



Harrisburg City Council  
Minutes of March 12, 2014

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 the following:

- Roger Raven
- Kimberly Downey
- Don Shipley
- Robert Boese
- Sarah Puls
- Mike Caughey
- Youth Advisor, Garrett Ross
- City Administrator Brian Latta
- Note-taker, Robin Adair

**Concerned citizen(s) in the audience**

- **Charlene Jorgensen, 225 LaSalle Street, #2.** Ms. Jorgensen was very distraught over the death of her dog, Tucker. Tucker was killed Monday night, March 10<sup>th</sup> at approximately 6:00 p.m. by a Pit-Bull mix. This happened at the Riverfront Park where friends were walking Tucker. Jorgensen was ill so she stayed home. This is the same Pit-Bull that has tried to attack Tucker in the past and the same dog that runs around without a leash on.
- Jorgensen said she has previously come to Councilors on a number of occasions over the past year and a half about creating an ordinance enforcing leashes in all areas of town and not just parks, but nothing got done. Jorgensen spoke previously one on one with Tim Bunnell about the same time she made the request to Councilors. She told Bunnell she would like to volunteer to patrol for violations involving animal-owners if he would get her a cart to drive around. She said Bunnell was condescending and threatened to ban all dogs from all parks. She told Bunnell he couldn't do that and her dog is a companion dog. Jorgensen said she felt bullied by Bunnell. She stressed her dissatisfaction of how Bunnell handled the situation. She said she was also told there were no dogs allowed on concert nights, but said Amy Bunnell was at a concert with her two dogs. When she approached this subject "no dogs allowed on concert nights;" Bruce Cleeton stuck up for Bunnell and Raven stuck up for her (Jorgensen). Councilors indicated they were not aware of such a rule on concert nights.
- Jorgensen asked why people aren't being fined when not following the leash rule or when they don't pick up their dogs poo. She said there is dog poo everywhere.
- Latta responded that they cannot cite if the person and dog are not caught in the act.
- Mayor Duncan sympathized with Jorgensen but said the deputies can't be everywhere.

- Jorgensen said she complained to Sherriff Sutton about a dog being off its leash and he said, "What do you want me to do about it; the dog isn't aggressive?"
- **Laura Woody.** Laura stated she was bit by the same dog that killed Tucker and reported it to Deputy Spangler and asked that he get back to her letting her know if the dog was current on its rabies shot. She said Spangler never got back to her. She finally had to come down to City Hall, and Latta let her know the dog was current on the rabies shot. Laura asked if the owner was fined and Latta said no but they are still within in the allowed time-frame to fine. A letter went out to the owner letting him know this is being investigated and may be followed by a fine. She was told it was up to Spangler whether or not to cite, and Latta clarified that the deputy and/or the City could issue a citation.
- Puls asked why our deputies won't issue citations.
- Latta said they did this last time and when Laura was bit we issued a letter saying you may be cited; the investigation is on-going. A fine is not always warranted on a first offense.
- Jorgensen asked if the Pit-Bull has been euthanized and said she wants written proof of it.
- Mayor Duncan assured her they would provide her with written proof.
- Latta said he will follow up on the euthanization. Deputy Lacy did write a police report. She indicated the attacking dog left and came back and had a rope around its neck, but no owner on the other end. Latta said it is his understanding the owner was attending to a child when this happened. Latta said Jorgensen could attend a County Commissioner meeting to address concerns over how law enforcement does their job. Latta told her when commissioners meet and that she was welcome to attend the meeting and he could go with her.
- Jorgensen said she would like to attend and would like Latta to go with her and she would like to attend the next meeting to help with her grieving process. She went on to express her dissatisfaction with the Sherriff's Department. She spoke to Sergeant Kelly about the situation of dog leashes, poo and even drug houses and asked why they weren't doing more and he told her "we don't have the time." She said they visit all the time so they should have time. She sees Spangler especially visiting with people all the time. There was a Jeep going down river and it took Spangler a half hour to respond because he was busy visiting and then he did nothing about it. The deputies are not doing their jobs.
- Raven said he doesn't know which direction to go. It is frustrating and it would be wonderful if we had resources.
- Mayor Duncan said we have resources. We pay \$250,000 a year to the Linn County Sheriff Department so we can have enforcement in town. He said he is sick and tired of going to them and saying we have quality of life issues we want you to address. I can go to Sergeant Kelly and say this and I'm sure he'll go to his people and tell them but then nothing gets addressed and it makes me mad but I don't know how much further we can take it.
- Jorgensen said she heard that Mayor Duncan doesn't like fines.
- Mayor Duncan said he spoke up on over-fining citizens on traffic citations but never said anything about citations for leashes or poo.
- Downey said we used to have a dog control department and it was eliminated.
- Latta said many years ago we had staff for this. The ordinance was repealed in 2007. The state law says all counties are required to have a dog control program; cities can have a program too but if they do, they cannot rely on the county anymore. This is probably why it was repealed.

