



Harrisburg City Council Minutes March 11, 2015

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
- Don Shipley
- Robert Boese
- Sarah Puls
- John Loshbaugh
- Youth Advisor Bo Kelson
- City Administrator Brian Latta
- City Recorder/Asst. City Administrator Michele Eldridge

Absent this evening was Councilor Mike Caughey.

Concerned Citizens in the Audience:

- Cheryl Spangler and Edie Moro were both in the audience to promote their 50 Shades of Us-Cultural Diversity Day. The event will be held on April 18, from 11 to 4 here at Riverfront Park. The event will have lots of diversity, since we have American Indians, Samoans, Chinese, and Thai citizens, plus Gypsy Dave, and the Daughters of Norway, just to name a few. They will have the Chemawa Indian Dancers, a civil war re-enactment, food and vendor booths, and just got word about a country band that's willing to play. Edie added that they are working on getting the Mental Health folks down too for the event.

Mayor Duncan wanted to emphasize that we are also all American's. He suggested that they contact the media and do press releases; Moro already had those ready to fly and based on future dates. She had hoped to have a mental health desk there too. Spangler emphasized that this event was for us to celebrate our stories, and what our backgrounds are like. This is a fun event, meant to expose you to other cultures. The poster is built as a pictures of crayons in multiple shades of brown, all of them with the name 'flesh' on them. It's really a great message. They have buttons promoting the event at the Library and H.A.R.T. Center, so come by and pick one up! They hoped that the City Council would come to the event.

Consent List Approval

- Puls **made a motion to approve the Consent List, and was seconded** by Downey. **The City Council then voted unanimously to approve the Consent List, and thereby approving the following:**
 - Minutes of February 11th, and February 25th, 2015
 - Payment of the Bills from the month of February, 2015

The matter of Adopting Ordinance No. 929, “**AN ORDINANCE AMENDING CHAPTER 15.05 SECTION 010 OF THE HARRISBURG MUNICIPAL CODE.**”

Staff Report: Latta noted that the way our current Ordinance set up the Building Codes, we would have to adopt an amendment every time the building codes were revised by the State. By tying it into the OAR instead, then it simply rolls forward to the most current code, whatever that might be. As long as they don't change the OAR references, then it will apply.

- Shipley **made a motion to approve Ordinance No. 929, and was seconded** by Downey. **The City Council then voted unanimously to approve Ordinance No. 929, and thereby amending Chapter 15.05.010 to update the code based on the OAR Building code references.**

The matter of Approving the Priceboro Restroom Facility Project

Staff Report: Latta said that we currently have a porta-potty set up, but for various reasons we haven't installed a bathroom or extended water services to this location. We had intended on installing a bathroom when we extended the City boundaries and city services. That approach, would have cost us between \$50,000 and \$90,000 to do it that way. Our Public Works Director, on the other hand, figured out how to put a bathroom in this park, without costing us those kind of sums. The agenda shows where the restroom would be located. It shows you where the water, electricity, and storm water will go, and we'll also bring in a sewer pipe. That will be bored under the walkway from S. 11th St. The Parks Committee agreed with this plan, and it will cost no more than what we have currently expensed in the parks maintenance line, at \$18,700.

- Loshbaugh was concerned about using the parks maintenance fund for this purpose. What do we use if we need parks maintenance?
- Latta said that we are ending the Community and Economic Development line for holding parks fund. We are moving park maintenance to the General Fund. Draining this line down does not affect it. The Parks Maintenance Fund will be in the general fund.

Council discussed how many restrooms were being provided; at this point, it was only one unisex stall. Boese particularly wanted to be able to expand the restrooms in the future. The locking mechanism would be a timed, automatic locking one; those were fairly expensive. This would be part of the regular chore schedule, and would be cleaned daily. Boese was concerned about the costs, and the itemized list of them, especially the boring. However, Latta told him that all the construction, excluding the boring, can be done by our crew. Shipley added that the motion said that we can't exceed the amount that is proposed. Scholz seemed very confident about the costs for it. They discussed adding a storage area to the unit, so that the hot water heater and other supplies would be out of reach of users.

