

HALSEY CITY COUNCIL MEETING

Central Linn Elementary School

280 West 2nd Street – Library

Halsey, OR 97348

April 14, 2009

7:00 P.M.

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, Don Ware from The Times, and Andrew Beaudet.

Approval of Minutes

Council President Doerfler made a motion to approve the minutes from the meeting held on March 10, 2009. Councilor Parker 2nd and the motion carried unanimously. Council President Doerfler made a motion to approve the minutes held on March 31, 2009. Councilor Parker 2nd and the motion carried unanimously.

Delegations

Mayor Cline acknowledged **Sargeant Lawler** in attendance and he began by stating that it had been fairly quiet in the City regarding any law enforcement issues. Council President Doerfler commented he had seen several Sheriff's vehicles in town recently and appreciated their visibility. Mayor Cline asked if there was any further information regarding the incident with a little girl in town a couple of months prior, however Sargeant Lawler responded there is nothing new on that circumstance and they suspect it involved someone passing through the City. The City Administrator asked about a question raised regarding the regulation of speed on City streets with Sargeant Lawler confirming that it is very, very difficult to change speed limits and suggested the City could talk to Linn County about this issue. There were no other questions.

Noting that Karen Smith from the Central Linn Elementary School was not present, Mayor Cline asked Councilor Mercier to speak on the summer reading program. Councilor Mercier reported the program will be one day each week on Wednesday morning and would begin June 24, 2009. Mayor Cline asked what types of items are being needed for the basket that is suggested for auctioning at the Bloom 'N' Barbeque with Councilor Mercier responding things like plants or items for men or women. Councilor Parker indicated she would be willing to donate a doll. Council President Doerfler asked when the items were need with Councilor Mercier responding by May 2, 2009. A brief discussion ensued.

Patrick Brown was not present however Mayor Cline noted that she was at City Hall when he came in to ask about lowering the speed limit on West 4th Street to 15 mph. Council President Doerfler asked if he lived in his dad's house on West 4th with Mayor Cline confirming that was correct. A discussion was held regarding the location of stop signs on West 4th Street. Council President Doerfler commented that if the problem is with one or two cars it would be best if he took down the date, time, and license plate and then contacted the Sheriff's Department. Council President Doerfler stated that sometimes young people do not understand that they can exert their position and make a citizen's arrest. Councilor Albertson asked where Brown lived on West 4th Street with Council President Doerfler responding he lived near Don Moore. Councilor Parker suggested speed limit signs could be posted. The City Administrator noted that she had sent some emails, along with the one sent to Sargeant Lawler, and has confirmed that other cities have found that it is very difficult, if not impossible to change the speed limits on local streets. A brief discussion ensued.

Application for Finance Committee

Mayor Cline initiated a conversation on the application for the Finance Committee submitted by Melissa Dieckhoff indicating the City Administrator had told her earlier in the week the other person serving on that Committee was no longer able to participate. Mayor Cline commented the application could still be approved however the Committee would need at least one more member before any meetings could be held. Council President Doerfler made a motion to approve the application for the Finance Committee submitted by Melissa Dieckhoff. Councilor Choat 2nd and the motion carried unanimously.

The City Administrator stated that she would send a letter to Dieckhoff informing her of the approval of her application however explaining that the City was in need of another applicant before any meetings could be held. There were no other questions.

City Administrator Report

The City Administrator reported on an application that has been filed with the Clean Water State Revolving Loan Fund requesting grant funding for the lift station project and I & I work. The City Administrator apprised the Councilors that were unable to attend the budget meeting of this application and informed them the City had learned that the I & I work completed this fiscal year will ultimately cost in excess of \$500,000.00 to repair the aging sewer lines. The City Administrator stated there is additional grant money for this Fund through the American Recovery and Reinvestment Act and initially thought this source of funding was 100% grant monies, however she learned that 25% of the costs would have to be paid by the City. The City Administrator commented a lot of work could be done even with the City having to come up with 25% therefore the application process seemed worthwhile. There were no questions.

The City Administrator reported Devco Engineering had been in contact with her and have finalized the bid documents for the lift station project and the closing date is now set for Thursday, April 30, 2009. The City Administrator commented the last count she was aware of is there are in excess of forty companies inquiring about this project. The City Administrator advised the project is pretty specific so it would be important to award the bid to the lowest most qualified bidder. Council President Doerfler asked how the project was advertised with the City Administrator responding an ad was placed in The Times and the Daily Journal of Commerce. Mayor Cline noted the information was posted on the City website as well. Council President Doerfler asked if someone would help with the selection process with the City Administrator responding she would look to Devco Engineering for their advice and expertise. There were no other questions.

