



## **Irrigon City Council Meeting**

February 16, 2010

6:00 PM

Irrigon City Hall

500 NE Main Avenue

### Call to Order/Roll Call

Mayor Ray called the meeting to order at 6:02 pm.

Mayor Ray led the audience in the pledge of allegiance.

Council present: Ken Matlack, David Wood, Mayor Pro-Tem Jack Johns, Eleanor Partridge, Arnold (Joe) Theisen, and David Burns.

Staff Present: City Manager Gerald Breazeale, Finance Officer Brandy McNamee, and Public Works Director Keith White.

Audience Present: Earl Woods, Christine Sorenson, Jack Ferguson, Carol Tate, Gary Tate, Andrew Sorenson, Justin Nelson, Amy Sandy, Bev Bridgewater, Natalie Sanders, Logan Fanders, Erin Mills and Gordon Adams.

### Comments from Citizens not on the Agenda

Andy Sorenson inquired about the Irrigon Multi Cultural Arts Center. He expressed his concern about the chimney falling and hurting kids. He asked who was assuming responsibility for the old school building. Councilor David Wood stated that Jeff Wenholtz is the president of the IMAC board. Councilor Wood stated that he would pass the concern along to the IMAC board.

Mayor Breazeale asked for all audience members to sign the attendance record.

Jack Ferguson from Independence, Missouri was in the community to represent the Lions Club. He explained that the club is designed to promote such events as eye care and the Lions is a large service club. The club plays a major role in disaster areas such as Haiti. Community promotion includes eye surgeries, providing seeing-eye dogs, and hearing services. He had spoken with the Mayor and council about obtaining a swimming pool in Irrigon. The Lions Club is a 501(c)(4) rated organization and the club holds the number one rated position for that type of organization. He explained that there were very minimal fees of approximately \$30.00 and all fees collected go toward the community or membership. The Lions Club can promote the city's goals such as constructing the swimming pool with many foundations that give large donations. The Lions club has 4 districts in Oregon and Irrigon would be part of district G.

Bev Bridgewater has been a Lions member for 27 years. Carol and Darrel Tate from North Powder were in attendance from the La Grande Lions Club. They helped in aiding in a children's park in their area. The Lions Club coordinates with the community in locating grants and achieving goals.

Mayor Ray asked Jack Ferguson to discuss a swimming pool for Irrigon. Mr. Ferguson explained that Irrigon is benefited as the city already has the land for the swimming pool. If the city were able to procure a swimming pool, it could potentially attract outside tourism and promote economic growth for the city.

Jack Ferguson thanked the city for the opportunity to speak and stated that the city was very clean.

Councilor David Wood asked who would collect the fees and where the club would meet.

Mr. Ferguson explained that the initial club requires 20 members, a 1 time fee of \$30.00 and \$6.00 per month. He added that any money raised in the community stays in the community where it is raised. He also explained that the club may meet anywhere they can establish an area to meet.

Mr. Ferguson had the applications and he distributed to each member of the council, staff and audience members that wanted one.

Councilor Joe Theisen asked who was accepting the applications for Irrigon. City Manager Breazeale would take them for interested persons. Bev Bridgewater added that the Hermiston Lions Club would be aiding Irrigon in establishment. Darrell Tate added that any community events can be sponsored and covered under Lions Club insurance.

Justin Nelson was present to introduce himself for the Morrow County District Attorney (MCDA) position on the ballot on May 18, 2010. Currently Elizabeth Ballard is the MCDA and she is assuming a position for the Department of Justice. Mr. Nelson is running against Mr. Cutsworth for the position. Mr. Nelson gave a short background on himself. His primary focus will be property and drug crimes. Mr. Nelson asked the public to make sure to vote on the ballot.

Earl Woods presented himself as a candidate for Justice of the Peace, taking Judge Gray's position when she retires. Mr. Woods stated that the justice court in Irrigon is not a court of record even though it takes 2600 cases per year. Mr. Woods stated that having a lawyer for this position would benefit Irrigon.

## Approval of Minutes – January 19, 2010 Council Meeting

Mayor Ray asked for questions on the minutes. Councilor Matlack stated that page 4 of page 7, stated Arnold Taylor and should be Joe Taylor.

It was moved by Councilor David Burns and seconded by Councilor Eleanor Partridge to accept the minutes. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

## Correspondence

City Manager Breazeale read the letter from the City of Heppner regarding Irrigon's Notice of Intent) NOI for the Army Depot land. Breazeale stated that the grant from ODOT Connect Oregon III was not considered further due to lack of support letters from the Army and the railroad.

Councilor David Burns asked for clarification if the city simply did not qualify for the grant.

