

HALSEY CITY COUNCIL MEETING

Central Linn Elementary School

280 West 2nd Street – Library

Halsey, OR 97348

7:00 P.M.

February 10, 2009

The City Council meeting was called to order at 7:05 p.m.

The City Administrator took Roll Call.

Present: Mayor Marjean Cline, Council President Wade Doerfler, Councilor Eric Harless, Councilor Joan Mercier, Councilor Cynthia Choat, Councilor Eldon Albertson, and Councilor Kathy Parker.

Also in attendance were Sargeant Lawler, Andrew Beaudet, Woodrow Edwards, Don Ware from The Times, Sean Johnson, Travis Hewitt, and city employees Karla Caudell and Martha Chamberlain.

Approval of Minutes

Council President Doerfler made a motion to accept the minutes from the meeting held on January 13, 2009. Councilor Choat 2nd and the motion carried unanimously.

Delegations

Mayor Cline acknowledged **Sargeant Lawler** in attendance and asked him to comment on any incidents of particular interest regarding law enforcement issues in the City. Sargeant Lawler reported there was very little activity during the month however a report of an attempted kidnapping occurred just the day before on February 9, 2009. Sargeant Lawler noted he had not been on duty for a couple of days so he did not have any additional information regarding this incident. Councilor Mercier asked where the incident took place with Assistant City Recorder Caudell responding it was near West 1st and West G Streets. Councilor Choat asked if the child involved rode the bus to school as she wondered if the transportation department should be alerted, however it was commented the girl accosted was a Mennonite and would not be attending the public school system. A brief discussion ensued. Council President Doerfler asked that the City Administrator be apprised of any updates on this issue with Sargeant Lawler responding he would do so as information becomes available. There were no other questions.

Agenda Adjustment

The City Administrator requested Mayor Cline ask if either Sean Johnson or Travis Hewitt wished to address the City Council. Mayor Cline acknowledged Sean Johnson as he requested to speak to Council regarding a letter he had received from the City stating he was in potential violation of the Nuisance Ordinance at his residence located at 585 W 6th Street. Johnson explained that he has removed one vehicle from his property by donating it to the Fire Department but has another vehicle that he is restoring and requested clarity on what is required as proof of work being done on these types of vehicles. Mayor Cline stated there is documentation listed in the Ordinance regarding this issue. Johnson stated that he works on the vehicle as time and money permits however he may not do so within the 90 day time period stated in the Ordinance. Mayor Cline suggested Johnson take pictures of the vehicle, note the date, and bring in copies of any receipts for purchases made for the restoration of the vehicle. Councilor Choat expressed a concern that vehicles of this type were cited due to the fact that it is located at the back of the property and does not consider it unsightly. Council President Doerfler asked for confirmation that the vehicle is near an existing shop building at the back of the property with Johnson responding affirmatively. Councilor Harless did not recall what was specifically stated in the Ordinance but thought it was intended more to clean up areas near the front of the property and on City streets but did not encompass back yards. Council President Doerfler

commented that the Council revised the Nuisance Ordinance with the intention of opening up the lines of communication with the public in order to improve the appearance of the City overall. Councilor Albertson suggested that perhaps covering the vehicle with a tarp could help in resolving this type of situation. Mayor Cline reiterated Council President Doerfler's comments that the letters were sent out in order to create a dialog between the City and the citizens regarding this issue. Councilor Mercier stated however that some citizens do not care and will not attempt to clean up their property. A brief discussion ensued. Mayor Cline stated that the property located at 391 West 1st was sent a letter only for cleaning up an area in the front yard but felt the back yard was a health hazard and was especially concerned as the property abuts the Halsey Select Market. Sargeant Lawler commented the property located at 608 W. 1st had several motor home type vehicles which have easy access as they are not locked and create a potential safety concern. The City Administrator stated a letter had been sent to the property owner but she would look into issuing a letter regarding a potential safety issue as well. Councilor Doerfler noted that he appreciated Johnson coming in to talk to the Council and the willingness to communicate with them regarding his concerns in regard to his potential violation of the Ordinance. Johnson and Hewitt left the meeting with the Council thanking them for attending. There were no other questions.

Administrator Report

The City Administrator reported she had researched the Ordinance creating the Planning Commission and learned there is already a provision for holding meetings at least once each quarter as had been suggested by Mayor Cline at the January 13, 2009 meeting. The City Administrator commented an application has been submitted for a minor partition of the Gingerich property so the Planning Commission will be meeting soon. A brief discussion ensued.

