



CITY COUNCIL MINUTES

Irrigon City Council Meeting

May 19, 2009

6:00 PM

Irrigon City Hall

500 NE Main Avenue

1. Call to Order/Roll Call

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

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

Council Members present: Ken Matlack, Robert Flournoy, Jack Johns, Eleanor Partridge, and Harold Poeling. Councilor David Burns was not present at the time of roll call.

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

Citizens present: David Wood, Gloria Wood, Amy Sandy, Dominic Starks, Dave Wildman and Jack Baker.

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

Mayor James Ray asked if there were any comments from the citizens in the audience.

Amy Sandy addressed the council about her concern on Division Street and gave the council a copy of an article that she intends to publish in the Irrigon Irrigator to inform the community. Ms. Sandy stated that she has lived on Division Street for a year and has seen the vehicles speeding up and down the street with no regard for the speed limit, pedestrians or animals, many of these speeders being teenagers.

Another concern is the children who walk down Division Street and have no respect for the motorists or the law. Sheriff Matlack stated that if citizens know who these kids are, he will contact the parents. Ms. Sandy continued to state that motorists should be responsible enough to go the speed limit; the speed limit is 25 mph on Division and 20 mph in the school zone.

3. Approval of Minutes – April 21, 2009 Council Meeting

Mayor James Ray asked if the council had a chance to read the minutes.

Councilor Harold Poeling moved to accept the April 21, 2009 council meeting minutes. Councilor Eleanor

Partridge seconded the motion. The motion to accept the April 21, 2009 council minutes passed unanimously.

4. Correspondence

City Manager Gerald Breazeale stated that there was one item of correspondence. Kayly Abercrombie sent an email requesting the use of city hall for a blood drive on July 23, 2009. Manager Breazeale stated that he thought this would be a good way to integrate the city hall complex with community functions.

It was the consensus of the city council to approve Ms. Abercrombie's request.

5. Request for Formation of Economic Development Committee

David Wood conducted a power point presentation for a request from the council to authorize an Economic Development Committee. Mr. Wood's presentation centered around the direction of the city's future, with many projects underway, one of which being the downtown project. There is a need for a comprehensive plan for economic development with concrete goals and promoting the city and encouraging development. Mr. Wood continued with how the committee could hold a public meeting to get the word out about the city's plans and ideas, also to assist existing business and encourage new businesses. Mr. Wood proposed a mission statement.

Mayor James Ray suggested approving the committee. The committee would be made up of citizens of the community. City Manager Gerald Breazeale stated that a resolution for the Economic Development Committee was needed, and a vote of the city council to move forward and then a draft that would need to be adopted.

Councilor Ken Matlack moved to form the Economic Development Committee under the city council. Councilor Bob Flournoy seconded the motion. The motion for formation of the Economic Development Committee passed unanimously.

It was established that at least one city council member would be appointed to set on the EDC committee. David Wood asked if any of the council members were interested in serving on the committee. Mayor James Ray volunteered and Councilor Harold Poeling had an interest in possibly serving on the committee if time allowed.

The first meeting would be to appoint officers and set up the structure for a standard committee. Amy Sandy suggested that the new committee work with the Irrigon Chamber of Commerce which has the same goals. City Manager Gerald Breazeale stated that a goal setting meeting would occur in the fall.

6. Social Gambling Ordinance

City Manager Gerald Breazeale stated that at a previous council meeting suggestions that, a similar ordinance regarding social gambling used by the City of Umatilla would be appropriate for the City of Irrigon. At this time Jack Baker, owner of Bakes Restaurant and Lounge expressed that there is a need for the ordinance. Manager Breazeale stated that before moving forward with adoption of the social gambling ordinance he would need direction from the council to start the process.

Councilor Eleanor Partridge asked if this ordinance would need to go before the people before it passes. Manager Breazeale stated that there would be a public hearing with the city council that would give the public a chance to testify before the council gives a decision. Councilor Harold Poeling suggested that the council move forward. Mayor James Ray asked Manager Breazeale if he would have a draft of the ordinance for the next city council meeting.

Councilor Eleanor Partridge voiced her opposition regarding legalizing gambling and passage of the ordinance.

7. Water Improvement Project

City Manager Gerald Breazeale stated that the partial pay request no. 12 is for \$63,156.88.

Councilor Ken Matlack moved to pay the partial pay request no. 12 for \$63,156.88. Councilor Bob Flournoy seconded the motion. The motion to pay the partial pay request no. 12 passed unanimously.

