



CITY COUNCIL MINUTES

Irrigon City Council Meeting

June 15, 2010

6:00 p.m.

Irrigon City Hall

500 NE Main Avenue

1. Call to Order/Roll Call

Mayor Pro-Tem Theisen called the meeting to order at 6:02 p.m.

Mayor Pro-Tem Theisen asked for everyone to stand for the Pledge of Allegiance.

Roll call was taken by City Manager Gerald Breazeale.

Council Members present: Amy Sandy, Eleanor Partridge, David Burns and Ken Matlack via conference call.

Staff present: City Manager Gerald Breazeale, Finance Officer Amanda Slawson, and Utility Billing Clerk Penny Moore. Public Works Director Keith White was on vacation and excused from the meeting.

Citizens present: Irene Fetsch, Michele Lovin, Pastor Rick Yardley, Sandy Henry, Don Hurd, Kathy Simonis, Christine Sorenson, Laura Clark, Vickie Volk and Wayne & Barb Huwe.

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

Mayor Pro-Tem Theisen asked if there were comments from the citizens.

Irene Fetsch lives on California Avenue; she thanked Sherriff Matlack for the reader board that was on California Avenue posting the MPH speed as drivers drive by. However, Ms. Fetsch states that due to heavy traffic, speeders driving by at 40 MPH or more instead of the posted 25 MPH and at least five big rigs traveling the road dirt fogs over her house. If a patrol car set out of the way, they could get the speeders speeding. Ms. Fetsch stated that she would like to live where she does not have the dirt fogging over her house. She would like to see the Sherriff or the city do something about this issue. Mayor Pro-Tem Theisen stated that he could see two issues, the law being broken with the speeders and the dusty roads, which the citizens could get together and form a Local Improvement District and have the roads paved. It was stated that Keith White Public Works Director is working on a Local Improvement District (LID) for East California Street; this would solve the street situation.

Pastor Rick Yardley voiced his concern for too many projects going on in the community and stated that other citizens were also concerned. He stated that the utility workers don't have time to do maintenance work due

to all the projects going on in town that they need to help with. He asked the council to not start any new projects for at least a year so the city could see where the city is monetary with the budget. He continued to state that too much money is being spent; the city should stop applying for Federal money for awhile, and too much money was spent on Columbia and First Street. It was stated that most of the First Street and Columbia was funded by ARRA as part of the stimulus fund.

Irene Fetsch asked about the sewer system on California Street. City Manager Gerald Breazeale stated that it will be a while before any more sewer projects are started and that the dust problem will be addressed for California Street.

Barb Huwe of Irrigon stated that she agreed with Pastor Yardley to get all the current projects completed and paid for and start no more grants or projects, and hold on to money in these economic times. She continued with stating no more capital projects of any kind.

Mrs. Huwe stated that she would endorse Laura Clark and Kathy Simonis for the vacant council positions as she knows them personally and they would be great assets to the city.

Mrs. Huwe addressed the council to take a close look at the bicycle and pedestrian grant funds on the agenda for tonight and also the city hall solar proposal, where will the 10% of money come from. Mrs. Huwe stated that those item do not have to be done today, she gave credit to City Manager Gerald Breazeale for what he has done in the last five years for the improvement to the city, continuing she stated that he has done tremendous projects, however, the city is spending too much money, it needs to stop and we need to save some money.

Mrs. Huwe stated to make sure that Amy Sandy (that she welcomed to the council) was sworn in to the city council legally since the council had not voted to accept any of the resignations.

Lastly Mrs. Huwe stated her concern that before paving was done to First Street and Columbia to make sure puddles of water would not be forming on that corner and make problems for the handicap. It was stated that the storm drains were designed to look like planters.

At this time Manage Breazeale introduced new Finance Officer Amanda Slawson. He also stated that Ms. Slawson had presented a financial report tonight on the city's finance's. It was also stated that Ms. Slawson has an associates degrees from Blue Mountain College in accounting. Manage Breazeale stated that she is very sharp and picked up on the city's software very quickly.

Michele Lovin had questions about what was on the agenda, starting with the children's playground pay application to borrow money from the vacation and sick leave fund. Mayor Pro-Tem Theisen asked Ms. Lovin to hold that issue until addressed later on in the agenda.

Don Hurd thanked the council for accepting the paving of Charity Loop.

Pastor Yardley asked if the pot holes on Oregon Avenue would be fixed. Manager Breazeale stated that is not part of this project, however, it is on the list.

3. Acceptance of Councilor Resignations

Mayor Pro-Tem Theisen asked to accept the resignations of Jack Johns, David Wood and James Ray. It

was moved by Councilor Burns and seconded by Councilor Partridge to accept the resignations of Jack Johns, David Wood and James Ray. Vote was taken. Motion carried unanimously.