- Downey **made a motion to approve the Priceboro Park Restroom Facility Project, and to authorize the use of up to \$18,700 of the Community and Economic Development, park maintenance funds to complete the work. She was seconded by Loshbaugh. The City Council then voted unanimously to approve the restroom facility construction at the Priceboro Park location.**

The matter of Discussing the Agenda for Town Hall City Council Meeting on March 18, 2015

Staff Report: Latta noted that this will be an interesting meeting. It's a Council and City goal to address the water, and it is the number one complaint we get. We will have several stations set up for people to find out more about our water system. Those will include a water meter interactive display, a map on which people can put stickers that tell us whether the water is ok, or bad, and a utility billing station, so that people can inquire about rates. His intent is to try to map out if there are specific neighborhoods where the water is considered particularly bad, or neighborhoods where everyone is happy. That will help to tell us if there is a specific area that we need to look at. The stations are not set up for people to ask for specific information, such as deciphering their utility bill. It's meant for people to ask questions about rates, and how billing works. His intent is that we'll have an open house from 6:30 until 7:15, and then we'll have a short presentation, followed by three minute segments of testimony from citizens. We'll see how that works. If someone has the same issue as someone who already talked, then we want them to just state that, rather than repeating the same issue for three minutes. We don't want this to be a debate; our purpose this evening is not to give citizens a solution, it's to simply figure out the basics, mapping areas of town that have bigger problems than other areas, and what people want to do to try to fix the aesthetic quality of the water.

Puls wanted Latta to make sure that you tell the citizens clearly that tonight is information gathering. People will want to know how you can fix it, and a dollar amount for doing so. Latta said that he will; once we move forward with this, we'll have another town hall meeting to discuss those types of things. Right now, it's just information. Puls wanted him to talk about that from the very beginning. This is what we've done in the past, and we want to talk about this again; make it very clear as to what our purpose is. Latta thought he could ward off some of those types of comments with his presentation.

Council talked about how long we've been talking about water aesthetics, but realized that several important things have changed in recent years, such as the fact that we now have water rights. Most people know that water rights are very hard to obtain. Loshbaugh said that we've been talking about this since 1981; that's the first year he was on Council. It's dissolved solids that cause so many of our aesthetic issues with the water. Mayor Duncan would like to know what other cities pay in terms of rates. Puls agreed, and said that Latta could look at both quality of water, and the rates themselves. One of the largest problems we have is the steel pipes; they are all located in the older parts of town. Those typically have rust, and the dissolved solids that break down out of the water sits in those pipes; which of course, is why we flush the lines. The rest of town, east of 6th street, is mostly on PVC piping. Replacing the steel pipes with PVC is extremely expensive. Latta said that we try to replace those when we can. A filtration plant will significantly reduce that issue. The other problem too, is that too much chlorine, can cause discoloration of the water.

Latta said that he will put together a PowerPoint presentation that will tell the citizens what our current system is, such as how many wells, storage, and pumping stations the city has. He will be emphasizing that the water is safe to drink. Puls said that if you mentioned how we've been complying, it might help. Loshbaugh said that the Oregon Health Authority, always says that we have great water. Latta said that he can talk about the fact that people won't have to replace their appliances as much, and you don't have to buy bottled water, but he has a hard time quantifying that. Downey suggested that you tell them that the reason we've kept drilling new wells is partially to try to find a better tasting water source. However, we know now that we are stuck on the aquifer that we have. Council talked briefly about whether or not a filtration plant would filter water from both the wells, and the river, if it were built, or if it was just one or the other. Latta said that the important thing is that Council is putting forth its best effort, not throwing something on the wall to see if it sticks. Councilors can mingle with the citizens prior to the meeting. The presentation will likely be five or ten minutes, then we'll hold testimony. What we really want to hear from are people that will say that 'I don't want to fix the water because it's too expensive', or 'I'm willing to pay \$25 more a month to get water that tastes better'.

Mayor Duncan said that in his 25 years in his home, he's replaced two dishwashers, three water heaters, and three washing machines. When you think about the ultimate costs for what you've replaced, you realize that it's worth the cost of improvements. Boese commented that he knows most of the questions will be directed towards the Mayor, but should we say something if we agree with someone? Latta said that he doesn't want to hamstring Council from saying what they want. But we also don't want to engage in back and forth once the comments start. If you want to say, hey, I have the same issue, and that's why we want to address it, then that's fine. He added that all of the Council will have name badges. If someone wants to engage a City Councilor, they should know who you are.

Loshbaugh suggested that perhaps Council could take a field trip in the future, to look at the reverse osmosis plant that some of the other cities have. Latta said that will be key for us, to see what we want to build. We'll make this a very open process. Loshbaugh said that we don't have time to go over that now, but due to the complexity of the plant, there were some problems. Puls said that when you talk to the manager for drinking water services, he can tell you what some of the better filters and brands work better. We can ask him if we can see the plant that he likes the best. Loshbaugh added that it should be similar in size to our community.

