



## Harrisburg City Council Minutes January 8, 2014

The Harrisburg City Council met on this date at City Hall, located at 120 Smith St., at the hour of 6:55PM, directly following the HRA meeting which started at 6:30PM. Presiding was Mayor Robert Duncan. Also present were the following:

- Roger Raven
- Don Shipley
- Kimberly Downey
- Mike Caughey
- Rob Boese
- Sarah Puls
- Youth Advisor Garrett Ross
- City Administrator Brian Latta
- Community Development Superintendent Tim Bunnell
- Finance Officer Tim Gaines
- City Recorder/Asst. City Administrator Michele Eldridge
- H.A.R.T. Resource Center Director Peggy Purkerson

### The matter of Approving the Payment of the December 2013 Bills

- Shipley **motioned to approve the payment of the bills, and was seconded** by Caughey. **The City Council then voted unanimously to approve the payment of the December 2013 bills.**

### The matter of Approving the Minutes of December 11, 2013

- Shipley **motioned to approve the minutes, and was seconded** by Raven. **The City Council then voted unanimously to approve the minutes of December 11, 2013.**

### The matter of a Discussion of a Medical Marijuana Dispensary letter from Linn County District Attorney's Office

**Staff Report:** Latta introduced the Linn County District Attorney, Doug Marteeny.

- District Attorney Marteeny introduced himself, and explained why he had decided to release this letter. He explained the fight that law enforcement agencies had when dealing with marijuana. In essence, the voting public was told that there would be very few medical marijuana users (500 to 1000), and that number is now exponentially

increased, to more than 58,000 card holders. There is abuse of the system; in particular, he pointed out one physician in Portland who has written 8,000 prescriptions for medical marijuana. He sent out the letter because the voters in our state have repeatedly said that they didn't want this law to pass, but the legislature overrode the voters' wishes, and passed it. He congratulated the City on its well written ordinance, because you don't allow conflict with federal, state, or regional laws. Federal law doesn't allow marijuana.

Council discussed this briefly, and asked Linn County Deputy Brent Hauke, who was also present, how he felt about it. Had he ran into issues with marijuana? Deputy Hauke explained the difficulties of enforcing the laws when it came to marijuana. There is a small portion of citizens in town that have cards. One grower supplies four people, so they must also deal with that. Latta explained that if someone were to try to open a dispensary in Harrisburg, that our business license ordinance would prohibit it. The Mayor and Council thanked the District Attorney for visiting them.

#### The matter of Approving an Update to the Job Description for the Public Works Utility III Position

**Staff Report:** Eldridge explained that we are coming down to some of the final job descriptions that are being updated. This has been approved by the Personnel Committee.

Caughey noted that in the physical requirements, that there was a little confusion over some wording in relation to working with chlorine. Gaines suggested adding the word handle to the line. Caughey also said that wording was ambiguous, in the 2<sup>nd</sup> line of essential duties. Bunnell suggested that it be deleted. We adjust the flows as required; it's required as part of the monitoring of the systems. He added that we had three certifications this employee must have to be hired, but that he had given a little and was allowing a six month period in which to obtain a CDL. He explained the reasons why that change made sense.

- Shipley **motioned to approve Resolution No. 1062, "A RESOLUTION AMENDING THE JOB DESCRIPTION FOR THE PUBLIC WORKS UTILITY III POSITION," as amended in our discussion. Ross seconded the motion, and the City Council voted unanimously to approve Resolution No. 1062, and thereby the job description for the PW Utility III position, with a few changes and clarification of language.**

#### The matter of Discussing the May 2014 Local Option Levy

**Staff Report:** Latta said that this was a continuation of discussion from previous meetings. Not much has changed in the options before you. We are now down to two options, of \$90,000 and \$75,000. We've done more number crunching since our last meeting, and based on the employment status for the H.A.R.T. director, we felt comfortable at either value. The Fire District has decided to go out for a bond in May, which we just learned about today. Latta will personally visit the board at their next meeting, and would hope that perhaps they could change to November. We are bound to try in May, because of our budget cycle. They aren't under that constraint, and he is a little worried about the two conflicting measures on the same ballot. It's challenging to get one measure passed, let alone two.