- Jorgenson said, a Jack Russell Terrier had previously attacked Tucker and she went to court early last spring and a \$300.00 fine was imposed and the dog was supposed to stay behind a locked gate for a period and the owner never did put a lock on the gate. She asked why this wasn't followed up on by the Sheriff's office. She wanted to know if the Pit-Bull that bit Laura was quarantined also.
- Latta said he didn't know if the dog had been quarantined. The City's hands are somewhat tied. We have a local ordinance in regards to dogs being a public nuisance and provisions about having dogs on a leash in a park, but other than that there is nothing because it is enforced at the county level. Latta, referred to the county animal code. He said not all steps were followed as they were supposed to be (or so it appeared); he suggests Jorgensen look into that more.
- Jorgensen said she wants a leash law for entire town not just parks (which is what it is restricted to right now). The County said you have to keep your dogs under control but not on leash.
- Latta said the Government Committee can look into the city's leash laws. If they decided to present an amended ordinance to Council it would then be up to Councilors whether or not to pass it.
- Downey asked Latta to get some information on how the county is fining people for these problems.
- **Jim Kirk** asked if we can find out from the sheriff office how often this law is enforced?
- Charlene wants a copy for last year of how many citations were written for violations.
- Latta said to call the County Sheriff's office, ask for the record office, and ask for citations for dogs. It is public record.

The Mayor, Councilors and Ms. Jorgensen had a discussion on a neighborhood dog watch program. There is no reason citizens can't form a group to watch for violations and then bring them to the city. The Mayor added he thought Jorgensen had been watching for violators and she said you never checked with me to see. Downey apologized for this and said she too thought she was doing it. Jorgensen said she told Bunnell about Gheen's manufactured home and the dog there and Bunnell said he talked to the occupants and everything was taken care of but nothing has changed. Puls asked Latta to follow up with Bunnell on this.

- Jorgensen said we also need to do something about the drug/grow houses in town.
- Puls asked if the deputies don't have time to deal with this, what do we do.
- Latta is going to have sit down with Sergeant Kelly. He emailed him today about it. He wants to find out who is responsible for enforcing what. Latta said he is upset about the situation too.
- Jorgensen said she contacted KMTR who ran the story about her dog and she will contact them again if something isn't done about the drugs.
- **Mrs. Kirk** said that she brought a sign in that told people to pick up their dogs poo. She said she gave it to Bunnell who said he would have some signs made but never did, nor did he return her sign.

Both the Mayor and Shipley told Jorgensen they appreciate her concern for the city and all she does. Jorgensen ended asking everyone to remember Tucker and know he loved them all. (Please see Addendum No. 1 for letters that were brought to the City Council this evening. Pictures that Ms. Jorgensen showed the Council are available in the City Records files.)

#### **The matter of Approving the Payment of the February 2014 Bills**

- Shipley motioned to approve payment of the bills for August 2013. Ross seconded this motion which then passed unanimously.

