



Harrisburg City Council Work Session Minutes March, 23, 2016

The Harrisburg City Council met on this date at City Hall, located at 120 Smith St. at the hour of 6:30pm. Presiding was Mayor Robert Duncan. Also present were as follows:

- Kimberly Downey
- Mike Caughey
- Robert Boese
- Sarah Puls
- John Loshbaugh
- Adam Keaton
- Youth Advisor Devon Contreras
- City Administrator Brian Latta
- City Recorder/Asst. City Administrator Michele Eldridge
- Public Works Director Chuck Scholz

Concerned Citizens in the Audience: Everyone present was here for items on the agenda

The Matter of an Update on the City of Harrisburg Water Study

Water Study Consultant Edward Butts Report: Butts said that he was here to answer questions you might have, and will give a summary of what we looked at in the original pilot study. We looked at the options that are available on the groundwater you currently use, and also at the feasibility of surface water. Beyond that, we look at the aspects of cost, which are always an issue. He has concerns with the treatability of the water in this region which will need more studying, and looking closer, before he can give an analysis. Both upstream pollution, and volume are aspects that must be looked at. He always recommends the reservation of water rights for potential future use, which the City already has. He thinks at this time, that treating surface water is not only expensive per capita, but operations for it are also more expensive. With groundwater, he has some concerns as well, even though it is similar to some ground water in other cities, the aeration in the water here creates a problem that promulgates the additional pilot study he is recommending. He will need to take a closer look at chemical costs and requirements for treating ground water, and what we would have to do to get air out of water; unfortunately, it's fairly expensive to do that. Those are his justifications towards needing an additional pilot study. That's really in the technical memo that he submitted.

- Latta asked if he had an opportunity to set this up in other cities, or talked to them about any failures or results on the systems they have?
- Butts said that he judges success on a system by the amount he's not called. If it doesn't work well, he here for them. He has several clients that are similar to Harrisburg, but no two are the same. The City of Aumsville has the closest parallel that he's done, which is in the scope, as well as having problems with the water. Their system has been very successful, and cost a similar price to this. However, there is one basic difference; Aumsville's wells don't have air, and they don't have to work with that. Here, you have a fairly rare situation, but when it happens, you have to deal with it head on. Specifically your aquifer is holding air, and that causes trouble. In the initial pilot study, they knew about the air issue, but they didn't deal with it, or want to remove it. The 2nd study, would address both air and chemicals. In terms of scope, Harrisburg's main issue with the water is fairly common, and he has several clients In a similar situation, that he's treated with success. Aumsville, Independence, and Keizer, are all similar to Harrisburg.
- Mayor Duncan was concerned about constructing a system, which does wonderful things for the water, but then there's a problem that half the city has older pipes. The areas with newer pipes gets a good system, and the others don't, because of the supply lines, or the pipes they have in their homes. Will this system be less intrusive on pipes he is speaking of?
- Butts told him that a chemical can inhibit, or interact to corrode pipes more. What we try to do it to balance a situation. Ch2MHill suggested an ionic exchange, but in this case, he's not really a fan of the method. Once again, he needs to do additional studies to verify that we won't impact the corrosion aspects of the water more than it has.
- Mayor Duncan said that he knew with our water rights, that we had 20 years from the time we receive the rights to use them. What is our scope of use with those water rights? Can we trade with a farmer, or use the water for an industry?
- Butts told him that he would need to look at Harrisburg's water rights specifically. He doesn't want to say no, but he will need to look into our specific water rights.
- Mayor Duncan thought it would be nice if we could do something with it.
- Butts told him it's not unheard of. Industry has to be careful with any water source they come into. If we implement a surface water source for typical industrial process, it would probably need full scale treatment, and full treatment generally includes reverse osmosis.
- Mayor Duncan said that he wouldn't want to build it for industrial use; just for creating jobs.
- Butts told him that the clean water industry takes a hard look at all water sources. Groundwater, as much as we can clean it up, and make it aesthetically pleasing, we can't, and won't be able to take everything out. We balance it as much as we can, and make people happy with the aesthetic value.
- Loshbaugh asked him what the cause of the aeration was.