Mayor Duncan asked how much their bond would be, and Latta thought it would be close to \$4 million. They are trying to decide on whether it will be a 20 or 30 year bond. They are interested in purchasing the property next to the station, and were waiting on us to have the conversation about the lot next door. Depending upon what happens, perhaps that might be incentive for them to wait until November. Again, we want to identify clearly what we will do, both if we obtain the levy, and if we don't, to ensure that voters don't lose confidence in us. The levy won't solve the revenue issue, but it will give us 3 years to find other sources of revenue. The levy will apply to the 2014 property taxes. Mayor Duncan asked Purkerson if she could get by with the lower amount, and Purkerson said that she could. Raven and Mayor Duncan talked briefly about the parks district attempt to be a special district several years ago, but the problem with that one, was that people said that they would support it, and would vote yes, but there was a wide disparity with how they actually voted. Raven believed that with less coming out of people's pockets, it is more likely the vote will be approved.

H.A.R.T. Board Member Sandy Devine, who was present, wasn't happy with the article in the newspaper. It said essentially that H.A.R.T. would die if the levy didn't pass. She was at the last meeting, and thought everyone was on the same page. Downey asked Latta if that's what he meant. Latta said it wasn't. He explained that Council needs to make it clear to the voters at what level H.A.R.T. would be run if the levy failed. Purkerson said that she understood what Council wanted to do, because Council was saying that we will lose confidence of the voters if we turn around and fund H.A.R.T. anyway, even if the levy fails. She doesn't think that voters are so naïve. They know that they might be open fewer hours, and with fewer services, without us having to outline it. Latta said that he remembered that interview. He told the reporter that it depends on how Council outlines the explanatory statement of the vote to the voters. If this doesn't pass, Council will fund the H.A.R.T. center at X amount. We will clearly state that if the levy doesn't pass, that it will be funded at \$30,000, or \$50,000, or at whatever amount Council decides on. Any amount of funding will have a negative impact on the General Fund Contingency. He explained that to the reporter, but he thinks she may not have understood. The City Council and Purkerson discussed how the media can sometimes not be accurate on what they report.

Latta said that it depends upon the decision by Council, as to how much they would support H.A.R.T. if the levy doesn't pass. Raven said that he wanted to reemphasize that his position was that we are doing something to continue H.A.R.T. even with reduced hours, because it's very important to him. Even if they are reduced in hours, they are still there, and have a chance to obtain more grants or funding. Downey agreed with him. Mayor Duncan noted that it will take a huge effort. 75% of the citizens don't know about the services that are offered through H.A.R.T. It might need a door to door campaign to get information out.

Latta said that he would go to the H.A.R.T. board next week, to go over the legalities of what they can't and can do, along with City employees. We will have a strategy for getting the word out, and will influence people as much as we can, until we aren't allowed to. He noted that it was in the newsletter recently, sent out with the utility bills. Charlene Jorgensen, in the audience, commented that she doesn't get a water bill, and doesn't get the newsletter. The City Council briefly discussed how to get the word out, when we can't always make delivery to apartment owners, and the apartment owners don't always distribute the information.

The City Council then discussed which amount they wanted to pursue. Shipley noted that people won't see the graph we are looking at. They'll see either the \$.55 or \$.46 per thousand increase on their tax bill. Downey said that to her, \$90,000 is about the same as \$100,000. Either one hits her really hard. She felt that if we don't need the \$90,000, then why chance it? Purkerson said that she can get by on the smaller amount. Raven thought the same as Downey did. The City Council then continued the discussion about which amount they thought voters would be happier with. One of the Councilors asked how much the H.A.R.T. Center was given this year again, and was told \$62,000. Latta went over how that ensued again during the last budget cycle. The Council started talking again about the options available to them.

- **Downey then moved to place a local option levy, in the amount of \$0.46 per \$1,000.00 of assessed property value, on the May 20<sup>th</sup>, 2014 ballot, subject to the Election Rules in the Harrisburg City Charter and state laws. She was seconded by Caughey, and the City Council voted unanimously to approve the motion to put a local option levy on the ballot during the primary election in the amount of \$75,000, or \$0.46 per \$1,000.00 for a three year period, in order to benefit the H.A.R.T. Resource Center.**

#### A Discussion with Deputy Brent Hauke

Deputy Hauke and Charlene Jorgensen had a conversation about suspected drug houses in town; she couldn't understand why they hadn't done anything about the one, especially when it's been going on for at least 15 years. Deputy Hauke explained probable cause, and that they needed to actually see a drug transaction taking place in order to enforce it. Jorgensen offered to help as much as she could, and Hauke said that if she took pictures, especially of people showing up in cars, or possible drug interactions, then he could show that to the detective. He then explained how they have to interact with them, and that they couldn't conduct an illegal search and seizure. They have to have probable cause to make someone empty their pockets. City Council talked briefly about the level of protection provided for people who are committing a crime.