The City Administrator reported that a representative from OSHA had come to City Hall on December 5, 2008 stating that he was there as a result of the worker's compensation claim filed by Andy Ridinger back in 2007. The City Administrator commented that Mayor Cline was present during the visit but because the public works employees were unavailable for comment, as well as the fact the she herself was not at City Hall that day, the OSHA employee scheduled a return visit. The City Administrator reported that he did not come on the day he had scheduled but dropped in one day in January, 2009. The City Administrator stated that he asked her some questions and talked with the public works employees but did not ever visit the wastewater treatment plant where the accident took place regarding the worker's compensation claim filed by Ridinger. The City Administrator stated he found one small violation at the water plant in which case the City will be fined \$180.00. The City Administrator commented she was frustrated by this visit as the fine involves the water plant where the City was not involved in the actual construction, nor the jockey pump that was cited as the violation, and the OSHA representative didn't ever go out to the wastewater treatment plant which apparently triggered the visit in the first place. A brief discussion ensued.

The City Administrator updated the Council on the fact that all of the backflow devices had been tested and city staff is recording the results and copies of the tests will be mailed to the residents as soon as that process is completed. The City Administrator commented even though the cost for testing these devices is very reasonable it should be noted that 74 of the 351 devices tested this year failed upon the initial test and increasing this fee could become necessary in the future. The City Administrator reported this is normally an easy fix involving a clean out of the device but adds an additional \$5.00 cost to each of those that failed. The City Administrator noted that in some cases a device failed more than once which adds to the cost as well. Council President Doerfler asked if there was any particular part that failed in the devices with the City Administrator commenting that most of the failures were due to dirt that needed to be cleaned out in order for them to pass the test. There were no other questions.

The City Administrator had included a letter from Senior Meals thanking the City for its annual contribution and noted they had been advised of the correction to address future correspondence to Mayor Cline. There were no questions.

Public Works Department

Mayor Cline asked for any comments regarding the public works report with Council President Doerfler asking about the lack of rain which has had an impact on discharging, or the ability to discharge, due to the low stream flow. The City Administrator responded that was correct however the level of the lagoons are not an issue at this time and some discharging did take place in January, 2009. Mayor Cline asked if the City Administrator wanted to comment on the Public Water System Survey included in the packets. The City Administrator commented the Linn County Department of Health Services performs this survey every couple of years and there are no real violations noted but she would welcome any questions on the information provided. There were no questions.

Planning Commission

Councilor Harless stated no meeting had been held however he noted, based upon an earlier statement by the City Administrator, that a minor partition of the Gingerich property should be scheduled soon. There were no questions.

Park Committee

Councilor Mercier stated that weather conditions need to improve in order to begin the skatepark project however the equipment is scheduled to be delivered in March, 2009. There were no questions.

Finance Committee

Council President Doerfler reported documents had been placed in the packets with financial information and stated the City Administrator would be happy to answer any questions regarding this material. Council President Doerfler noted that it is important to get the Finance Committee up and running again but it has been difficult to get volunteers for this board. Mayor Cline commented that she has written an article in the upcoming Halsey Happenings “begging” for citizens to apply for either the Finance or Budget Committee on the premise that those wanting to know how their tax payer dollars are spent should become involved. Councilor Albertson commented that one of the reports listed a date from 01/09 to 01/09 to which the City Administrator responded that date reflects the month of January, 2009 and not January 1, 2009 to January 1, 2009. Mayor Cline asked the City Administrator if the Budget Committee would be convening soon, however the City Administrator commented she prefers to wait until late March or early April as that allows more time to determine actual revenues and appropriations used in estimating budget figures for the upcoming fiscal year. Mayor Cline expressed a concern that the City would need to be very prudent in the next fiscal year, however Council President Doerfler commented the City is currently, and has been, very frugal over the past few years. There were no other questions.

Street/Utility Committee

Council President Doerfler stated the next meeting is scheduled for February 27, 2009. There were no questions.

Intergovernmental Committee

Council President Doerfler reported that Councilor Parker had attended the last COG meeting with him and was a welcome addition to this Committee. Council President Doerfler showed a copy of the most recent audit of the Cascade West Council of Governments and offered to leave it for anyone wanting to review the information. Council President Doerfler noted that he became a member of the Executive Committee as well which included a discussion of the by-laws and department reports. Council President Doerfler stated there was also some discussion on the potential stimulus package and infrastructure improvements that could be made as a result of this funding. There were no questions.