Mayor Ray stated that if the Land Reuse Authority (LRA) had supported the action by Irrigon, the letters of support would have been there for the city to proceed with the grant.

Councilor Burns added that there were army members in the audience at the LRA meeting with a letter of support for the Connect Oregon grant for the City of Irrigon. However, the city did not receive Morrow County support. Mayor Ray stated that there were 4 members from Morrow County that voted against the city.

Manager Breazeale then referred to the next item of correspondence which the Knights Pride Booster Club was asking the city to sponsor a table at the banquet scheduled for March 13, 2010.

Mayor Ray stated that the children are important and the city should be supportive of their events. Manager Breazeale stated that if the councilors wanted to make a tax deductible donation for the tables in the city's name then that would be appropriate. Mayor Pro-Tem Jack Johns and Mayor Ray volunteered to individually sponsor the table in the name of the City of Irrigon.

Manager Breazeale asked for a motion on the sponsorship of a table for the banquet.

It was moved by Councilor Burns and seconded by Councilor Ken Matlack to sponsor a table for the banquet. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

Manager Breazeale stated that correspondence from Wheatland Insurance is informing the city of a credit due to low losses, the city will receive a credit of \$6,000 towards the city's next annual premium billing.

## Sewer Extension 2009 Phase 1

Manager Breazeale stated that pay application no. 3 to JAL Construction was included in packets.

He added that according to expenses the project is about 38% complete. He stated that the city recommends payment of the application.

It was moved by Councilor Ken Matlack and seconded by Councilor David Wood to approve the payment to JAL Construction. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

Manager Breazeale stated that the Tetra Tech payment for engineering on the sewer project was also included in packets.

It was moved by Councilor Burns and seconded by Councilor David Burns to approve the payment to Tetra Tech. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### First Street Project

City Manager Gerald Breazeale stated that there are potentially cost over runs of about \$150,000 on the First Street Project after the initial \$215,000 increase for utilities. He added that the additional expenses could be the city's responsibility according to the agreement with ODOT. The city had authorized an interim loan during the city's budget process to insure payment for the project. The extension of the contract time and utility relocation has resulted in the potential cost overruns. Manager Breazeale added that the city's ODOT representative has asked for more funds from ARRA for Irrigon's project. Manager Breazeale stated that this was cautionary information for the city's potential liability for future reference.

Councilor David Wood asked if the city council has the chance to review the change orders before they are enacted. Manager Breazeale explained that ODOT is the primary on the project until the city takes ownership (when completed) and ODOT tries to best include the city but if ODOT authorizes the work the city could still be liable for those expenses.

Councilor Matlack asked about the letter in packets that was submitted from OTAK, the First Street engineers, stating the city has to pay approximately \$150,000 for the project. Breazeale stated that the city could use the interim loan but the street fund would not have the funds to repay the loan and the reimbursement to the loan would have to come from other city funds.

Councilor Ken Matlack asked if the city can stop the project costs and he added his concern if the payment for the project is going to be \$150,000 or more. Manager Breazeale stated that the city has the option of eliminating the pavement to the street. He added that there are some areas that have to be completed on the project.

Councilor David Burns stated that much of the contract being presented would require lawyer scrutiny.

Finance Officer McNamee stated that most of the expenses being referenced in the letter were about \$100,000 to \$110,000 in increased engineering fees.

Councilor Matlack asked if the city can seek further funds from American Recovery and Reinvestment Act (ARRA). Manager Breazeale reiterated that Irrigon's ODOT representative is

trying to get more funds from ARRA. He added that Irrigon's project encompasses many more trades than other cities' projects. Manager Breazeale added that he has high hopes for further funding. Furthermore, if the city would have had the sewer and water utilities in the right location that had to be altered within the project, the city still would have had to go back at a later time and update those lines, but the ARRA funds covered that cost.

Councilor David Burns asked if the city has ever been on a project that has not experienced cost over runs.

Citizen Christine Sorenson stated that the city has paid for engineering for years and did not understand why the utilities on First Street had not correctly been located.

Public Works Director White explained that the project called for lowering the intersection about 2 feet and would have exposed some of the water and sewer lines.

Manager Breazeale stated that change order no. 4 was for \$13,726.25 and is covered by ARRA funds and does not include any city funds.

It was moved by Councilor Ken Matlack and seconded by Councilor Eleanor Partridge to approve change order no. 4. Manager Breazeale took the vote. Councilor David Burns, No; Councilor Eleanor Partridge, Yes; Councilor Joe Theisen, Yes; Mayor Pro-Tem Jack Johns, Yes; Councilor David Woods, No; Councilor Ken Matlack, Yes. Motion passed with 4 Yes and 2 No votes.

