prepare the necessary ordinance. Included in the councilor's packet was an example ordinance used by the City of Umatilla of what would be required. The city attorney has stated that an ordinance needs to be adopted to allow the use. Councilor David Burns stated that this ordinance would show interest in growth and promote business in Irrigon. Councilor Eleanor Partridge disagreed with Councilor Burns statement and thinks that this will bring a different element to Irrigon, one that is not going to be a very nice element. Mayor James Ray stated that there will not be any high rollers coming into town.

Citizen Meredith DeHaven stated that she worked for Paul's Restaurant which is now Bakes and they had business from all over the area because all they had was good food and good service. Citizen Vicki Volk asked if the council adopts a social gambling ordinance, would that also open the senior center and or churches to have bingo games that was state licensed to promote their charities. Manager Breazeale stated that churches technically fall under the same type of situation.

Councilor David Burns moved to have City Manager Gerald Breazeale pursue gathering further information regarding social gambling. Councilor Harold Poeling seconded the motion. The motion to pursue further information passed unanimously.

17. Report from the Morrow County Sheriff

Councilor Ken Matlack stated that the 450 radios for the public works department were available.

Councilor Ken Matlack stated that the second camera was being installed and was not on when we had the last vandalism episode. Councilor Matlack stated that he understands that this \$25,000 camera has six angles to record when in use. The city needs to find out from Easy Wireless if they have it programmed to record all six angles.

Councilor Ken Matlack brought up a recent unfortunate explosion in Boardman only for the benefit of making sure that the necessary training is in place in an event of a similar situation.

Councilor Harold Poeling moved to accept the sheriff report. Councilor Eleanor Partridge seconded the motion. The motion to accept the sheriff report passed unanimously.

18. Staff Reports

a) Report from the Public Works Director – There were no questions.

Councilor Ken Matlack made a comment on the Umatilla Morrow County Corrections stating that Morrow County might initiate their own corrections program to promote our own citizen's community service hours instead of losing them to Hermiston or Pendleton.

Councilor Harold Poeling moved to accept the Public Works Director report. Councilor Eleanor Partridge seconded the motion. The motion to accept the Public Works Director report passed unanimously.

b) Report from the Finance Officer – City Manager Gerald Breazeale asked the council for approval of a flyer that Brandy McNamee Finance Officer made titled "Great Drinking Water Now at a Tap Near You". This is an informational flyer for the consumers of Irrigon to answer questions or concerns about the impending water rate increase.

Public Works Director Keith White informed the council that he would like to hold the mailing of the flyer until the change in rate increase and the new wells are online. The consensus of the council was to wait until the changes were made before mailing out.

Mayor Pro-Tem Jack Johns moved to approve "Great Drinking Water Now at a Tap Near You" flyer to be mailed out after the rate increase and the new wells are online. Councilor Bob Flournoy seconded the motion. The motion to mail the "Great Drinking Water Now at a tap near you" flyer after changes are made passed unanimously.

c) Report from the City Manager - There were no questions on the city manager's report. Councilor Harold Poeling moved to accept the City Manager's report. Councilor Eleanor Partridge seconded the motion. The motion to accept the City Manager report passed unanimously.

19. Position Paper Regarding County Taxes of City Residents

City Manager Gerald Breazeale addressed the council on the draft of the position paper regarding the relationship between Morrow County and Irrigon city residents. Manager Breazeale stated that this position paper is for educational purposes only, to say that just because we live in the city does not mean that we are not county residents and that we are not entitled to county service.

Councilor Ken Matlack commented on the City of Irrigon having a contract that pays for fees for dogs and other matters.

Councilor Matlack stated that as a Sheriff his concern is that if you say there is no difference between the city and the county where these services are provided, even with no city government. City Manager Gerald Breazeale stated that Heppner and Irrigon pay for additional coverage; however, if Irrigon was not under contract and there were an emergency, we would need to call the Sheriff department to respond. The Sheriff's department would send the closest deputy to the area, if available.

Councilor David Burns moved to approve the Position Paper as read. Councilor Eleanor Partridge seconded the motion. The motion to approve the Position Paper as read passed with Mayor Pro-Tem Jack Johns abstaining.

20. Accounts Payable

Councilor Harold Poeling moved to approve and pay the accounts payable bills. Councilor Eleanor Partridge seconded the motion. The motion to approve and pay the accounts payable bills passed unanimously.

21. Additional Discussion

City Manager Gerald Breazeale reported that there are three Port of Morrow commissioner's positions available. Manager Breazeale stated it would be nice if someone from Irrigon could be on the commission. Manager Breazeale stated that he will find out the information on the positions and e-mail results to the council members.

Adjournment - There being no further business before the council at this time, Councilor Bob Flourney moved to adjourn. Councilor Harold Poeling seconded the motion. The meeting was adjourned at 9 p.m.

Next Regular Meeting Date – February 17, 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*

---

Mayor James Ray

---

Attest