Councilor David Burns arrived at 6:45 p.m.

There were no water improvement project change orders at this time.

City Manager Gerald Breazeale discussed allowing Swaggart Brothers to be released from their contract and not complete the Highway 730 portion of the water project. However, Swaggart Brothers has indicated a reluctance to complete this section without additional funds provided for the work.

City Manager Gerald Breazeale stated that Anderson Perry is requesting additional engineering expenses that were discussed previously. Manager Breazeale recommends approval of \$73,500 for justifiable expenses for additional engineering. Councilor Ken Matlack stated that the original amount was approximately \$94,000.

Councilor Harold Poeling moved to approve the additional engineering expense of \$73,500, subject to funding agency approval. Mayor Pro-Tem Jack John seconded the motion.

Councilor Ken Matlack asked what costs had the engineer absorbed. Dave Wildman from Anderson Perry stated that a large portion of \$17,525.98 for services completed for easements and rights-of way. Manager Breazeale stated that this expense would need to be approved by USDA, OECDD and EPA.

The motion to approve the additional engineering expense of \$73,500, subject to funding agency approval passed unanimously.

8. **Resolution No. 09-09** Volunteer Resolution for Policy Year 2009-2010, A Resolution Extending the City of Irrigon's Worker's Compensation Coverage to Volunteers of the City of Irrigon.

City Manager Gerald Breazeale stated that this is a standard resolution that comes up annually for review to provide worker's compensation for volunteers. This resolution ensures volunteers that they are protected under the city's worker's compensation policy. The city documents all volunteers activities incase of an incident.

Councilor Bob Flourney moved to approve **Resolution No. 09-09** Volunteer Resolution for Policy Year 2009-2010. Councilor Eleanor Partridge seconded the motion. The motion to approve **Resolution No. 09-09** passed unanimously.

9. **Resolution 09-10**, A Resolution Establishing a Change in Vision Coverage for All Eligible City Employee Effective August 1, 2009

City Manager Gerald Breazeale stated that this resolution would extend the employee's vision care at a total increase of \$250.32 per year to the City of Irrigon.

Councilor Ken Matlack moved to approve **Resolution 09-10**. Councilor Bob Flourney seconded the motion. The motion to approve **Resolution 09-10** passed unanimously.

10. **Resolution No. 09-11**, A Resolution Establishing a STOP Sign at the intersection of Fourteenth Street and Hurd Lane Stopping the North and South Traffic at Hurd Lane.

City Manager Gerald Breazeale stated that this resolution is a result of a discussion the city had on graveled Fourteenth Street and requiring right of ways of the adjacent properties. The real issue came down to being speeding. In the previous council meeting, Public Works Director Keith White had suggested that a three way stop would help control the speeding and eliminate some of the dust.

Councilor Bob Flourney moved to approve **Resolution No. 09-11**, establishing a stop sign at the intersection of Fourteenth Street and Hurd Lane. Councilor Ken Matlack seconded the motion. The motion to approve **Resolution No. 09-11**, establishing a stop sign at the intersection of Fourteenth Street and Hurd Lane passed unanimously.

11. **Resolution No. 09-12**, A Resolution Authorizing the Mayor to Sign The OECDD Loan Agreement and the Promissory Note for the Irrigon Sewer Improvements, Project Number Y09003, (\$618,770)

City Manager Gerald Breazeale stated that the passage of this lengthy resolution will authorize the city to enter into a binding agreement with the State of Oregon for loan funds for sewer conversions. The conversions would be along Main Avenue to First Street, up First Street to Columbia and then Columbia to the Senior Center. Then up First Street to the north and picking up the Blooming Desert Subdivision. This project would give a lot of sewage to the city's waste water treatment plant and help the sewer system to maintain compliance with the city's DEQ permit.

The loan would be \$618,770 at a rate of 4.99% interest. The remainder of monies (\$100,000) would come out of the city's funds. The OECDD will not loan any money for the portion that is on private property, however, they would pay for the removal of the septic tanks.

Councilor Bob Flourney moved to approve **Resolution No. 09-12**, authorizing the Mayor to sign the OECDD loan agreement and the promissory note for the Irrigon sewer improvement. Councilor Harold Poeling seconded the motion.

