



## **City Council Minutes**

Irrigon City Council Meeting

December 21, 2010

6:00 PM

Irrigon City Hall

500 NE Main Avenue

1. Call to Order/Roll Call

Mayor David Burns called the meeting to order at 6:02 p.m.

Roll call was taken by City Manager Gerald Breazeale.

Council Members present: Arnold (Joe) Theisen, Linda Skendzel, Eleanor Partridge, and Laura Clark. Councilor Kathy Simonis was excused from the meeting. Councilor Ken Matlack arrived at 6:05 p.m.

Staff present: City Manager Gerald Breazeale, City Clerk Penny Moore, Public Works Director Keith White and City Attorney Bill Kuhn.

Citizens present: Bill Kelly, Barb Huwe, Wayne Huwe Jr. and Mayor Chet Phillips, City of Boardman.

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

2. Executive Session to Consult with Legal Council, ORS 192.660(2)(h)

Councilor Matlack arrived at 6:04

The audience was asked to leave the room for the executive session. Mayor Burns opened the executive session 6:04 p.m.

Mayor Burns closed the executive session at 6:09.

3. Approval of Minutes – November 16, 2010 Council Meeting

Mayor Burns asked the council if they had read the minutes and asked if there were any corrections. Councilor Matlack asked that on page 2, number 4, Correspondences, paragraph three, and second sentence to be struck.

It was moved by Councilor Clark and seconded by Councilor Partridge to approve the amended minutes. Vote was taken. Motion carried unanimously.

Mayor Chet Phillips arrived at 6:10

4. Mayor's Comments

Mayor Burns stated that at the Irrigon Chamber of Commerce Banquet he had presented the Bill Cooley Citizen of the Year Award to his widow Janet Cooley. The mayor mentioned that Bill Cooley had served as a volunteer fireman for 45 years, served 24 years as a councilman and many more years of service for a great many organizations and projects, including the sports complex for Irrigon.

Mayor Burns stated that he had been asked to serve on the Health District Board.

Barb and Wayne Huwe arrived at 6:12 p.m.

Mayor Burns talked about his attendance at the Oregon Business Leadership Conference in Portland, December 13, 2010. He stated that the title of the meeting was No Business as Usual and the topic was problems in the state of Oregon. Oregon is down from 38 to 28 for business friendliness, in learning, Kindergarten was in last place in the nation and fourth year math second from the last. Oregon also would like to get more water rights for water out of the Columbia River.

5. Boardman Growth Incentive Program

Mayor Burns introduced Mayor Chet Phillips of the City of Boardman. Mayor Phillips addressed the council and talked about the City of Boardman financial incentives for promoting growth. Mayor Phillips reviewed the success and the incentives in Boardman and setting up committee's like the Boardman Economic Development Committee that worked hard to gather information that would promote Boardman. Four of the incentives that he talked about were, temporary 1 year suspension of System Development Charges (SDC); temporary 1 year 50% reduction of commercial water overage rate; free tree to all new homebuyers purchasing their primary residence; and three months of free city service utilities up to \$150 total.

Mayor Phillips stated that his personal goal is for 21 new houses to be built in Boardman. He finished with, "it's your responsibility for the growth of your city".

Mayor Burns thanked Mayor Phillips for coming to the meeting and sharing Boardman's incentives for growth.

6. Correspondence

In the correspondence was a letter from Portland State University regarding the preliminary 2010 population estimate dated July 1, 2010 that was 1,910 for Irrigon and the certified population estimate dated July 1, 2009 was 1,880. City Manager Gerald Breazeale stated that Irrigon was placed as the fastest growing city in Morrow County.

There was a letter from the Agape House (a 501(c)(3) organization, requesting donations for their charity.

City Manager Gerald Breazeale stated that a letter from Oregon Department of Transportation (ODOT) stating that Irrigon would not receive funding for the pedestrian and bicycle program for 2012-2013 cycle. The committee stated that they felt Irrigon's application was a worthwhile project and to reapply in 2012.

A flyer from the Oregon Trail Library District stating that to date \$941,443.40 has been raised toward the new

library. Citizen Barb Huwe with the Friends of the Irrigon Library (FOIL) talked and asked for help to close the funding gap with a donation or donations from friends, families, organizations. Mrs. Huwe stated that donors that contribute \$500 will have their names engraved on brass fish in the entranceway's exhibit area.

There was a follow-up discussion from the November council meeting that it would be nice to offer donations through Burns Mortuary to support the skate park and/or the children's park with an acknowledgement letter or card for a third party person. There was a sample letter sent to Councilor Skendzel from Burns Mortuary for follow-up to recognizing the 3<sup>rd</sup> person. There was a consensus of the council to have the children's park, skate park or the sports complex and the library on the mortuary's list for donor's that are looking for places to made a donate in place of flowers, etc.