**The matter of Approving the Minutes of February 12, 2014**

- Puls motioned to approve the minutes of February 12, 2014. Shipley seconded this motion which then passed unanimously.

**The matter of Review and Approval of the Revised Explanatory Statement for the May 2014 H.A.R.T. Levy Ballot Measure**

**Staff Report:** Latta explained the reason for the levy and Puls pointed out that the reason why we were imposing a levy was not on here originally, so we added it.

- Shipley motioned to approve the Draft Explanatory Statement and Authorize City Staff to Submit the Statement to Linn County along with the Approved Ballot Title, Question and Summary. Downey seconded the motion which then passed unanimously.

**The matter of a Resolution Approving an Alternate Job Description for the H.A.R.T. Family Resource Center Director Position**

**Staff Report:** Latta told the Council that an alternate job description was written in case the levy doesn't pass.

- Shipley motioned to approve Resolution No.1066, "A RESOLUTION CREATING AN ALTERNATE JOB DESCRIPTION FOR THE H.A.R.T. FAMILY RESOURCE CENTER DIRECTOR POSITION". Downey seconded the motion. Councilors then voted unanimously to approve Resolution 1066.

**The matter of a Resolution Accepting a Donation from Eternal Dreams LLC for the H.A.R.T. Family Resource Center**

**Staff Report:** Latta commented that this was donated by the Null family.

- Shipley motioned to accept the \$5,000 donation from Eternal Dreams for the H.A.R.T. Family Resource Center, and to approve Resolution No. 1067, "A RESOLUTION APPROPRIATING GRANT FUNDS FROM ETERNAL DREAMS LLC TO THE H.A.R.T. FAMILY RESOURCE CENTER". This was seconded by Caughey. Councilors then voted unanimously to accept Resolution 1067.

**Other(s)**

1. Latta said the League of Oregon Cities, met with the school and all are in favor of the "If I were Mayor" contest. They would like us to have an awards ceremony. Latta asked Councilors if they would be willing to approve monetary prizes for the "If I were Mayor" contest. There are three groups which means three first, second and third prizes. The total would be \$575.00 and can come from the general fund.
  - a. First prize - \$100
  - b. Second prize - \$50
  - c. Third prize - \$25

*Councilors told Latta to go ahead and do the monetary prizes in the amounts listed.*

Latta said children will submit their entry to teachers who will submit them to Councilors who will decide on the winners.