#### Downtown Development Plan and US 730 Streetscape Plan

Manager Breazeale presented the solutions that were considered for the Downtown Development Plan and US 730 Streetscape Plan to include concrete curbs and gutters and also to color and texture pavement along Highway 730. The plan was to be altered in 4 different sections.

**Section One** includes the increase of the length of the project to include Twelfth Street to Fourteenth Street. The first area of town includes 6 foot bike lanes on both sides of the highway. The center median would have a wider pavement area for truckers with a span of 22 feet to 24 feet.

**Section Two** includes an area without a center median and a narrow crossing area.

**Section Three** includes a center median and a perception of narrowing to decrease traffic.

Councilor Matlack asked if the trees were eliminated. Manager Breazeale stated that ODOT would not allow for tree overhang along the highway. He added that once the plan was adopted that ODOT would also have to adopt Irrigon's plan.

**Section Four** refers to the parking along Highway 730. The changes include a breakdown in cost from the table on page 32 from the plan with total estimated costs of \$5,516,000. This will assist in preparation for city plans and grant funding.

City Manager Breazeale stated that the city recommends final adoption of the US Highway 730 and Streetscape plan.

It was moved by Councilor David Burns and seconded by Councilor David Woods to adopt the plan as now submitted. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

#### LRA report

The City of Heppner council was unanimous in their support of Irrigon after Manager Breazeale appeared at their last council meeting. Manager Breazeale stated that Brian Cole, Executive Director of Dana Mission Support group asked if the Amy did not award Irrigon the depot land, whether the city would consider supporting the use of the land by the recipient with Irrigon's ideas for the land.

Manager Breazeale read the email from Brian Cole, referencing to Irrigon's desire to create jobs for the area. He was presenting this to council for their approval of the email as there is talk of giving Irrigon a seat on the LRA. Mr. Cole could not be at council. With council concurrence he would okay sending out Mr. Cole's letter. Councilor Matlack asked what the purpose of the letter was. Manager Breazeale explained that Mr. Cole was doing shuttle diplomacy so that everyone would clearly understand Irrigon's position and to clarify that the city's intention was not to be disruptive of the LRA process but to be considered and heard on the acquisition of the land. Councilor David Burns stated that he would not support the wording in the letter.

Councilor David Wood asked for an explanation of The Dana Mission Support. Manager Breazeale explained that they provide engineering support for the depot and was hired by the LRA in doing all the work for the base closure.

Councilor Joe Theisen asked for the last paragraph to be removed from the letter. Councilor David Wood asked for the paragraph to remain but the city still voice its opinion on the desire for the land.

Manager Breazeale explained that there was a set deadline for zoning uses and there have been several NOI's submitted by different agencies. He added his concern that there might be objection on the area of legal authority to submit a NOI (notice of interest).

Councilor David Burns asked to recap the last LRA meeting. Councilor Burns explained that Gary Neal expressed that the City of Irrigon had no business seeking this type of land and Irrigon should stay within its own urban growth boundary. There is significantly contaminated land at the depot. The mushroom business is not a good source of economic development. They are professionals and the City of Irrigon is not. The buildings and railroad are all unusable and the City of Irrigon does not have the funds to invest in the land. No one will probably ever get the land. If anyone ever gets the land it will be at least 4 years. Mr. Neal also stated at the meeting that Irrigon doesn't have the legal status to capture the depot land.

Citizen Amy Sandy stated that The City of Irrigon does not have a problem with the LRA process; Irrigon's problem is not having a seat on the LRA and the response to our NOI for the land.

Councilor Burns and Councilor Wood discussed striking that sentence from Mr. Cole's letter. Manager Breazeale stated that Mr. Cole would probably be fine with striking that sentence.

Manager Breazeale added that Mr. Cole should be at council in March to present his building communities plan that includes Boardman, Umatilla and Irrigon to work together to build a regional plan.

There was consensus from council to have Manager Breazeale ask Mr. Cole to strike the first sentence on the last paragraph of the letter.

### Children's Playground

Cascadian Landscapers was awarded the combination design and build contract for the children's park. The contract required the consultant to design the children's park with public involvement and to hold two public meetings for citizen input. The consultants than must come back with a new plan that includes the public input. The consultants must stay within the written budget. The contract called for a September completion deadline. Cascadian Landscapers have suggested that it could be completed in June. Cascadian still have to turn in their payment and performance bonds before the notice to proceed may be signed.

Councilor Joe Theisen asked if the city had not already approved the contract for Cascadian Landscapers. Manager Breazeale explained that there were some changes to the contract.

Councilor Elleanor Partridge asked questions about the design conceptual that were hanging on the wall and if the community could afford to put in all that was represented.