It was moved by Councilor Theisen and seconded by Councilor Skendzel to develop a list of Irrigon charities. Vote was taken. Motion carried unanimously.

#### 7. Sidewalk Maintenance Discussion

The issue of who maintains the new sidewalks was discussed. Irrigon code does not address this issue as the city has not had sidewalks in the past. The council was able to ask questions of City Attorney, Bill Kuhn and by way of a conference call with Nancy Snider from Wheatland Insurance. The discussion was regarding the fact that there are no codes for sidewalks and the possibility of considering an ordinance for maintaining sidewalks.

Among the councilor's there was a difference to why either the homeowner or the city to be responsible for the upkeep of the sidewalks. The city's goal is that the sidewalks be keep cleared. Nancy Snider stated that the city has liability insurance coverage presently.

The discussion continued on the homeowner and/or the business owner maintaining the sidewalks and that most home owner's have standard liability insurance to repair cracks and other repairs. After hearing public comment, there was no consensus and this issue was tabled.

#### 8. Water Improvement Project

City Manager Gerald Breazeale stated that this project is basically closed. There are some expenditures remaining from the USDA grant funds. Public Works Director Keith White is putting together a proposal for automated water meter reading equipment. Reading meters in the winter months are difficult during the snow and ice cover.

City Manager Gerald Breazeale stated that water rates will need to be raised to cover loan payments and the anticipated payments in the long term; alternative would be higher property taxes. In January different options will need to be looked at.

#### 9. First Street and Columbia Lane Pedestrian and Bicycle Project

The contractor for the First Street and Columbia Lane pedestrian and bicycle project has completed the outstanding issues, replaced the curb at the north side of Columbia, cutting grooves in the pavement so water can drain and the retaining wall was finished. This project was federally funded through ODOT.

#### 10. LRA Report

City Manager Gerald Breazeale stated that a letter from the Department of Commerce not recommending the City of Irrigon for public benefit conveyance has been sent. It is not public at this time.

An article from the East Oregonian was enclosed in the council packets referring to Irrigon's continuing push for a seat on the Depot's reuse land and be a voting member.

11. California, Tenth, Thomas and Thirteenth Street LID

It was announced that the mayor's draft report was ready for review by the citizen's and then back to the city council for an ordinance to be adopted. Street lights have been added to the project. Councilor Clark requested that a representative from ODOT attend the next city council meeting, if possible.

12. City Charter Revision

City Attorney Bill Kuhn provided a review of the proposed Irrigon Charter and commented on the draft language. The committee consists of three members, Mayor David Burns, Councilor Arnold (Joe) Theisen and Citizen Janet Cooley. Councilor Theisen stated that Janet Cooley could not be present at this meeting; however, she still feels strongly that she believes that the city manager should be required to live in the City of Irrigon and this should be addressed not in the Charter, however, should be stated in documentation somewhere else. Councilor Theisen asked the council if they wanted to revisit the issue and revote. Councilor Clark stated that she believed that the Charter was not the place for the requirements of the city manager, however she stated that she believed it should be a *prerequisite* in the employee handbook that the city manager live in the City of Irrigon and that should be stated in the job description.

Mayor Burns asked the Council if they wanted to vote on making it a prerequisite that the city manager would need to be a resident of the city and this would be in the employee handbook job description. Councilor Theisen stated that this position had not changed and that the city charter should be mute on that point and should not be a prerequisite, but looked at when interviewing candidates.

Mayor Burns asked what the rest of the council's thoughts were, to be included in the charter or not that the city manager live within the city limits. The consensus was that this issue not be included in the charter.

Councilor Theisen continued with the proposed charter draft changes.

Chapter 7, section 24, Elections. Four councilors will be elected at the general election of 2012. The change added would be three councilors to be elected at the general election of 2014. This reflects odd times so all councils are not expired at the same time.

There was a discussion on the first meeting in the odd number year when the mayor will be elected, and when this charter is adopted in 2011 the election will be 2013 after an election in January 2011.

There was a discussion on section 31, subsection b, number 8, that it was not addressed as how to handle council members not attending council meetings. A new sentence was added to state that an unexcused absence from three or more consecutive council meetings was action for dismissal. An unexcused absence is failure to notify the mayor or the city manager at least 24 hours in advance of the meeting.

In Section 32, Filling Vacancies. Striking "In the unlikely event that there are fewer" than four councilors members, and adding "If council membership is less than four", vacant council positions will be filled one at a time by a majority vote of the remaining councilors.

Councilor Clark asked to talk about page 3 of the draft, section 9 referring to Mayor Pro Tem voting even when acting as mayor in the mayor's absence. She stated that Irrigon has always had a weak mayor, strong council. Councilor Clark asked for a new vote on this issue. Mayor Burns stated the issue as to whether the mayor pro tem should have a vote when acting as mayor.