Others:

HRA – Amendment No. 5

- Latta said that we will be talking to the City Council at the next meeting in April to decide on Amendment No. 5. So far, the County has approved the amendment, 4H Extension District has approved it, Linn Benton Community College approved it, and the School Board has approved it. He hasn't heard from LCC or the Fire District yet. It will still have enough to pass even if they decide to vote against it.
- Downey said that she was very proud of Latta doing this, and following through with it. We needed to repair the roads, and bringing Elaine, our consultant down, was a great idea.

- Latta said that the county has been great to work with. A lot of counties tend to be a challenge to work with. They were very appreciative that we've under levied for many years.
- Downey said that not everyone has managed their HRA's very well, but we were prepared, and knew our target areas. They were proud of how we handled our funds, and the tax payer funds. They see other communities out there, and have told us that there are some that they would not have approved.
- Shipley said that Brian Latta is proof of what smart decisions Council makes!

Medical & Recreational Marijuana

- Latta asked the Council if they wanted to work on regulations in regards to marijuana; both the medical and recreational kinds. For now, on the medical marijuana, we have a moratorium. He believes that we can rely on our business license ordinance for now, because it doesn't allow the violation of federal laws. The City of Cave Junction had a similar law, but they were taken to court. The court upheld that ordinance, and said that yes, they could rely on federal law prohibiting marijuana use to deny a business license. That decision was appealed to Appellate Court, so it will be a while before we know how that will turn out. Do we want to look at land use regulations, in the off chance that we may need to use it in the future? We are allowed to define a reasonable time, place, and manner regulations; such as it can't be placed closer than 1000' to a school, or it must be placed in the industrial zone, not a commercial one.

Council was fine with looking at regulations, in order to be prepared for whatever decision the courts will come up with. Latta told them he can initiate that process, and work with the Planning Commission on possible regulations. Downey wanted to include a distance from churches as well; Latta told her that we can say that it must be 1000' ft. from where people or children congregate.

Emergency Preparedness

- Latta told the Council that they had objective 24 of the strategic plan, which deals with emergency preparedness. Were they in favor of moving ahead with a more robust emergency preparedness plan?
- Downey wanted a system in which all households could be instructed in the event of an emergency. When we lost power in town for multiple days in a row, city hall allowed some citizens to come in and stay in the Council Chambers, because it had gas heat. She would have liked to have known that, because she had some citizens asking about whether anything had been set up.
- Latta said that we'll have to coordinate on this effort. The county is our emergency preparedness agency. We can do our own too; although the county is still responsible for it. We can have joint policies and procedures. We can work with the county, fire department, and other agencies to find out who's responsible for what, when, where, why and how. For instance, if the Mayor is responsible for something, what happens if he's not there?

Disclosure on a possible land use issue

- Mayor Duncan, as most of Council knows, lives in a very old home, from 1889. The owners of the strip mall came to him because they wanted more parking spaces, and didn't have room for them. They've been trying to make arrangements to add another 29 spaces. They purchased the Chavarria's Victorian home, and was going to remove a portion of it along with the shed/garage. They were denied that use, because the property is in the historic district. They purchased the rambler that is next to the Victorian as well. Technically, all the homes right there are in the historic zone, and even Easy Stop is in the historic zone, and the city made a mistake when they allowed it to look the way it does. Technically, his home was constructed in 1889 in the location of where the Victorian currently is, and was moved. He thought that perhaps they could move out the Victorian or the rambler, and then could move his home back to its same, or almost its same original location. He talked with the real estate agent, and through a very long process, found out that they are still interested in it. His current lot is 10,000 sq. ft., and they can't do anything with it until they actually own it. They could then apply to the Planning Commission to remove the lot from the historical overlay zone, especially if the historical home is no longer on it.
- Loshbaugh said then that they'd remove the rambler, and move the home there.
- Mayor Duncan said that was correct, and they'd take his land. They technically would use all of Chavarria's back yard, and all of his.
- Puls thought it would make sense, because with the historical home gone, the property wouldn't need to be in the historical zone anymore.
- Latta said that he had to tell them originally that they couldn't do what they wanted, because of the historical district. With the Chavarria home, they would take off the garage, the unoriginal parts of the home; they would keep the historical and original part of the home itself. He would like them to fix the parking lot, because it really has issues with circulation, and that could come to pass too. They were looking at Bobby's proposal as well. Mayor Duncan wanted the Council to know what was going on, so that there was full disclosure, in case any of this came to pass.

With no further discussion, the City Council adjourned at the hour of 8:15pm.

Mayor

City Recorder