- Butts told him that it sounds like it's the aquifer itself, and that the aeration has somehow saturated into the aquifer. He needs to determine if it was introduced upstream, and do further analysis to be confident that we can remove it, and also determine the source. In many cases, local cascading water falling down draws air, and sometimes there is a pressure reduction with the water in the well. Your aeration is unique, and next to organic iron, is one of the hardest things to treat.
- Downey asked if he had just looked at one well, or did he feel it was in all the aquifer?
- Butts told her that in the pilot study, several wells were done together. He wasn't sure if it was coming from one well, or all of the wells. We know Well No. 8 is doing it. But he's not sure with the others if they are single source or not. Chances are that it's in the entire aquifer.
- Scholz said that you can see it when they are cleaning the tanks, and in the pipes.
- Butts hated to speculate, but he thinks our ground water is influenced by the river. You have high oxygen from the river, and pumping the water draws water to the wells. He thinks it's the effect between the river and the wells. It's unusual for typical groundwater to have aeration like this. Unfortunately, it causes problems when it's there. On the other hand, we know it's there, and we can deal with it upfront. Our issue is whether to remove it dynamically, with centrifugal force, or allow it to settle; he doesn't think it will come out with settling. That's what we look at, to know if we have to force air out.
- Caughey asked what the normal ph. for drinking water is in most places?
- Butts told him that 6.5 to 8.5 is normal range. The problem with giving you an ordinary ph. is that it changes with the characteristics in the water. With brown water, you typically see a ph. of 7.5 to 8; your water is just shy of 8, on the high side of 7. That brings another set of problems, such as air stripping. With a ph. that high, he would expect the water, to react with liquid chlorine, and become brown and black staining, because of that. Your ph. is actually in a good range, if you deal with it with the right chemistry. If he employed air stripping, we would have to bring it back down to 6.5 or so, to air strip it and then bring the ph. levels back to 7.6. There are multiple set of chemicals to use to do that.
- Boese said that in the report, he mentions backwash...he's intrigued by that, with the gallons per day that's stated there.
- Butts said it depends on the client; quite often, between the water entering the system and then ending up at the wastewater plant, you have backwash that is absorbed into the process stream. The last few years the DEQ (Department of Environmental Quality) has taken a dim view on that, and is now looking more at the process of backwash circulation, and how much is put back into the stream. Another aspect needing a different pilot test, is so that he can get a better feel for a longer term study. The pilot study, only gave him a few hours, and he's not able to gauge how to better filter it. He can see how much water to bring back into the stream, and how much to dispose of in the wastewater system. That's why in the operations section, the maintenance costs range are so great, because he didn't want to mislead you. It's fairly easy to put in a treatment system, but the ongoing costs, is different. If we resolve the issues he has, we can pinpoint if further.