The City Administrator advised the Council of contact she had with a company called AlyricaTel inquiring about broadband access in the City. The City Administrator had included a draft proposal in the packets they are going to submit which is requesting funding to provide broadband access to the community. In addition, the City Administrator stated that during the conversation the person she was speaking with mentioned that she had seen that the City had applied for some grant funding sometime ago for the Community Center and asked about the progress of that project. The City Administrator explained the goal is to complete a parking lot and the finish work inside and as a result the individual stated she could add money to the grant proposal for this project. The City Administrator later learned that the City would have to come up with 20% but a budget was proposed in the amount of \$80,450.00 and the 20% match would not be a problem. Councilor Choat asked how soon the City would hear with the City Administrator responding that she has been told by the beginning of the fiscal year in July or no later than September. Mayor Cline asked whether the company was aware there was a fiber line installed several years ago that runs all the way to Klamath Falls, although she did not know if it had been lit. Council President Doerfler recalled a meeting he attended in Albany during the planning stages of the fiber optics project and discussions that it would run through the Cascades and they would have to go above ground at some locations. Council President Doerfler stated that Oakridge was excited about the project however he has never heard anything else about it. The City Administrator indicated that AlyricaTel had asked whether the City Council could include a letter of

endorsement with their application and asked for a consensus in support of the proposal. Mayor Cline expressed a concern for the local phone company and the potential impact to their business. Councilor Choat stated the current service creates a monopoly and would like to have options available as the cost for the existing internet service is fairly expensive. Mayor Cline stated the proposal includes free internet service to the Community Center however she questioned what the broadband capabilities would be with AlyricaTel for the community as a whole. Mayor Cline noted that RTI puts no limit on the amount of use each day and, although Peak has some availability in this area, it is another choice for broadband access however there is a charge per day for bandwidth usage. Councilor Mercier expressed a concern that the local company does not keep up with the latest technology. Councilor Albertson commented that they are financially limited and their business has been further impacted by the fact that many people have resorted to cellular usage only. Mayor Cline again supported RTI by stating the company offered internet service back when she moved into town even though it was only dial-up service. Council President Doerfler asked if the endorsement was required or could the City communicate with AlyricaTel and wait on sending a letter of support. The City Administrator responded the endorsement was requested but was not required. Councilor Choat stated she appreciated the concerns for RTI however she believes in competition citing the example that if there were two banks in town that would be good business. Councilor Harless commented he was a free market kind of guy and believes in keeping up the times. Council President Doerfler asked if there as any kind of possible conflict with accepting money for the Community Center with this proposal with the City Administrator responding it is money received through a grant process therefore she could not see that there should be any concern. A brief discussion ensued. The City Administrator read the letter she had drafted as an endorsement to the project. Councilor Choat made a motion to endorse the project. Councilor Mercier 2nd the motion. Councilor Albertson commented that he understood the concern regarding RTI however this proposal helps the communities of Brownsville, Shedd, and Peoria where they do not have service. The motion carried unanimously with the Council noting the voicing of concern for RTI and the potential impact to their business.

The City Administrator initiated a discussion on the information received regarding the 2010 Special City Allotment Grant for street improvements. The City Administrator commented she has also received documentation of potentially \$100,000.00 that could be made available to cities through the State although she was uncertain if any streets would qualify under this program. A brief discussion ensued regarding the City streets that have been paved in the past and when the last Special Allotment Grant was awarded. Councilor Parker suggested West 3rd Street is in need of improvements in some areas. Mayor Cline suggested West C Street could potentially use improvement. Council President Doerfler commented that the gravel section of West 1st Street was rejected previously however he thought that if it were paved much of the truck traffic would use this section of street. A brief discussion ensued with the consensus of the Council to submit an application for improvements to West 1st Street again.

The City Administrator advised the Council that they have been given a Council dais from the City of Keizer. The City Administrator commented that she and the public works employees had to go to Keizer to get it, and it had to be cut in half, but nonetheless there is a dais for future use at City Council meetings. The Council was pleased to learn of this acquisition.