4. Election of Mayor

Mayor Pro-Tem Theisen stated that election of the mayor would be before the appointment of the city council members.

Mayor Pro-Tem Theisen opened the nomination for the office of mayor by nominating Councilor David Burns and asking if there were any other nominations. Councilor Partridge nominated Councilor Amy Sandy. The nominations were close by Mayor Pro-Tem Theisen. Citizen Christine Sorenson stated to the council that parliament procedure was not followed, just now the resignations of the three councilor's were accepted, wouldn't Amy Sandy need to be re-sworn in before recognizing the resignations of the other councilor's. Manager Breazeale stated that once the councilor's turn in a resignation, they can not come back, they have resigned. It was noted that council swearing in someone to sit at the table is legal. Vickie Volk asked, "Shouldn't the other council positions be voted in first?" Mrs. Volk stated that as a citizen she felt that the vote should be tabled until next month when there would be a full council. Mayor Pro-Tem Theisen stated that it is not required, there is a quorum. Each nominee stated their qualifications for the city council and answered questions from the audience.

Laura Clark asked Mayor Pro-Tem Theisen that as mayor pro-tem could he vote. There was a discussion on whether or not the mayor pro-tem could vote since he was acting as mayor. Mayor Pro-Tem Theisen stated that he could vote. Councilor Matlack stated that he did not have a problem with Mayor Pro-Tem Theisen voting. Vote was by secret ballot. City Manager Gerald Breazeale read the city charter that states that when the mayor is unable to perform the functions of the office, the mayor pro-tem shall act as mayor.

Utility Billing Clerk Penny Moore tallied the ballots. David Burns 3 votes and Amy Sandy 2 votes. Mayor Pro-Tem broke the tie and Councilor David Burns took the seat as mayor.

5. Appointment of City Council Person(s)

Mayor Burns asked to see the number of persons that applied for the two vacant council positions. Manager Breazeale stated that one more letter of interest was received from Sandy Henry. And also Don Hurd had expressed his interest by phone. Laura Clark, Kathy Simonis, Sandy Henry and Don Hurd gave a brief statement of their experience, education and credibility. Glenna Hoffman was not present. The nominee's left the building, however before voting, it was pointed out that Sandy Henry did not live in the city limits. The council voted for two members. The vote was taken, starting with Laura Clark, there were 5 yes votes; then Kathy Simonis, and there were 5 yes votes. Laura Clark and Kathy Simonis were elected.

The Oath of Office was issued by City Manager Gerald Breazeale to Laura Clark and Kathy Simonis, after being sworn in as council members they took a seat at the council table.

6. Approval of Minutes – May 18, 2010 Council Meeting

It was moved by Councilor Partridge and seconded by Councilor Sandy to accept the May 18, 2010 minutes. Vote was taken. Motion carried unanimously.

7. Correspondence

Manager Breazeale stated that a thank you was received from the United States Census for the use of the conference room. Also, the Irrigon Chamber of Commerce newsletter was provided in the council packet.

At this time the power point presentation was being set up.

12. Sewer Extension 2009 Phase 1

At this time, agenda item number 8 was put on hold in the interest of Councilor Matlack wanting to hear the agenda item number 12, on the sewer extension before concluding the conference call.

There was a discussion on the full overlay rather than patching back the damaged trench area. Manager Breazeale stated that the overlay was \$12.00 for every square yard. For paving First Street up to Oregon Avenue, Main Avenue to First Street, all of Second Street between Main Avenue and Oregon Avenue, Main to Oregon and Third Street total cost \$102,822; subtracting \$48,900 the bid for the three foot trench patch down the street.

It was asked if the city can afford to spend any more money. Manager Breazeale stated that the money is available. There is more to pay as follows: paving, \$102,822; retainage, \$22,336.80; city match \$40,544; and current sewer bills \$8,998.27. Assets, \$198,771.16 minus liabilities, \$174,701.07 equal a balance of \$24,070.09. Councilor Theisen stated that the project would cost more later on if the paving was not fixed correctly now. The city would need to take money out to pay back. The city can not get the Oregon State Park fund money reimbursed until the city pays first.

It was moved by Councilor Partridge and seconded by Councilor Theisen to pave all of First Street to Columbia Lane to Oregon, Main Avenue to Fourth Street, west to First, Second and Third Street from Main Avenue to Oregon. Councilor Matlack stated that there should be no change orders to make repairs to more streets than the ones above and a penalty if not done by the end of the month. Manager Breazeale stated that there may not be funds for Tumbleweed. Vote was taken. Motion carried unanimously.

9. Public Hearing on State Revenue Sharing

Open Public Hearing for State revenue sharing. Two public hearings are required to receive state revenue, one at the budget committee level and one at the council level.