- Mayor Duncan asked if backwash can be used for irrigation.
- Butts told him that if you can store, it, then yes, it's pretty good for irrigation. If you could store it someplace, and then use it during the summer, than that would work.
- Mayor Duncan remarked that the elephant in the room, is the cost. He doesn't know about the rest of Council, but it seems too good to be true. Could you approach that a little bit?
- Butts told him that if you are talking groundwater that has been processed, it has a similar background to other systems; there's one that's almost exactly the same to this system. This is not guess work, but establishes figures to what they know. There is a large range there of chemicals to use, and he's not sure what chemicals we will inject into the system. We will need an oxidant, to oxidize the hydrogen sulfide gas, and iron manganese. That capital investment is pretty close to what it would cost for what we are looking at. He's not sure why it was so different with the CH2MHill report; he does it the way he's always done it, and his figures have covered projects over the last two years.
- Mayor Duncan asked if you would have to hire more employees, or have someone there a lot of the time.
- Butts told him that the Oregon Health Authority assigns points to treatment methods. With the system the way it is, with chlorination, and salient distribution, they assign points. As we add treatment, and chemicals, the more points are assigned. You may be needing an operator with higher rate of certification. We need to establish what we need to do first, with the level of treatment, and then report on the costs of labor and manpower, as well as chemical costs.
- Boese added the filters would also cost more.
- Butts told him that as long as filters are operating properly, those using manganese dioxide can last for a while. Early in the water treatment world, we lost a lot through attrition; when it was blown out for us. We try to design the system and backwash, so as we lift it and move it around, you get rid of impinged materials, but it's not so hard that it's gets blown out. Typically, you lose 1% to 2% due to attrition. Water is a universal solvent. In Keizer, they have an older system, which has been there around ten years. Aumsville, and independence are too new to give you a time frame.
- Mayor Duncan asked if chemicals for treating our water readily available? He would hate to go to another state, or a long ways away to get it.
- Butts hoped not. Any chemical he would use, he would buy from a national sanitation company. He tries to only use chemicals that are locally represented, in Portland and Eugene; anything he would recommend is in Oregon. If we determined that our treatment would need a sophisticated growth inhibitor, then that's something he would have to look at.
- Caughey said that one issue he was worried about was dissolved solids. When we had the water tested here, we are off the scale for hardness. The dissolved solids are pointed to as a major issue. Is this proposed system accounting for that?
- Butts didn't think your TDS (Total Dissolved Solids) is that high? 500 is practical for that. You have a couple that are high, such as Well No. 5; other wells are 250 or so, which is

common. The hardness except for Well No 5, is within the normal range we work with. Again, we treat one part of the water. He's not a fan of ion exchange or reverse osmosis. The test CH2MHill did, in the 2008 study, was not comprehensive enough. There is additional testing he'd like to do; he generally prefers more comprehensive testing than what they did before. The problem with using TDS, is that it can come from different things. He wants to establish what the background level of TDS is, and what it's being influenced by.

- Latta noted that part of the scope, is to account for filtering the top daily demand of 440gpm, but for Well No. 8, its outside of that system. I guess we would not be filtering all the water. How does that work?
- Butts said that what he often looks at is a phased approach, rather than jumping in, and doing it at once; that's usually cost prohibitive. It seems to work best, to try to pick one site, do as much as you can with that, and make sure the process is appropriate for other sites. We would need to do a larger pilot for Well No. 8, and then also for blending and mixing issues. He wouldn't recommend jumping in and implementing treatment.
- Caughey asked if it would be a benefit to bring water from Well No. 8 to the central location first.
- Butts told him no, but it could be in the future. With the water plant, the infrastructure is already there to add it to the system. With Well No. 8, it's an issue of sitting by itself. You also have the backwash issue, and you have to know how to deal with that. The other well, is in the low range, and we can handle different backwash ranges. The problem with pilot studies is that they never translate to a full scale plan. He likes to plan a pilot at 25% of a total plan.
- Mayor Duncan, said that he was finding it difficult to not just rip the entire band aid off at once. He doesn't like going to the public with an amount to fix some wells, and then coming back later to fix more wells. He doesn't think that would fly as well as going and saying we need \$1.2 million, and that it will be fixed.
- Butts said that even if we jumped into it, he still needs additional information. The new pilot study would require 1 to 2 days on each site. particularly with the backwash analysis. He needs to give people a better idea of that issue.
- Mayor Duncan asked if we could come up with some sort of a budgetary amount, or maybe that a system won't exceed a certain amount.
- Downey said that she doesn't know how we would know.
- Butts said that it can cost \$1.4 million, for a full scale system. He didn't feel that he had enough information for a full operations cost, so he had to exclude that in his study.
- Latta thought it was important to have that 2nd pilot study, if we want to go in that direction. He agrees with the Mayor, that he thinks it would be more difficult to ask for more money later. If we fix a group of wells, but not Well No. 8, and that water mixes with the rest of the water, then how good a product are we providing? Will it fix it, or just lessen the impact.
- Downey asked if it wasn't Well No. 5 that had the most problems.
- Latta told her that it does have a lot. Well No. 8 was higher in either iron or manganese.