Old Business

The City Administrator stated that the Nuisance Ordinance was listed under old business in case no one receiving a letter came to address Council regarding this issue. The City Administrator acknowledged that Sean Johnson addressed this subject, however based upon that discussion she thought it important that the Council review some of the properties receiving letters and come to a consensus on how they would like to see this Ordinance enforced. The City Administrator passed around pictures of some of the properties receiving letters of possible violation of this Ordinance for review by the City Council. Councilor Choat commented that she thought the intent of the Ordinance was to target those properties that were unsightly and not where vehicles were stored at the back of the property. The City Administrator commented that it was her understanding that inoperable vehicles was part of the intent of the Ordinance and her thoughts were that it would not matter where on the property they were located. Mayor Cline noted that the City Administrator had asked for a list of potential properties from Council and to her knowledge no one had provided one. The City Administrator acknowledged that she had used her own judgment for those receiving letters. Councilor Parker commented the letters state that there is a possible violation only and they should be used to open up dialog of potential concerns regarding this issue. Mayor Cline initiated a conversation that the property owned by Orvel Hall was sent a letter in reference to the front portion of his property but feels the fenced area behind his home is a public health issue, especially since his property is right next to the Market. Council President Doerfler commented he had talked to the City Administrator about that property as well as the industrial property on West 1st and the property owned by Buzz Steele on Highway 99. Councilor Mercier noted that the Council may have to step on a few toes in order to get some properties cleaned up. Councilor Choat reported on how these types of potential violations were handled in Cottage Grove and that the person initiating the properties in question became overzealous in her opinion. Councilor Choat stated she thought the potential violations should be complaint driven by the citizens. Councilor Mercier commented that she did not think many of the citizens would complain about their neighbors. The City Administrator confirmed that is usually the case because even though the names of those issuing a complaint are never revealed it is often times very apparent who has initiated the concern. Council President Doerfler commented that perhaps the Council should create the list of potential violators however Mayor Cline responded that the Council is the source for appeal therefore the initial notification of a possible violation should not be initiated by the governing body. A brief discussion ensued. Mayor Cline asked the City Administrator how many letters were issued and how many had responded. The City Administrator responded she had sent twenty-two letters and had heard from approximately six to eight of the potential violators. Mayor Cline suggested that the process continue based upon the initial issue date of January 21, 2009. The City Administrator commented she had a question on who the Council wanted her to pursue based upon the discussion. Mayor Cline indicated that the Council needs to support the process and thought all those receiving letters should be reviewed after the 30 day time period is up. Councilor Choat stated she was in agreement and commented that anyone can appeal to the Council if they choose to do so as was previously noted by the Mayor. Councilor Parker stated the intent is to make the town more attractive and to provide a means of communication between the citizens and the City Council. A brief discussion ensued.

Community Center/City Hall

Councilor Albertson stated he had talked with Rory earlier that day and Rory had asked when the figure for a concrete parking lot would need to be provided in order to have that information prior to submitting a grant application. Mayor Cline commented that the CBDG meeting the City Administrator had attended earlier that day in hopes of applying for funding from that entity does not seem to be very promising. Mayor Cline stated that in order to set up the facility as a Senior Center meals must be provided five days a week in order to qualify for any funding under this premise. Mayor Cline also stated that much of the funding is based upon low to moderate income levels and current figures indicate that the population of Halsey does not meet the criteria. Mayor Cline commented that since all were in agreement at the workshop held on February 3, 2009 that if there was