Public Works Department

Council President Doerfler asked if the water plant was operating normally and whether the problem was determined to be mechanical or electrical and whether computers were involved. The City Administrator responded that several different companies have been involved working to resolve the issues however no one has yet to pinpoint the problem. The City Administrator stated there are computers involved in the operation of the water plant. Council President Doerfler asked if the City Engineers had been involved in the process with the City Administrator responding they have not and was unsure of their knowledge of the actual workings of the water plant since they were not involved in the installation. A brief discussion ensued. Mayor Cline initiated a discussion on setting a date to tour the water treatment plant and the wastewater treatment facilities and it was determined to defer

this decision until June, 2009. Council President Doerfler asked if the discharging was going alright with the City Administrator responding discharging has been taking place however the season will end on April 30, 2009 but the lagoons are in good shape. There were no other questions.

Planning Commission

Mayor Cline commented she would report on the Planning Meeting since Councilor Harless was unable to attend. Mayor Cline stated that a review of the minor partition that was submitted by Edwin Gingerich was approved although it was somewhat of a formality as if was a re-review since he did not file the plat map in a timely manner. Mayor Cline stated there was a discussion on the fence surrounding the cell tower and it was decided that, with probable attorney costs incurring to make AT&T comply with the Planning Commission decision for a chain link fence with slats, it was not worth pursuing. Mayor Cline commented that in the future should the fence fall down perhaps enforcement of the chain link fence could take place at that time. There were no questions.

Park Committee

Councilor Mercier stated there was nothing to report as it has still been too wet for beginning the construction of the skate park. There were no questions.

Finance Committee

Council President Doerfler commented that there are roughly only two months left in the fiscal year and the City is financially sound at this point in time. Council President Doerfler stated that he had requested the City Administrator to look into a revision of the wage scale as it has not been reviewed for several years. Council President Doerfler asked the City Administrator to hand out documents on the existing wage scale and a proposed new wage scale and explain them to the Council. The City Administrator explained the current wage scale has seven steps with 3% increases between the steps. The City Administrator commented some cities do not have steps and others have six steps while others have up to ten steps. Council President Doerfler commented he had requested the City Administrator to extend the step process as a revision to the wage scale as he feels the Council needs to support the efforts of their employees. The City Administrator reported she had created the new wage scale which incorporates the proposed 2.7% cost of living increase for the 2009-2010 fiscal year. Councilor Albertson asked about the overall increase with the City Administrator responding the increase would potentially be 5.7% which includes the 2.7% cost of living and a 3% step increase. Mayor Cline expressed a concern that the figures would need to be incorporated into the budget. The City Administrator stated that when Council President Doerfler made the request she created the new figures and placed them in the budget to determine if the proposal would support them so at this point the numbers are already in the requested budget. Council President Doerfler commented that a decision did not need to be made at this time. Councilor Harless suggested he was willing to support the revision. Councilor Mercier asked for an explanation on how the process works overall. The City Administrator commented that as of last year the annual review of her position takes place in May and her salary is set at that meeting. The City Administrator commented that she evaluates all other employees and determines their pay scale, and although the Council can be made aware of their wages, it is a personnel issue and the Council is not formally involved in that process. A brief discussion ensued with a decision to be made at a later date.

Street/Utility Committee

Council President Doerfler commented the next meeting is scheduled for Thursday, April 16, 2009. There were no questions.

Intergovernmental Committee

Council President Doerfler stated that he had material at the previous meeting but when the matter was tabled at the March 10, 2009 meeting he did not get the materials ready for this meeting therefore there was nothing to report. There were no questions.

