



Irrigon City Council Meeting

July 21, 2009

6:00 PM

Irrigon City Hall

500 NE Main Avenue

1. Call to Order/Roll Call

Mayor Pro-Tem Jack Johns called the meeting to order at 6:03 p.m. City Manager Jerry Breazeale did role call.

Council members present: Mayor Pro-Tem Jack Johns, Harold Poeling, Eleanor Partridge, Ken Matlack, Mayor James Ray had a prearranged absence and Bob Fournoy was absent due to illness. David Burns had unexcused absence.

Citizens present: David Wood, Laura Clark, Dee Rock, Tammie Williams, Sandy Henry and Erin Mills, the East Oregonian Newspaper reporter came in at 7:05 p.m.

Staff present: Gerald Breazeale, Keith White, Brandy McNamee, and City Attorney Bill Kuhn.

Mayor Pro-Tem Johns was asked prior to the meeting to read a proclamation by Mayor James Ray regarding proclaiming July as Oregon National Guard Month.

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

David Wood came to the meeting to report on the first meeting of the Irrigon Economic Development Committee (EDC). Wood stated that council needed to accept the nominated officers to be on the EDC board. David Wood would be the chair person. Gerald Breazeale would serve as vice chair of the committee. Laura Clark, John Sebastian, and James Ray would also serve on the committee. Council was also asked to review the EDC mission statement and bylaws.

Councilor Ken Matlack asked if there was any conflict with Jerry Breazeale being vice-chair of the committee as he was the City Manager also. Manager Breazeale stated that he would be a participant not an officer. He went on to state that the vice-chair simply runs the meeting if the chair is not present. Councilor Matlack restated the question of whether the City Manager can be on a standing committee as a committee member. Matlack added that he had not heard of other cities allowing this.

David Wood explained the committee would not actually have any power to enact anything.

Councilor Matlack went on to explain that citizens of Irrigon should ideally be on the committee. Councilor Matlack restated that he believed there was a conflict in Manager Breazeale's management role and being on the EDC committee.

Mr. Wood again asked council for approval of the officers, board members, by laws and mission statement.

Manager Breazeale explained that there was no treasurer on the EDC because the committee would handle no money.

Mayor Pro-Tem Jack Johns asked for a motion from one of the council members.

Manager Breazeale stated that the EDC bylaws would have to be accepted at some time. But for now the committee appointments need to be approved by council.

Councilor Matlack made the motion to approve the Economic Development committee and the appointed chair, vice-chair and members as stated. Councilor Eleanor Partridge seconded the motion. Manager Breazeale took vote. Mayor Pro-Tem Jack Johns abstained in place of the mayor. Vote passed unanimously.

Councilor Matlack asked is there needed to be a quorum for voting. Manager Breazeale stated that a quorum was present.

3. Approval of Minutes – June 16, 2009 Council Meeting

Councilor Harold Poeling moved for approval of the June 16, 2009 council minutes. Councilor Ken Matlack seconded the motion. Manager Breazeale took vote. Vote passed unanimously.

4. Correspondence

Gerald Breazeale presented a youth opportunity for the Oregon 150 Youth Summit that Mayor Ray had asked him to present. Manager Breazeale explained that Mayor Ray would like an Irrigon youth to attend the function and for council to include lodging and meals as an incentive for the individual missing work.

Councilor Harold Poeling asked if the Summit enrollment closed July 22, 2009 (tomorrow). Manager Breazeale stated that youths had already enrolled.

Councilor Matlack asked how Irrigon youths were informed of the summit. Manager Breazeale stated that Mayor Ray had been working with the school principals to encourage Irrigon youths to apply and the Oregon 150 Youth Summit would be held August 7th and 8th.

Councilor Harold Poeling asked for further explanation of what Mayor Ray was wanting from council.

Manager Breazeale stated that travel expenses for the youth selected.

Councilor Matlack stated that he would be supportive. However, the council did not know the youths who were appointed or elected.

Public Works Director Keith White explained that the youths had to be chosen by the state after applying.