- Butts said that it's a harder element to get rid of, because you have to have a certain pH for it. Even if we located a treatment facility in for both sites, this kind of project is eligible for low interest loans from the state. He can provide you with a much better handle on the final numbers, for developing those plans, if that's the direction you want, and give you the fairer cost.
- Scholz didn't think that the information is really there until next pilot study is done. There is a lot there that could be deal breaker itself, once the numbers are back in. Once we get that pilot done and looked at, we will have more realistic numbers to look at. We aren't quite there yet.
- Butts didn't want to give you an impression that the first plan was a waste; it wasn't. Obviously, we didn't know the air was in there that was obviously handled differently in the past. It takes longer than one day to get information he needs.

Latta said that he was happy with doing a 2nd pilot study. Caughey was concerned that if we have to treat Well No. 8 and the others separately, do we have to have a human dedicated to that site, as well as to this site. Puls said no. Caughey was concerned about the work load. Butts said that if it was designed properly, it's pretty much automatic. The time it takes to run the plant, falls into the so many minutes per day category. Caughey thought it would take a great deal more man power than that. Puls said that all we do is inject chlorine. They take a sample, and record it. Butts said that it all depends on the point assignment we would get from the state. Loshbaugh said that we still have to be checking chlorine levels. Caughey understood that, but he was under the impression that it creates a lot more time of needing someone to be sitting there. Butts told him no; it doesn't. In a fairly small amount of time, he can give you a fairly close estimate on the cost of operating a filtration plant.

Mayor Duncan didn't want a rabbit trail on the finance end of things. All of us, understand, and have heard enough from citizens to know how much they will put up with. Loshbaugh said that the majority of the town is on PVC pipe. He knows we've talked about trying to replace the steel pipes. Will that make a difference on treatment levels? Butts told him it's hard to say; what usually happens is if we change the chemistry in water enough, we can get discolored water. We want to get that out, but there is material impinged on the pipes now, that adheres to that. When the chemistry changes, it starts dissolving. You will get complaints. Where water in PVC piping can be flushed out in six months to a year, with steel, it can take years. Scholz noted that there are lots of communities that flush once a year. Some communities are only once every 5 years. Puls knew some who don't do it at all.

Butts said that you always want to go in the right direction. It will be a healing process. It took 50 to 60 years to get to this point, and it will take time to get it back. He's not certain on the best chemical for this part of it. We might be ok with a phosphate inhibitor; that might be something short term that we can use. Downey agreed with what Scholz said. We need more information. Butts said that their schedule is about two to three weeks out to schedule in a 2nd pilot study. Mayor Duncan said that this is incredibly exciting information, but it's scary at the same time, although it is less scary than before. Butts didn't think that Aumsville will mind you calling, to ask for information. Caughey asked what we need to do to move forward...Puls said

that depends on the budget. Latta told them that we are well under budget. Boese asked then for the next pilot study, if they would do a two day study for each site. Butts told him that they would need at least one day for each site. Sometimes it can be two days on each site, and that's what the potential cost is slated for. *Council consensus was to have Ed Butts conduct a more detailed pilot study and report.*

The matter of Discussing the Results of a Pending Oregon Court Case and its Impacts to Cities

Staff Report: Latta briefly covered the information in the agenda bill in regards to Plaintiff Johnson. Because of recreational immunity, the plaintiff knew that she couldn't sue the City, so they sued the employee who was doing the maintenance work instead. Recreational immunity only affects the owner. Therefore, Johnson sued the two employees directly. The lower courts agreed with the definition of recreational immunity, but supreme court, said the statute says 'owner'; it doesn't state employees, so they aren't included in that protection. Currently, if someone is injured from negligence by an employee, then that opens up employees to being sued, which really means the City is sued, because our issuance covers it. You can imagine the alarms CIS had. The recommendations that they sent to us said to close the parks! That's extreme, but they did have other suggestions as well. We talked to our attorney about discretionary immunity, and to invoke that, we have to identify potential risks in public areas, and identify anything that needs repair. We identify those, and the costs to repair them, say we have no money to repair them, and when we do, we can repair them. We come up with a list, and council recognizes it; it's our discretionary information, and we plan on repairing it. It doesn't cover all the scenarios, for instance, if they dig a hole, and someone falls into it, that's not on the list, but some larger issues, like a broken skate park is.