2. Latta said Senate Bill 1531, which passed as a delay tactic gives cities a one-year moratorium for marijuana dispensaries. Latta asked if Councilors would like to implement the moratorium and the *consensus from Councilors was yes*.
3. Latta said an agenda bill will be prepared so the Hart job position can be posted by the 14<sup>th</sup>. We would like to have someone in place by May since Peggy's last day is May 15<sup>th</sup>. We will leave the application process open through the 31<sup>st</sup>, and then review applications on April 1<sup>st</sup>. We will contact potential candidness on the 2<sup>nd</sup> and do interviews the week of April 7<sup>th</sup> – 11<sup>th</sup> and hopefully make a decision by the 8<sup>th</sup> or 9<sup>th</sup> so it can be presented to Councilors at the April 9<sup>th</sup> meeting. On the 10<sup>th</sup> an offer will be made to the applicant and hopefully they can start somewhere between May 1 and 15<sup>th</sup>, depending on whether or not they have to give notice to their current employer. The interview panel will be one person from the Personnel Committee, Purkerson, Latta, and possibly one more so we have four or five interviewers.
4. Downey explained the evaluation process for Latta. Latta commented that he wants his review to be done in an open meeting, and he encouraged the Councilors to be harsh if they needed to.
5. Latta said he would like himself and maybe the Mayor or other Councilors to start visiting new businesses. He would like to create a welcome packet. This can be done through the Government Committee. He also wants to get an inventory of all businesses in town.
6. Latta gave an update on his move from Corvallis to the local area. He said they have received an offer on their house and they accepted it. He may have to ask Councilors for a little flexibility on the moving date.
7. Puls spoke of an Emergency Preparedness Workshop she did through Lane County and thought this training would be good for Public Works. Councilors all thought this was a good idea. Downey thought councilors should know more about who to call for different types of emergencies since citizens tend to call them for information. Latta said the city does have a bad weather policy in place for closing city hall. There was discussion on how to inform citizens of closure. There was discussion of funding for schools to beef up security. Latta met with the school and they brought that up. They have ideas they will bring to the Council meeting.
8. Shipley asked what happened with Youthspiration. Latta said they are gone. The organization wasn't being ran the way that the board intended it to. Youthspiration reapplied for a one year lease space. Eternal Dreams founded Youthspiration. Melany Null is the donor behind the money. We just received \$5,000 from Ms. Null for Hart and there are other organizations they are starting to believe in. Downey asked Latta to tell Null thank you.
9. Mayor Duncan asked about the city-wide garage sale, and if anyone has taken the project on. Latta said he is hoping the Harrisburg Events and Festival Organization will do this. He is hoping they will also take on more festival ideas and concerts and movies. This year's movies will be: The Lego Movie; Frozen; The Karate Kid; The Goonies, and Zookeeper.  
Shipley said the Library Guild will not be doing food this next year. Puls suggested inviting local vendors to do mobile food carts.  
Latta said he has ordered a reusable banner that will be placed on the water tank advertising the events. Dari Mart and Republic Service, each gave \$250 for the banner which just about covered the cost.

**With no further business the meeting adjourned at the hour of 8:23PM.**

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**Mayor**

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**City Recorder**

To whom it may concern:

Re: Tucker's death. I have quit walking my dog due to encountering dogs off leash. This happens not always along the river, but on any city street.

Tucker was a very special dog. Very smart and always such a happy little guy. We always looked forward to seeing him. We both miss him terribly.

Sincerely,

*Bev Kirk*  
*Jim Kirk*

Jim & Bev Kirk

Attention: City of Harrisburg,

I heard about the tragic death of Tucker this morning.

Tucker was my little dog's best friend and loved by everyone. The leash law needs to be enforced. I will not take my dog or little grandson to the park because of the dangerous dogs that are on the loose.

Please enforce the leash laws.

Thank You.

Heara Petton  
225 Fountain St #3  
Harrisburg Or



# "Tucker"

He was a smart well mannered little dog. It's really sad that well trained dogs on leashes are the victims, because other people don't take the time to teach their dogs how to behave. It's also sad that the leash law is not enforced enough. I personally see dogs with no leash on at the park and walking around unattended from getting ~~lost~~ or loose.

Being let out and forget. Pit Bulls are not the problem it's the owner's responsibility to teach them this problem could arise from any dog that's aggressive and not taught differently. How many more dogs have to die to have something done or are you gonna wait till ~~there's~~ a dog gets out and attack a little kid?

Brad Crossman

TO WHOM IT MAY CONCERN

I would like to say that I am aware of the death of Tucker the Beloved pet of Charlee. We often walked our dogs together thinking we were safe doing so. But we are not.

We followed { city ordinances}, (A statute enacted by a city government !! dogs on leash and clean up after them. But it

Seems this ordinances does not carry any weight .....there are

Many people who seem to think they are above the law because nothing is none about it. You can not convince me that our law

Enforcement is unaware of this offence, why are they doing nothing??

Last but not least , What if that had been one of your children or

You beloved grand child playing in the park , you thinking they

Were safe ....and the dog attack this child..... how would you

Feel about Harrisburg streets??.....You are our city fathers, we depend on you to keep the parks and streets safe. WHY ARE'NT YOU.!

Vesta Craiger

Citizen of Harrisburg, Dog owner, and Grandmother