Councilor Matlack moved to approve \$50.00 toward travel expenses of an Irrigon youth for the Oregon 150 Youth Summit. Councilor Eleanor Partridge seconded the motion. Manager Breazeale took vote. Motion passed unanimously.

Mayor Pro-Tem Johns stated that the Irrigon Booster Club was asking council to contribute \$70.00 on the booster sign. Councilor Harold Poeling moved to renew the Irrigon membership for \$70.00. Councilor Ken Matlack seconded the motion. Manager Breazeale took vote. Motion carried unanimously.

5. Irrigon Chamber of Commerce – Vickie Volk

Manager Breazeale stated that Irrigon Chamber of Commerce President Vickie Volk was not at the meeting at this time. Manager Breazeale stated that she was to explain that the Irrigon Chamber and City wagon had won best of show in the Boardman parade.

6. Veteran's Monument and Plaza Proposal – Sandy Henry

Sandy Henry was at the meeting on behalf of the Oregon Motorcycle Veterans Club to present the veteran's monument to council. Mrs. Henry explained that the club had raised all the funding for the veteran stone. However, the club was still looking for funding for the plaza portion. She stated that Knerr Construction had designed the plat map for the plaza. She added that Rodney Nicholls was to do the labor. Sandy wanted the smaller stone to be placed in front of the larger stone next to Highway 730. She still wanted the round wagon wheel design. Mrs. Henry stated that the orange coloring segments in the design presented would be exposed aggregate and the white areas would be smooth concrete. The money that had already been raised was for the stone itself and the club was about \$16,000 short for the plaza project. Mrs. Henry had already asked Umatilla Ready Mix to donate concrete and was going to ask tomorrow for Central Pre-Mix to donate concrete. Mrs. Henry asked for council help with the rest of the project and additional funding.

Councilor Ken Matlack stated that he would be supportive but perhaps the community gets more involved on the donations.

Mrs. Henry showed the council the plaza drawing.

Councilor Harold Poeling asked if there were city funds available for this project.

City Manager Breazeale stated that he had not identified any specific funds at this time. He suggested more community involvement also.

Councilor Harold Poeling suggested getting other contractor bids, and asked if the project could be done in steps and also if the city had any money to contribute.

Councilor Matlack asked Mrs. Henry to seek further donations. Councilor Poeling asked if Mrs. Henry had approached other veterans associations. (VFW, Elks, Moose Lodge.)

Mrs. Henry explained that the stone is sitting in the vendor's building and he will wait to carve it until it is actually set. Mrs. Henry added that she had two stone benches to sit with the stone.

Citizen David Wood asked if the plaza couldn't be smooth concrete.

Manager Breazeale stated that the exposed aggregate keeps the skate boarders off the concrete.

Councilor Matlack stated that Rodney Nicholls does a good job.

Councilor Poeling added that the city needs more time to raise donations for funds.

Manager Breazeale stated that there was a need at least for approval of the plaza plan.

Councilor Ken Matlack moved to accept the Oregon Trail concept design to be paid in phases as money becomes available. Councilor Poeling seconded. Breazeale took vote. Motion passed unanimously.

Mrs. Henry added that she only had one year to use or lose the grant that the club had received. Public Works Director Keith White urged the council to start and finish the project at the same time. Councilor Poeling asked if Rodney would set the stone then the club could wait to pour the pad.

Councilor Matlack asked for a conceptual design to be presented to possible donors.

Mayor Pro-Tem Jack Johns stated that there was a motion on the table. Manager Breazeale took vote. Motion carried unanimously.

7. Public Hearing – Ordinance No. 198-09, An Ordinance Vacating Second Street Between Columbia Lane and Highway 730

Open Public Hearing and Hear Comments

Mayor Pro-Tem Jack Johns opened the Public Hearing – Ordinance No. 198-09, An Ordinance Vacating Second Street Between Columbia Lane and Highway 730 at 6:40 pm.

City Manager Breazeale stated that this subject was a continuation from the last council meeting on negotiating with the Rock Family. Manager Breazeale stated if the street is not vacated then the Rocks would be paid \$5,567.

City Attorney Bill Kuhn stated that the Rocks had signed the deed last Friday. Attorney Bill Kuhn added that the closing should all be done this week.