It was moved by Councilor Matlack and seconded by Councilor Skendzel to allow the mayor pro tem to vote when he is acting as mayor in the mayor's absence. Vote was taken, Councilor Clark, no; Councilor Partridge, no; Councilor Theisen, yes; Councilor Skendzel, yes; Councilor Matlack, yes. Two no's, three yes', Motion carried.

Councilor Theisen stated that he thought that putting the draft of the Charter on the city website was a good idea, the public could view the draft before the public hearing.

It was stated that a public meeting will take place, and the public will be able to discuss the issues before the filing date of March 8, 2011 to be placed on the ballot for the May 17, 2011 election.

13. Resolution No. 10-10, Special City Allotment

City Manager Gerald Breazeale stated that a special city allotment fund grant be applied for the California, Tenth, Thomas and Thirteenth Street Local Improvement District for \$25,000. It does require a resolution. The mayor read the resolution to the council, it was stated that this does not require any monies from the city.

It was moved by Councilor Theisen and seconded by Councilor Clark to accept resolution no. 10-10 special city allotment. Vote was taken. Motion carried unanimously.

14. City Parking Lot Design Proposal

Mayor Burns asked the Councilor to look at the Mears Design Group handout with estimates on possibly turning the vacant lot on Division Street across from city hall into a parking lot. City Manager Breazeale approached Troy Mears, the designer of the Trevor Fox Memorial Children's Park for a quote for a parking lot. The library is now ready to be built and has a requirement for a number of parking spaces that they have to put in and they get credit for some that are already there, however, they need to provide another 23 spaces, the architect estimates that will cost the library district about \$100,000. Chris Boothby the library architect stated that the area for the parking is valuable property to use for parking spaces where the library will set. Another option is that the ordinance allows off site parking up to a quarter of a mile. Manager Breazeale asked for approval to hire Mears Design Group, there are familiar with the master plan for the downtown development. The initial design plan would be \$2,430.

There was a discussion on the proposed city parking lot. It was noted that this parking area would have more available parking for events at the park and/or city hall also.

Councilor Skendzel asked about getting other bids. Manager Breazeale stated that the urgency for a decision for this parking lot is based on the library's need to determine what it will cost so they can meet their spring deadline. In the discussion it was brought up as to how much the spaces will cost, Manager Breazeale answered Councilor Clarks question, that the library will have to pay the city for the parking spaces that will cost about \$4,500 per parking space.

It was moved by Councilor Matlack and seconded by Councilor Theisen to approve the initial design from Mears Design Group for \$2430. Vote was taken, Councilor Clark, no; Councilor Partridge, no; Councilor Theisen, yes; Councilor Skendzel, no; Councilor Matlack, yes. Motion failed.

After more discussion, Councilor Skendzel moved to revote, to approve the \$2420. Councilor Theisen second the motion. Vote was taken, Councilor Matlack, yes; Councilor Skendzel, yes; Councilor Theisen, yes; Councilor Partridge, no; Councilor Clark, yes. With one no vote, motion carried.

15. Report from the Morrow County Sheriff

Sheriff Matlack reported on the patrol hours of 332.5, code enforcement hours of 94.25 and the activity in Irrigon.

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

16. Staff Reports

It was noted that Mike Poe, auditor, will be at the January meeting to report on the completed audit for the fiscal year 2009-2010.

City Manager Gerald Breazeale reported on the city's code enforcement Deputy Nathen Braun was asked to do an enforcement activity on some vehicles parked on vacant lots. Deputy Braun reported that there were several properties with parked travel trailers, abandon vehicles on vacant and residential properties. Deputy Braun contacted property owners about this nuisance. The city code ordinance states vehicle parking and storage, including storage of disabled vehicles is allowed only in driveways, carports and garages.

Manager Breazeale stated that since current parking practices are outside of Irrigon code, the planning commission has been reviewing the standards and drafting language that is appropriate for Irrigon.

Mayor Burns asked for a nominee for the personnel committee, Councilor Clark volunteered. Mayor Burns appointed Councilor Clark to service on the committee with himself, Councilor Theisen and City Manager Breazeale.

Councilor Matlack left the meeting at 9:45 p.m.

A new goal setting meeting was scheduled for Tuesday, January 11, 2011 at 6 p.m. at city hall to plan, set goals and create a vision for the future. Councilor Skendzel suggested that the businesses in town be invited.

It was moved by Councilor Clark and seconded by Councilor Partridge to accept all three staff reports. Vote was taken. Motion carried unanimously.

17. Accounts Payable

It was moved by Councilor Partridge and seconded by Councilor Theisen to approve and pay the accounts payable. Vote was taken. Motion carried unanimously.

18. Additional Discussion

There was a conversation about having pot luck in January.

Adjournment was at 10:08 p.m.

Next Regular Meeting Date – January 18, 2011

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