- Puls commented that those are owned by the city, and not by an employee, so it should be covered under recreational immunity.
- Latta said that with this ruling, they could make a point that if this is a significant employee, then yes they could. Needless to say, LOC and CIS are both emphasizing to the legislature that they need to change this bill as the first priority in the 2017 session. He hesitates to take action now on behalf of Harrisburg, because it could raise red flags; what the public doesn't know, they don't know. Just because a woman in Portland was successful at suing, doesn't mean we could be as well.
- Mayor Duncan asked if there were any signs we could put up.
- Latta told him that CIS suggested it, but it doesn't protect us much.

Caughey thought it a problem that we have a city right on the river; Puls added that people swim in it too. Latta noted that it's a problem, and he doesn't know which direction we could go in, do you want some discretionary immunity to apply to this? Downey added that we need to make sure employees don't leave anything as much as a hole in the ground without guarding it. Council briefly discussed the case, Latta thought that it would probably be best to just maintain the status quo. The whole reason to look at it, is because people are looking for places to sue. Downey said that we can think about it. Caughey was concerned with how you could possibly identify all the ways someone can hurt themselves. Latta told him you can't. That's why we should probably not raise a flag, because it could be a look at what you can do. Council talked about sidewalks in town, and things like the Skateboard Park. Latta said that is a prime

example. CIS recommended that you should probably take high risk parks, like a skatepark, and bike park, and shut them down. Puls said that it took us forever to get it; she doesn't want to do that. The issue will be resolved in legislature in a year, so we should just wait it out. *Council Consensus was to agree with waiting until the legislature fixed the law.*

The matter of proclaiming April 8, 2016 as Arbor Day in the City of Harrisburg

- Mayor Duncan read the proclamation in full as it appears in the Council Agenda.
- Latta informed the Council that we are holding an Arbor Day Event, which is part of our requirements to become a tree city. Public Works will be improving Priceboro Park, and will plant some trees, add some mulch, plant shrubs, and pull weeds. Chuck will provide information for the public to join us for that.

The matter of proclaiming April 2016 as Child Abuse Prevention Month in the City of Harrisburg

- Councilor Downey read the Child Abuse Proclamation on behalf of the Mayor, which the Council enthusiastically supported.
- Edie Moro, HART Director, said that we have once again, the blue pinwheels, which are currently in Brian's office. She felt it would be more effective to hand them out person to person at future events, like the Multi-Cultural Celebration Day. They will also have information about parenting, and parenting resources, as well as child abuse prevention. The HART Family Resource Center is also putting together a class for parents of children aged 5 and under. Farrah Miller will be assisting her with that. She added after being prompted by Councilor Downey, that March 31st is our next crime prevention forum. A person from the Family Tree Relief Nursery, will talk about what relief nursery's do, when parents are stressed. April 1st, is a child abuse prevention summit that is happening all day in Lebanon, being led by United Way of Linn County. She is attending, and taking at least one board member. If any of Council is interested, she can provide information for that.

Downey said that this year, she thought that they were doing more classes, rather than just straight lectures. Moro agreed, and said that the format is looking at reducing child abuse by 90% by a certain time, and the next half of the day is looking at sexual assault. Downey added that there are 180 employees in the Linn County Sheriff's department, and 3 full time deputies that are dedicated to child sexual abuse. That's how much time they have to spend on it. Only 3% of the kids experiencing abuse are also experiencing sexual abuse, and that's how much they dedicate to the prevention of it. Latta added that 90 x 30 is one of the premier prevention programs in the US, and it was started in Lane County. They held a summit last year, and are a great organization.

The matter of Discussing a City Contract under Executive Session ORS 192.660(2) (f)

At the hour of 7:42pm, the Council entered an executive session under ORS 192.660.1.2.(f); The governing body of a public body may hold an executive session to consider information or records that are exempt by law from public inspection.