There were no public comments.

Close Public Hearing

10. Resolution No. 10-04, A Resolution Declaring the City's Election to Receive State Revenues

It was moved by Councilor Simonis and seconded by Councilor Clark to adopt Resolution No. 10-04, A Resolution Declaring the City's Election to Receive State Revenues. Vote was taken. Motion carried unanimously.

11. Resolution No. 10-05, A Resolution Authorizing The Morrow County Treasurer to Invest City Funds

City Manager Gerald Breazeale stated that the funds would come from the collected property taxes and

Morrow County would invest the funds. There was a brief discussion on whether to invest. It was the consensus of the council to table resolution no. 10-05 until the next meeting on June 22, 2010.

8. If I Were Mayor Contest

City Manager Gerald Breazeale showed a PowerPoint presentation from two Irrigon High School students participating in the Oregon Mayors Association contest "If I Were Mayor Contest" showing their imagine of what a mayor does and what they would do if mayor. Former Mayor Ray previously brought this item to the council and it was approved to provide a \$50.00 savings bond to the winner. After the presentation the council voted to award the prize and to enter the League of Oregon Cities state wide competition for a laptop computer to be Darlene Gilroy. Councilor Sandy stated that the students participating should be asked to come to the council meeting next year.

12. Sewer Extension 2009 Phase 1 (c)

Councilor Partridge asked why the city has to pay extra money to Tetra Tech for administrative services to get a report for them. It was stated that time was involved, payments from the contractor needs to be reviewed by the engineer. It was stated by Barb Huwe that an inspector should be on the project and attend the council meetings.

It was moved by Councilor Simonis and seconded by Councilor Clark to approve payment to Tetra Tech for \$945.00. Vote was taken. Motion carried unanimously.

13. Water Improvement Project

No action needed on this agenda item. City Manager Breazeale stated that there is a full time inspector on the Hwy 730 Construction project. Manager Breazeale stated that this was the last of the budget funds for water. Councilor Clark asked if she could be informed of the Swaggart Brothers Construction Company that formally worked on the highway project. It was stated that it would take too much time to address the issue.

14. First Street and Columbia Lane Pedestrian and Bicycle Project

There was no discussion.

15. LRA Report-Draft Redevelopment Plan

City Manager Gerald Breazeale reviewed the "Draft Redevelopment Plan and Implementation Strategy" prepared by the Dana Mission Support Group and went over the map of the Umatilla Army Depot Reuse Authority Redevelopment Plan and Implementation Strategy submittal part 1. Most of the property will be deeded to the Oregon Army National Guard and a smaller portion to the US Fish and Wildlife Service for habitat preservation, with the remainder of the property for industrial and commercial use.

Manager Breazeale stated that the city has made great process to develop a plan for the reuse of the Umatilla Chemical Depot and with that being said he would like the council to approve a letter stating that the City of Irrigon supports the land uses described in the Redevelopment Plan and Implementation Strategy.

It was moved by Councilor Simonis and seconded by Councilor Theisen to approve a letter to the LRA supporting the land uses described in the Redevelopment Plan and Implementation Strategy. Vote was taken. Motion carried unanimously.

16. Children's Playground Project

Cascadian Landscapers has submitted pay application number 2 for work performed and for play equipment ordered and delivered to the city for \$123,159.90. City Manager Breazeale stated that the Park Improvement Fund does not have enough cash and was proposing to borrow the funds from the Vacation and Sick Leave Fund. It was stated that the city must pay this bill and present the cancelled check to the State Parks before the city can get reimbursed. And the reimbursement would promptly reimburse the Vacation and Sick Leave Fund.

It was moved by Councilor Theisen and seconded by Councilor Sandy to borrow the funds from the Vacation and Sick Leave Fund to pay Cascadian Landscapers \$123,159.90 and promptly reimburse the Vacation and Sick Leave Fund as soon as the State Parks reimburses the city. There was a discussion on a credit of \$8,000.00 for the required local match for in kind work from Wayne Huwe and his crew.

Councilor Clark asked about a loan to cover payment to Cascadian Landscapers for \$127,352.28 and her concern was how long it would take to be reimbursed from the State Parks. Manager Breazeale stated that he thought it would be in 2 or 3 weeks.

It was moved by Councilor Theisen and seconded by Councilor Sandy to pay application number 2 to Cascadian Landscapers for \$123,159.90. Vote was taken. Motion carried unanimously.

It was stated that at the April 20, 2010 meeting the Fox family asked to name the Irrigon Children's Park in memory of Trevor Fox. The Fox family intends to donate an unknown amount of money. Mrs. Huwe suggested interest regarding the tragedy that the city would possibly have a fund raiser.