Councilor Poeling asked if the city had satisfied the Rocks wants. The Rocks stated that the city had satisfied them.

David Wood asked Manager Breazeale what was being vacated. Manager Breazeale explained that the passage of Ordinance 198-09 would vacate that portion of Second Street that divides the property of the Rock Family and if the street is not vacated the city would need to pay \$5,567 to the family.

Close Public Hearing

Councilor Harold Poeling moved to read the ordinance by title. Councilor Ken Matlack seconded. Manager Breazeale read Ordinance No. 198-09, An Ordinance Vacating Second Street between Columbia Lane and Highway 730 by title. No objections to reading the ordinance again. Manager Breazeale read the ordinance by title only again.

8. Public Hearing – Ordinance No. 198-09, An Ordinance Vacating Second Street Between Columbia Lane and Highway 730

Councilor Harold Poeling moved to approve Ordinance No. 198-09, An Ordinance Vacating Second Street between Columbia Lane and Highway 730. Eleanor Partridge seconded. Manager Breazeale took vote. Motion carried unanimously.

9. Social Gambling Ordinance

Manager Breazeale stated that the Social gambling public hearing has already been brought before council and is being brought before council again due to lack of a second on the ordinance at the June 19th council meeting.

Councilor Ken Matlack asked to table the ordinance again until there was a full council. City Manager Breazeale asked for a consensus to table or bring back the ordinance until a full council was present. Citizen Laura Clark stated that as a citizen she would be supportive of having social gambling. And she personally played.

There was a consensus to table the ordinance until the next council meeting.

10. Water Improvement Project

- a) Partial Pay Request No. 14 – Consider in Executive Session
- b) Engineering Expense Authorization - Consider in Executive Session

The Water improvement project payment and engineering expense authorization were moved to executive session.

- c) Engineering Agreement – Tetra Tech

City Manager Breazeale stated that the engineering agreement with Tetra Tech to replace the current water project engineers needs to be signed. Manager Breazeale suggested that council pass the agreement subject to the city attorney's review.

Councilor Harold Poeling moved to accept the engineering agreement pending the city attorney's review. Councilor Eleanor Partridge seconded the motion. Manager Breazeale took vote. Motion carried unanimously

11. School Sewer Extension

Manager Breazeale stated that this was the first and last payment to Western Utility Excavation for the High School Sewer extension. There was one change order on this project. Although, the actual pay application is not in council packets, the exact payment amount is included in accounts payable and can be approved with the other accounts payable.

12. Sewer Extension 2009 Phase 1

The sewer extension project goes out to bid the 17th of August. The ground breaking on the project should be around the 20th to 25th of September. There is a concern that this project will intersect with the First and Columbia Bicycle project and the two contractors will need to work together.

13. First and Columbia Pedestrian and Bicycle Project

The contractor selected by ODOT and OTAK, the project engineer, is JAL Construction out of Bend, Oregon. Thursday, July 23, 2009, is the first preconstruction meeting on the pedestrian/bicycle project. The ground breaking could be as early as the first of August and the construction schedule should last three months. The project will also include pavement. The contractors on other state projects are bidding low and due to this savings the state had more funds and gave the City of Irrigon the balance of the missing funds for Irrigon's project.

14. Agreement for Audit Services

Manager Breazeale stated that the city has used Mike Poe and his auditing firm for many years. The City also asked
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Barnett and Moro if their firm was interesting in bidding the city's annual audit and they declined.

Mayor Pro-Tem Jack Johns asked about a page within the agreement. Manager Breazeale explained that it was a peer review of the auditors (not the city).

Manager Breazeale explained that audit reviews have been rising in costs. Manager Breazeale further explained that the auditors are independent auditors. Councilor Ken Matlack moved to approve the contract. Councilor Harold Poeling seconded the motion. Vote was taken. Motion carried unanimously.

15. Report from the Morrow County Sheriff

Mayor Pro-Tem Jack Johns asked Sherriff Matlack if there had been more code enforcement issues because it was summer time.

Sherriff Matlack explained that there should be even more issues with fire season. He added there are many dogs and weeds issues.