At the hour of 8:22pm, the Council re-entered public session.

- **Loshbaugh motioned the following:**
 - **1. To reject the proposal to rotate the City of Harrisburg Municipal Court Clerk with the other Justice Center Clerks;**
 - **2. To provide written notice to terminate the personal services contract and IGA with Linn County to provide Municipal Court Services for the City of Harrisburg, and,**
 - **3. To demand repayment from Linn County for the overpayment of Municipal Court clerk payments made to Linn County for Fiscal Years 2010 to 2014.**

- **Caughey motioned to second all three motions that were made,** and emphasized after the motion that we needed to notify them before April 1st.
- Latta said he would probably take care of that tomorrow.
- **The Council voted unanimously to approve all three motions that rejected the proposal to rotate the Municipal Court Clerks, provide notice to terminate the Personal Services Contract and IGA with Linn County for the Municipal Court Services, and to send a letter to Linn County asking for repayment of the overpayment made for Municipal Court Clerks for those years.**

Others:

- Latta told the Council that one of our employees is having health issues, and will be out for a while. You might see a different smiling face on a temporary basis, so you know. The City may need to hire a temporary employee; especially because Lori, our front office clerk, has her son in baseball, and it's his senior year. We are all working together, to all support her.
- Mayor Duncan said that Patsy's a rock, and has been here longer than Moses.
- Caughey said that she is always smiling, even on the phone.
- Puls had been at a CWCOG (Cascades West Council of Governments) meeting last week; they are planning on visiting cities again, which they like to do on an annual basis. There is a grant writer position available at CWCOG, and she thought that would be great to have, in case we have a small grant, and need someone to work on it if staff doesn't have time. Also a reminder, that the CWCOG works on transportation issues too.
- Latta remarked that he was on a LOC (League of Oregon Cities) committee on transportation. The larger cities are mostly evident, but there are a few smaller ones. Most of the 'smaller' cities are 10,000 to 20,000 people, so they aren't eligible for the SCA grants. There are about 25 people on the advisory committee, which is a mix of Mayors and councilors for the most part; all interested in transportation. He has told them that they need to look out for small cities. We aren't going to change the transportation funding structure from the state. Only about 20% of the state highway fund comes to cities, and they only provide a million for SCA Grant per biennium for all

small cities. That provides a total grant for \$50,000, with which you can do nothing. We have a SCA grant, and we are still needing to spend \$200,000 of HRA money to improve only two sections of road.

We are really advocating that we need to tell our story to bigger cities, because if they provide more money to them, it takes away from us. He is currently advocating more money for SCA grants. There's some urge at the legislative level to work on a transportation package, so please contact them, and tell them our stories. Tell legislators that our streets suck. Let them know how bad it is, you can even send an email. They need to address small city's needs. They mentioned that we should apply for grants; that's great, but we don't have time to look for and apply for grants. They also mentioned technical assistance. Please contact the legislators early, often, and repeatedly. That will sell transportation.

Council asked for him to provide the information on the package via email; Latta said that he will give them a site for the government's proposal. Downey said that she would love to write a grant for Lane County, to come here with their bus. They could give them enough money to include us, even if the service is just twice a day.

Latta added that the legislative director for the LOC is also on the transportation committee. We don't want a small package for five years; we don't want to come back in five years. We want indexing forever, and we need to let the legislature know that. We talked about interconnected systems. Can we make it to have easier access to integrate existing system to the local level? There is a connection between Albany and Corvallis, and they have one bus that circulates. What kinds of opportunities are there for us? We need to learn how to advocate for small cities. We are tired of this. Our small communities really need this, and we don't need much. Mayor Duncan said that our smaller cities, tend to be a little more conservative than larger areas, and our current system of government, obviously panders to bigger cities. Downey said that our community, would be a lot more diverse if we could go to the big cites once in a while.

With no further business to discuss, the City Council adjourned at the hour of 8:52pm.

Mayor

City Recorder