#### The matter of Discussing Council Goals for 2014-2015

**Staff Report:** Latta noted that the last time we had really talked about Council goals, was back in 2005. It's something he believes we should do on an annual basis. He'd like to brainstorm what kinds of goals City Council would like to have for the current year. Suggested goals from the Council were as follows:

- Smith St. improvement, with infrastructure, repaving, and beautification: Caughey wanted this to be a priority. Shipley agreed with him, and thought it would be beneficial to businesses.
- Acquisition of property to be a future Library, H.A.R.T. Resource Center, Senior Center, and Council Chambers: Caughey suggested and loved this idea, and a new facility would be better for maintenance, and long term costs. Bunnell liked that idea, and he said we should then get rid of the old City Hall structures. We don't need them, and don't need the additional maintenance costs.

- Water: Almost all of Council wanted to focus on improving the water. Shipley, who made the initial suggestion, said that he won't run for re-election this year, so this is his major project push this year. Mayor Duncan noted that Senator Jeff Merkley was hoping to be here on the 17<sup>th</sup> of January. We met with his representative, Dan Whalen, and they are planning on putting together a bill related to water improvement. Latta said that it would be a priority, but it also comes with a cost. There was some brief discussion about our wells, and future costs.
- Small Business Promotion: Downey wanted to attract new businesses. She wanted something similar to what Matilda did years ago, with a kiosk, etc.
- Grocery Store: Raven liked small business promotion, and wanted a grocery store as well. Latta said that there are now niche grocery markets with smaller stores, and we might have a better chance at getting one than in the past.
- Recreational Opportunities: Raven noted that we had wanted to inspire tourism, and we had decided to do that through recreation. Bunnell commented that if we want to do something with that 100 acre park, that we should probably do so through a district. He suggested a district for H.A.R.T. and the Library as well.
- 3<sup>rd</sup> St. Beautification: Ross thought making 3<sup>rd</sup> St more attractive would help as well. Raven loved Sisters OR, and wanted a look like that.
- Additional Festivals/Events: Downey wanted to have something like the Harvest Festival, or at least something in addition to the 4<sup>th</sup> of July.
- Reader Board: Bunnell reminded everyone that we had talked previously about a reader board on the highway to promote events, etc.
- Welcome Sign, north of town: Shipley wanted to have welcome signs, even if they were a much smaller version than the \$11,000 version suggested at the beginning of the year. Puls thought that beautifying 3<sup>rd</sup> St, and adding a reader board could work together with a welcome sign.
- Transportation Alternatives for citizens: Downey reminded everyone that she wanted to have something to offer. Shipley said it should be small, like a van; not a bus. Puls suggested that we find a business who wants to do that.
- Communication Improvements: Downey was frustrated about how we try to get information out there, and nobody responds. We used to have a little newspaper. She wanted Harrisburg to market itself.
- College/University Assistance: Caughey suggested that we have assistance from the universities' and colleges. We could ask for marketing students to put together a plan for us, as an example.
- Governmental Interaction: Raven wanted to continue the efforts to reach out to the other governmental agencies, and our local special districts. 15 years ago, nobody worked with each other, and he wants to promote us all working together.
- Latta said that it was his goal to do this every year. We'll prioritize which of these we want to focus on this year, and what will be in our long range plans. We'll revisit it each year; some things will get added to it, and others will be removed.

- Downey asked Latta to ask about what people wanted to see from Harrisburg through the Friday Update. She wanted to hear from the citizens.

Others:

City Attorney Recruitment:

- Latta had received five packets. He and the mayor have narrowed the field to two. You'll get those RFP's in your Council packet to review. The Council will decide on which firm to hire at their next meeting in executive session.

City Government Committee/Commission Openings:

- Latta noted that we have seven vacancies. Two were in the Planning Commission, and five were on the Budget Committee. Please talk to your neighbors and friends about serving on one of those.

Ron Staehlin Retirement

- Bunnell noted that Ron is retiring. He was finishing out some final projects for us; the reclaimed water use plan, I & I, and the poplar trees recommendation. He hoped that when he came in to meet with Branch Engineering and himself that we could take him to lunch.
- Boese thought we should give him a gift or something. Maybe a golden survey rod. Even better, send him a copy of all the change orders he's ever done!

Senator Merkley Town Hall Visit

- Mayor Duncan reminded everyone that if Senator Merkley made it to town on the 17<sup>th</sup>, that he'd like to get as many people as possible to attend the meeting. The Senator wasn't sure if the 17<sup>th</sup> would work or not, so please watch for any announcements.

**With no further business to discuss, the City Council adjourned at the hour of 8:29PM.**

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Mayor

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City Recorder