Councilor Harold Poeling moved to accept the Sherriff's report. Councilor Elleanor Partridge seconded the motion. Vote was taken. Motion passed unanimously.

Sherriff Matlack stated that the black out items on the report are usually privileged items and they should be public information and the addresses should have been blacked out. He added that the dog complaints on Wyoming going west just outside city limits and those dogs are on Second Street. The dogs have been attacking livestock.

Councilor Matlack added there has been repeated damage at the US Corp parks and sprinkler heads are being dug up. The caretaker locked some vandals in a bathroom until the sheriff's office could get there and arrest the vandals. The parks close at night and bathrooms are also closed. Councilor Matlack stated that there were also more cameras added in the park.

Councilor Matlack went on to say, the watermelon festival is coming up and a group had went before the US Corps and asked for a non-alcohol festival. The US Corps board agreed to go alcohol free for this year's festival. However, the softball games incorporate a lot of drinking. Councilor Matlack stated that there is no definition of where the alcohol is prohibited. He said that the ordinance states that alcohol is not permitted in city parks. Councilor Matlack asked for clarification on the ordinance from City Manager Breazeale.

Councilor Matlack stated that there is an agreement signed in 1979 by the Parks and Recreation Board so that any state, city or local law could be enforced. Councilor Matlack restated that if it is an area open to the public then alcohol is prohibited. He added that the sign placed at the park states that only Saturday is alcohol free.

16. Staff Reports

- a) Report from the Public Works Director
- b) Report from the Finance Officer
- c) Report from the City Manager

Harold Poeling stated that all three reports could be approved together.

Manager Breazeale had written about the grant application to state parks on the Children's Park and that the City had now been notified that we had received the grant.

Councilor Harold Poeling moved to accept the staff reports. Councilor Ken Matlack seconded the motion.

Mayor Pro-Tem Jack Johns asked Keith White to explain his report in the first paragraph needing clarification on waste water. Keith White explained. Mr. White added that he had received a fax from Analytical Testing on wells 3 and 4 on disinfection. The MPA test which was rated 0-20 on organics, specifying risk factor. The tests were done 2 weeks ago on well 3 and showed a risk factor of 0. Well 4 testing had not yet been received. This allows the city just to maintain the system versus more stringent activities.

Vote was taken to accept the staff reports. Motion carried unanimously.

17. Accounts Payable

The Accounts Payable including the school sewer extension was reviewed. City Manager Breazeale pointed out that both Keith White and himself reviewed and initialed the APs. Councilor Harold Poeling moved to pay the accounts payable. Eleanor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

Vickie Volk apologized for being late. She showed pictures to council of the wagon that had won first place at Boardman's parade. She stated that chamber needed a volunteer to drive the wagon for the Morrow County Fair.

Eleanor Partridge asked when the cover would be put on the wagon.

Mrs. Volk stated when the City and the chamber had the money to put a cover on the wagon. She also, added that she would like council to donate to the One Plug Derby that was coming up.

Councilor Ken Matlack moved to donate \$25 to the One Plug Derby for prizes. Eleanor Partridge seconded the motion. Vote was taken. Motion passed unanimously.

18. Executive Session Pursuant to ORS 192.660 (2) (h), Consultation with Council Concerning Legal Rights and Duties of a Public Body

Jack Johns closed the council meeting at 7:23 p.m. for the executive session.

Jack Johns called the meeting out of executive session at 7:37 pm.

Councilor Harold Poeling moved to pay the bills that Tetra Tech approves as viable to Swaggart Brothers Construction. Councilor Eleanor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

Councilor Ken Matlack stated that there is an item for overtime for security in the city's budget and that he wanted permission to utilize it for the Watermelon Festival. There was consensus to allow Sherriff Matlack to use the line item for increased security for the Watermelon Festival.

Councilor Poeling moved to pay Anderson-Perry after auditing services had been performed. Councilor Partridge seconded the motion. Vote was taken. Motion carried unanimously.

19. Additional Discussion

There was no further business.

Adjournment: Mayor Pro-Tem Jack Johns adjourned the meeting at 7:40 p.m.

Next Regular Meeting Date – August 18, 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