It was moved by Councilor Simonis and seconded by Councilor Partridge to set up a special fund with the \$2,000.00 credit for the archway sign until ready to purchase sign.

It was moved by Councilor Sandy and seconded by Councilor Clark to name the Irrigon Children's Park, Trevor Fox Memorial Children's Park. Vote was taken. Motion carried unanimously.

It was moved by Councilor Clark and seconded by Councilor Partridge to amend the special fund for credit of the archway sign to reflect the proposed \$1,300.00 not \$2,000.00. Vote was taken. Motion carried unanimously.

17. Flexible Service Maintenance Agreement with Morrow County

City Manager Breazeale stated that this agreement is to allow the City of Irrigon to contract with Morrow County to do maintenance work as needed and also, allows the City of Irrigon to provide services to the county. There are no commitments for services or any cost to this agreement.

It was moved by Councilor Theisen and seconded by Councilor Partridge to provide additional flexibility to the Maintenance Agreement with Morrow County. Vote was taken. Motion carried unanimously.

18. Engagement Letter for 2010- 2011 Fiscal Year - Seydel, Lewis, Poe, Moeller & Gunderson, LLC

City Manager Breazeale stated that this letter is for the upcoming fiscal year audit services and Seydel, Lewis, Poe, Moeller & Gunderson, LLC has been used for several years with continued good and satisfied service.

It was moved by Councilor Partridge and seconded by Councilor Clark to accept the firm of Seydel, Lewis, Poe, Moeller & Gunderson, LLC for the audit.

19. City Hall Solar Proposal

After further investigating solar panels for the city hall and with the Umatilla Electric Cooperative low electric rates the council at this time decided to veto this proposal.

It was moved by Councilor Theisen and seconded by Councilor Partridge to veto the city hall solar proposal. Vote was taken. Motion carried unanimously.

20. Agreement with Tom Skach for Riverview Mobile Home Park

City Manager Breazeale stated that Tom Skach had come to the city council on different times to get more flexibility for the placement of mobile homes in the Riverview Mobile Home Park. The discussion had been that Mr. Skach wanted to allow 5 feet setbacks instead of 10 feet setbacks and that the park should be grandfathered in since there is no placement of the park and spaces on file. Councilor Sandy stated that this issue should have went to the planning commission first and that he should meet current setbacks.

It was moved by Councilor Sandy and seconded by Councilor Partridge to table the agreement with Tom Skach for Riverview Mobile Home Park until the council meeting on June 22, 2010. A question was asked about the mobile home park meeting state requirements and when had a survey been done. Vote was taken. Motion carried unanimously.

21. Authorization to Apply for Pedestrian and Bicycle Grant Funds

City Manager Breazeale stated that there was an opportunity to apply for Pedestrian and Bicycle Grant Funds. He stated that Divisions Street has severe limitations to pedestrians and bicyclists and is a major route for school kids, this street would be a good candidate. The program requires a 10% local match.

After a discussion, Councilor Theisen stated that safety issues need to be addressed and that the city has the funds. Councilor Partridge stated that a lot of money is coming out of the general fund. It was moved by Councilor Sandy and seconded by Councilor Simonis with cost not to exceed \$5,000.00. Vote was taken. Councilor Clark, no; Councilor Partridge, no; Councilor Theisen, yes; Councilor Sandy, yes; Councilor Simonis, yes. Motion carried with three yes votes to two no votes.

Councilor Clark stated that in her opinion any new projects should not be started. Citizen Sandy Henry stated that the city should not risk the safety of children on a heavily traveled street.

22. Report from the Morrow County Sheriff and Staff Reports

23. Staff Reports

It was stated that Public Works Director Keith White was on vacation this week and there was no report from the public works department.

It was moved by Councilor Partridge and seconded by Councilor Theisen to accept the reports from the Morrow County Sheriff and the staff reports. Vote was taken. Motion carried unanimously.

24. Accounts Payable

It was moved by Councilor Theisen and seconded by Councilor Clark to accept and pay the accounts

payable except for a water improvement project invoice to Tetra Tech. Vote was taken. Councilor Sandy abstained. Motion carried.

25. Additional Discussion

There being no further business the meeting went into Executive Session at 9:33 p.m.

26. Executive Session Regarding Real Estate Negotiations

Mayor Burns closed executive session at 9:47p.m.

No additional discussion. Mayor Burns adjourned at 9:48. It was moved by Councilor Clark and seconded by Councilor Simonis to adjourn. Motion carried unanimously.

Next Special Council Meeting Date – June 22, 2010 for Budget Hearing and Adoption.

Next Regular Meeting Date – July 20, 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:

David Burns, Mayor

Gerald W. Breazeale, City Manager