Councilor Ken Matlack expressed his concerns about the possibility of the water/sewer rates increasing as a result of the loan payments. Manager Breazeale stated increased sewer rates may not be necessary, if enough revenue is received through getting more people on line and more EDUs. If the city is not able to
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make the loan payments, then the rates would need to be increased. Unless this project is done, there will be no sewer main for the downtown area.

City Manager Gerald Breazeale reinforced the need to proceed with the plans to construct a new conventional gravity sewer main along Main Avenue from Fourth Street to First Street and then north along First Street a short distance to pick up the Tumbleweed Development. This would also extend south at First Street to Columbia Avenue and thence west to Stokes Landing Senior Center. This would convert all of the adjacent properties to conventional gravity sewer. It would also pick up sections of the streets north of Main Avenue for conversion from septic effluent. Along Main Avenue a short main, would convert parts of Fourth Street and Third Street south of Highway 730 and north of Utah Avenue. Manager Breazeale stated that these conversions need to be done and this is the best plan to move forward, and the least expensive. Public Works Director Keith White stated that if the city does not convert over to gravity sewer then more of out of town septage waste would be needed and the treatment plant was not designed for that purpose.

Councilor Ken Matlack stated that he understands the need for this project, however, if the water/sewer rates continue to be increased people will not want to move here for that reason.

Mayor James Ray asked for a vote. David Burns voted yes; Harold Poeling, yes; Eleanor Partridge voted yes; Jack Johns voted yes; Bob Flournoy voted yes; Ken Matlack voted no. The motion **Resolution No. 09-12**, authorizing the Mayor to sign the OECD loan agreement and the promissory note for the Irrigon sewer improvement passed by a vote of 5-1.

12. Downtown Planning Project

City Manager Gerald Breazeale stated that the next meeting on the Downtown Planning Project would be June 2, 2009 at 7 p.m.; it will be a joint Planning Commission/City Council work session that will be publicized. The final draft plan will be presented and then the plan will go to the Oregon Land & Conservation and Development Department for a 45 day review. At the end of the 45 day review the city will be able to adopt the plan.

13. Report from the Morrow County Sheriff

Councilor Harold Poeling moved to accept the Morrow County Sheriff's report. Councilor Eleanor Partridge seconded the motion. The motion passed unanimously.

14. Staff Reports

There being no questions at this time, Councilor Harold Poeling moved to accept the staff reports. Councilor Ken Matlack seconded the motion. The motion to accept the staff reports passed unanimously.

15. Accounts Payable

City Manager Gerald Breazeale stated that the UEC invoice was received too late for the council packets. The paper work was given to the council members to be included in the payables.

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.

16. Award Bid for High School Sewer Extension Project to Western Utility & Excavating for \$38,565.05

City Manager Gerald Breazeale stated that bids were opened on Tuesday, May 12, 2009 on the high school sewer extension project. The bids ranged from \$38,485.05 to \$119,840. The low bid was Western Utility & Excavation out of Beaver Creek. This project is paid for through a tippage fee grant for \$40,000 and some from sewer SDC fees.

Councilor Eleanor Partridge moved to accept the bid from Western Utility & Excavation for \$38,485.05. Councilor Harold Poeling seconded the motion. The motion to accept the bid for \$38,485.05 passed unanimously.

Regular session adjourned at 7:39 p.m. and council went into executive session.

17. Executive Session

Mayor James Ray called the regular session back to order at 8:43 p.m.

Executive Session Regarding Contract Issues, ORS 192.660 (2)(h)

The consensus was to have Swaggart Brothers continue the work with the original contract price. A letter and a change order would be sent.

Councilor Ken Matlack moved to give Swaggart Brothers two options, 1) to do the work as shown on the original bid for the unit price costs with allowance of time extension. or 2) Give the city a change order for an additional \$115,000 to take the new alignment that is north in the pavement and south of the fog line as a change order and to reply upon receipt of letter within 72 hours. Councilor David Burns seconded the motion. The motion passed unanimously.

18. Additional Discussion

Councilor Ken Matlack asked about worker's compensation coverage for community service worker's which is not part of the crew. Public Works Director Keith White stated that community corrections or community service workers do not have worker's compensation, as directed by the city council. Community service workers are told that no workers compensation is available to them and a check mark is placed in the no workers compensation box of the time card.

Adjournment: Councilor Bob Flournoy moved to adjourn at 8:55 p.m. Councilor David Burns seconded the motion. The motion passed unanimously.

Next Regular Meeting Date – June 16, 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

Gerald W. Breazeale, City Manager