Manager Breazeale stated that there is opportunity for citizens to come up with in kind labor or money donations for the park. Councilor David Wood asked what the city's match was for the park. Manager Breazeale stated that it was around \$50,000 and he reiterated that the engineers would have to stay within the budget.

It was moved by Councilor David Wood and seconded by Mayor Pro-Tem Johns to approve the contract. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### Resolution 10-01, A Resolution Increasing the Irrigon Waste Water Treatment Plant Sludge Dumpage Rate from .12/gallon to .20/gallon effective March 1, 2010

Manager Breazeale explained that the city Waste Water Treatment Plant (WWTP) has been taking dumpage from vendors, as the plant is starved for nutrition and was built to serve 5,000 people. The treatment plant is designed to remove nitrates. The goal is to get enough conventional sewage so that the plant does not need external dumpage.

Irrigon has long been the least expensive WWTP in the area and the new rate would bring the price up to .20 per gallon. The waste brought from the septic vendors is not from Irrigon residents , the rate increase will not detour dumpage from the vendors.

Public Works Director Keith White explained that the problem is that external dumpage has other problems not similar to conventional sewage that will be an additional cost to the treatment plant. Specifically the sludge lagoons will be filled up. Mr. White added that most treatment plants do not want outside dumpage.

It was moved by moved by Councilor David Wood and seconded by Councilor Eleanor Partridge to accept Resolution 10-01. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### Water Improvement Project

Manager Breazeale stated that the Water Improvement Project and Highway 730 Plan holders list was included in packets for council reference. The bid opening for the Highway 730 portion of the project will be February 23, 2010.

The Tetra Tech payment request on the water project was included in packets.

It was moved by Councilor Ken Matlack and seconded by Councilor David Wood to approve the payment to Tetra Tech. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### Sherriff's Report

Councilor David Wood asked about the 381 contract hours for Irrigon. Sherriff Matlack stated that Irrigon receives the bulk of the policing hours. He added that as the community grows there will be a need for additional policing. He suggested that the city should consider expanding the coverage outside the city limits.

Sherriff Matlack stated that an animal neglect item on page 2 of the report was blacked out shouldn't have been and there is a misunderstanding on many items that do not need to be blacked out.

Mayor Pro-Tem Jack Johns was concerned about two shots fired on page 4. Sherriff Matlack explained that address listed is where an incident occurred but may not be the residence of that listed address.

It was moved by Councilor Eleanor Partridge and seconded by Mayor Pro-Tem Jack Johns to accept the Sheriff's report. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### Finance Officer Report

Finance Officer Brandy McNamee explained that the accounts payable for the January meeting had been presented incorrectly in the Year to Date (YTD) Balance section. She explained that a download had added the budget to each line item plus the actual expenses causing over expenditures on every line item. To correct this month's payables she transformed the line items to Micro Soft Excel and highlighted items that were near or over budget.

Mrs. McNamee explained that those line items that were part of certain categories that would need to be corrected with a supplemental budget that would be heard at the March council meeting. She explained that the Water O & M Fund in the Materials and Services category would be slightly over budget and the Sewer O & M Fund in the same category would be slightly under budget but as a cautionary both should be increased to avoid budget violations. She added that the Parks Improvement Fund had plenty of budget authority but lacked actual cash to avoid a deficit balance should actual monetary expenses result from the Irrigon Childrens' Park.

Mrs. McNamee explained the Financial Status/Budget report that was included in packets. The report referred to both actual cash on hand with anticipated expenses that should arise for the fiscal year and operational expenses and revenues for the city.

### Public Works Report

Mr. White stated that the water line to the sports complex was being put in by Irrigon public works staff.

### City Manager Report

Breazeale stated that he had explained much of the items listed in his report over the course of the council meeting.

It was moved by Councilor Elleanor Partridge and seconded by Councilor Ken Matlack to accept the staff reports. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### Accounts Payable

It was moved by Councilor Elleanor Partridge and seconded by Councilor David Wood to accept the accounts payable. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

### Additional Discussion

City Manager Breazeale asked for permission to miss the May 18, 2010 council meeting to attend his daughter's graduation.

It was moved by Councilor Elleanor Partridge and seconded by Councilor David Wood to accept the city manager's absence May 18, 2010. Vote was taken by City Manager Gerald Breazeale. Motion carried unanimously.

Finance Officer McNamee asked the council if the budget calendar dates were acceptable. There was consensus that the budget dates were acceptable.

Citizen Christine Sorenson asked why the flags were not up for President's Day. Mr. White responded that it was human error and got overlooked.

Adjournment

Being no further business, the meeting adjourned. It was moved by Councilor David Burns and seconded by Councilor Ken Matlack to adjourn at 8:55.

Next Regular Meeting Date – March 16, 2010

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