Old Business

Nuisance Ordinance Abatement Discussion

Mayor Cline stated there were two properties that have had final notices posted on their property whereby they have 30 days to comply with the alleged nuisance violation. Mayor Cline added that it was determined the property at 291 W. H Street was in such a state of deterioration that it warranted a 10 day notice as it is a public safety concern. Mayor Cline commented the City employees took down part of the hedge however the property has been broken into and there are broken windows and part of the roof has fallen in. Councilor Parker asked who does the condemnation. Councilor Harless asked if the next step was condemnation. Mayor Cline asked the City Administrator to explain the process. The City Administrator responded that the advice she has been given is that an administrative warrant would have to be issued and signed by the judge and then it would seem the City would need to solicit bids for the demolition of the property. Council President Doerfler commented the building is an attractive nuisance for kids and is a health hazard and felt the City had no choice but to proceed with the process. Both Mayor Cline and Council President Doerfler expressed a concern that if something were to happen on the property the City could be held accountable as well as the property owner. Mayor Cline stated that she had looked at the tax records and saw that the house was built in 1870. Councilor Mercier asked if anyone could potentially be interested in buying it and restoring it as it would appear to be a historical home. Council President Doerfler commented the home is built on a full brick foundation. Mayor Cline reported the home is not on any formal historical list as no formal jurisdiction was filed. Councilor Albertson asked what the assessed value was with Mayor Cline responding \$100,000.00. Mayor Cline commented however it would be nice if the City could purchase the property for just the value of the land which is \$55,000.00 but there does not appear to be any means to do so. Councilor Albertson suggested with the state of the economy perhaps the land value has gone down however Mayor Cline responded that would not be the case based upon the assessed value. A brief discussion ensued. The City Administrator commented there are also a couple of properties that have not followed through with what they indicated they would do to clean up their properties so new letters would be issued to those still in potential violation of the nuisance ordinance. There were no questions.

New Business

Mayor Cline turned to the OLCC license renewals that were placed in the packets. Council President Doerfler made a motion to approve the OLCC license renewal for the Halsey Select Market. Councilor Harless 2nd and the motion carried unanimously. Council President Doerfler made a motion to approve the OLCC license renewal for Woody's Bar and Grill. Councilor Parker 2nd and the motion carried unanimously.

The City Administrator had included information in the packets regarding Older American's Month which is designated as May, 2009 and noted that Scott Bond, the Director of Senior and Disability Services has indicated he could be present at the May meeting to participate in the reading of the proclamation. It was the consensus of the City Council that Bond be present at the reading. Mayor Cline noted the document on the Linn County Law Enforcement Contract for 2009-2010 and requested a motion for approval. Council President Doerfler made a motion to approve the Linn County Law Enforcement Contract for the fiscal year 2009-2010. Councilor Choat 2nd and the motion carried unanimously. Don Ware asked the amount of the contract with Mayor Cline responding \$44,952.00. There were no other questions.

Resolutions

Mayor Cline read Resolution 2009-526 by title only—A Resolution of the City of Halsey, Linn County, Oregon Regarding Continuing Membership in the City County Insurance Services Trust for Purposes of Receiving a Risk Management Grant. Council President Doerfler made a motion to approve Resolution 2009-526. Councilor Harless 2nd and the motion carried unanimously.

New Business

Mayor Cline initiated a discussion on possible water and sewer rate increases. Mayor Cline commented that as part of the grant for the water project the City was required to meter all water. Mayor Cline stated there have been ongoing discussions on the fact that the sewer rate is based upon water consumption and not all of the water goes into the sewer system therefore some disagree that sewer rates are being charged fairly. Mayor Cline asked Councilor Choat to speak on the concern. Councilor Choat stated that she had contacted approximately six communities and, although the months vary, all of them use some type of winter averaging to calculate sewer rates. Councilor Choat commented those winter rates are used for the summer sewer rates. Mayor Cline indicated that she personally brought in her own bills to explain the impact of such a change to the Sewer Fund which must be self sustaining. Mayor Cline commented that water rates are set at a step process by a rate of so much per 1000 gallons of usage however the sewer rates are set at a flat rate for the steps. Mayor Cline suggested that sewer rates would have to be increased more than the proposed dollar as revenue would be lost as a result of winter averaging. The City Administrator commented that she had taken a sampling of customers prior to the meeting and learned that roughly \$1561.00 would have been lost in sewer revenue for approximately 175 customers for the eight month period used in those calculations. Councilor Mercier questioned how the sewer rates should be determined and if it should be based upon the number of toilets in a home. Councilor Albertson commented he only uses 1000 gallons a month and he does not support people such as himself subsidizing those who use the water. Council President Doerfler felt the lawns should be green and the current system creates a problem for those wanting to water in the summer. A discussion ensued with the decision to continue the discussion at the next meeting. Councilor Choat asked the City Administrator to bring information on how the current rates are calculated at that time with the City Administrator responding she would be happy to do so.

Adjournment

Council President Doerfler made a motion to adjourn the meeting at 9:07 p.m. Councilor Choat 2nd and the motion carried unanimously.

Marjean Cline, Mayor

Judy Cleeton, City Administrator