no other source of funding at this time that the lower level should be completed with the monies that are currently available. Councilor Albertson stated that he was not in support of that idea. Councilor Albertson commented that he had spoken to the lead person at Linn County Planning and Building Department and learned that it is not necessary to complete the lower level in order to utilize the upper level. Mayor Cline suggested that it would be best to finish the lower level so that people could see the facility being used and in turn that should spark interest in seeing the second level completed. Councilor Albertson stated that transferring the \$12000.00 a year received for the cell tower into the Community Center/City Hall building is way short of funding required to finish the upstairs portion of the depot. Councilor Albertson expressed a concern that it would take years to generate enough revenue to complete the upstairs. Mayor Cline reported that Senator Wyden and Senator Merkley had sent out emails requesting projects that could be submitted for potential funding in 2010. Mayor Cline commented she had spoken to the City Administrator about this issue and one of the ideas was to submit an application for the Community Center/City Hall project. The City Administrator noted that Mayor Cline had suggested the small park at West F and Highway 99 could be considered or the replacement of waterlines could be another possibility. The Council was in support of submitting a proposal for the Community Center/City Hall project. Mayor Cline noted that part of the requirement is to include letters of support and suggested Don Ware from The Times, Ed Curtis the Superintendent of the Central Linn School District, and all of the Councilors could all write something to be included with the application. A brief discussion ensued. Council President Doerfler made a motion to submit an application under the 2010 Federal appropriation request from Senator Wyden and Senator Merkley's office for potential funding for the Community Center/City Hall project. Councilor Mercier 2nd and the motion carried unanimously. Council President Doerfler commented that he really appreciated all the time and effort Councilor Albertson has put in to determining a way to complete the City Hall portion of the project. Mayor Cline stated the lower level should, at a minimum, include a meeting room and a bathroom. Councilor Albertson stated his numbers have always included the completion of at least one restroom. Councilor Mercier asked if fees could be charged for the use of the facility with the City Administrator responding that certain uses could be charged. Councilor Albertson mentioned someone was interested in holding a blood drive there and Mayor Cline suggested it could be set up for a place to administer flu shots. Mayor Cline reiterated if the facility is used and noticed by the public there could be additional support for the entire project. Mayor Cline then referred to a photo of some railings from the State building stating they are two ten foot sections that Councilor Parker stated an individual in Salem has in her possession. Mayor Cline stated the rails are constructed of wood and wrought iron and would take some work, such as sandblasting, but it was thought that the individual would possibly donate them to the City. Councilor Parker noted that she had learned they would not be given to the City but the indication was she would be willing to loan them on a long term basis. Mayor Cline suggested they could be used as the partial wall for the museum area. Councilor Albertson thought that display cases were best used for the half wall concept in the museum area so he did not see the railings being useful in that sense. Mayor Cline suggested they could be used outdoors and could be cut to whatever application deemed appropriate. Council President Doerfler recalled the State building burnt down around 1935 and liked the idea of using the railings somewhere at the Community Center/City Hall building. Councilor Mercier suggested they could be refurbished and placed in a garden area outdoors. A brief discussion ensued with the consensus of the Council directing the City Administrator to contact the person who had the railings in her possession and come to an agreement regarding the designation that they would be on loan to the City and not donated. The Council determined that once they were in the possession of the City a determination could be made as to where they might be located. There were no other questions. Councilor Albertson raised a question to the Council as to what their concept of the minimum amount of work that should be done on the lower level before proceeding with working to complete the City Hall portion of the depot. Councilor Choat thought that the floors and walls needed to be finished. Mayor Cline commented that she did not want to just do a minimum amount of work on the lower level as it makes it just that more difficult to complete in the future. Mayor Cline stated she did not want to have a facility they were just existing with but wanted to complete it and make it more inviting

to the public. Councilor Mercier agreed, adding that it is just as hard to complete the minimum as it is the maximum. Councilor Parker noted that she did not want to just finish things as cheaply as possible and would like to see commercial grade materials when looking to complete the lower level. A brief discussion ensued.

New Business

The City Administrator had included a letter from the Linn County Board of Commissioners stating that it had been sometime since they had attended a City Council meeting and expressed an interest in doing so. A brief discussion ensued with the consensus of the Council suggesting either the April, May, or June, 2009 meeting.

The City Administrator reported that the Linn County Road Department had contacted her to find out whether the City would be participating in any street overlays in 2009. The City Administrator commented that normally the City performs street overlays through the use of the Special Street Allotment Grant through the State which is usually \$25,000.00. The City Administrator commented she recently attended a meeting where there was talk of increasing this amount to \$100,000.00 but she has not had any update on that information. The City Administrator stated that the problem with overlays now, and as of a couple of years ago, is that the City is not allowed to piggyback on the County rate of asphalt pricing but that a separate quote is provided to cities such as Halsey and Brownsville. The City Administrator commented this figure is usually considerably higher than that provided to the County which makes the cost of overlaying streets more expensive than in the past. Council President Doerfler commented although many of the streets are in good shape he supports the idea of conserving them with overlays before they get too bad. The City Administrator noted that if a street grant were available the City could look at overlays but the Street Fund operates on a fairly tight budget and to designate overlays without additional funding is difficult. A brief discussion ensued with the consensus of the Council directing the City Administrator to contact the Linn County Road Department and tell them that the City will not be looking at overlays this year as it is cost prohibitive at this time.

Councilor Choat commented she had been talking with Susan Swinderman who has an interest in starting a kite club for kids and asked if she could attend the next Council meeting and talk to them about this idea. The Council stated they would welcome her and the City Administrator indicated she would place her on the agenda. There were no other questions.

Adjournment

Council President Doerfler made a motion to adjourn the meeting at 8:55 p.m. Councilor Parker 2nd and the motion carried unanimously.

Marjean Cline, Mayor

Judy Cleeton, City Administrator