

**MINUTES FROM
A MEETING OF THE HINES COMMON COUNCIL
June 25, 2019**

Present:

Mayor:

Nikki Morgan

Councilors:

Councilors Raymond Breshears, Duane Hutchins, Hilda Allison, and Robert Beers. Gary Miller and Ron Williams were excused as absent.

City Staff:

Kirby Letham, City Administrator.

Public Audience:

Eldon Hart, Sally Hart, Brandon Mahon and Dane from Anderson Perry, Louis and Cheryl Smith, Randy Parks of the Burns Times Herald, and Lola Johnson – Chamber Director.

***Mayor Nikki Morgan called the meeting to order at 6:30 pm and led the flag salute.**

Approval of June 25, 2019 Agenda:

The agenda for June ²⁵~~11~~, 2019 was reviewed by the Council. Administrator Letham asked the Council to add Item J, Wheelhouse Business License to the agenda. There were no other changes. Councilor Allison made a motion to approve the agenda with the addition of Item J, and Councilor Beers seconded the motion. All ayes, the motion carried.

Approval of Minutes for June 11, 2019:

The minutes for June 11, 2019 were reviewed by the Council. Councilor Allison made the motion to approve the minutes as presented. Councilor Breshears seconded the motion. All ayes, the motion carried.

Accounts Payable:

Accounts payable for June 25, 2019 were considered. Councilor Beers made a motion to approve the Accounts Payable for June 25, 2019 in the amount of \$22,033.40.

Councilor Breshears seconded the motion. All ayes, the motion carried.

**** Mayor Morgan adjourned the Council Meeting and convened the Budget
Hearing at 6:34 pm. ****

Approval of Budget Hearing Agenda

The Council reviewed the Budget Hearing Agenda for June 25, 2019. Councilor Beers made a motion to approve the agenda and Councilor Allison seconded the motion. All ayes, the motion carried.

Review and Adoption of Final Draft of the Approved Budget

City Administrator Letham presented the Final Draft of the Approved Budget for fiscal year 2019-2020. There was some discussion about the final numbers for spending of Transient Lodging Tax revenues. Administrator Letham explained that those funds can be adjusted with resolutions if the Council wants to make adjustments to the current budgeted line items.

Councilor Allison made a motion to adopt the approved budget for the City of Hines fiscal year 2019-2020. Councilor Hutchins seconded the motion. All ayes, the motion carried.

Councilor Allison made a motion to adjourn the Budget Hearing. Councilor Beers seconded the motion. All ayes, the motion carried.

**** The Budget Hearing adjourned at 6:37 pm. ****

**** The Council Meeting reconvened at 6:37 pm. ****

Public Comment – Non-Agenda Items

No public comment.

City Administrator Report

Administrator Letham reported the following:

- new website is online and functional. The address is www.cityofhines.com.
- Rural Fire Protection Program changes explained. The number is the Trended Real Market Value from the Tax Assessor's Summary. This is the Assessor's valuation, and the number which will be used to calculate the new rate for the Program.

New Business:

Resolution 2259 – Unanticipated Revenues This resolution allows the City to accept funds of \$5,000.00 donated from the Key Club for park play equipment. Administrator Letham read the entirety of Resolution 2259 to the Council. *Councilor Beers made a motion that the Council approve Resolution 2259 as read. Councilor Breshears seconded the motion. All ayes, the motion carried.*

Resolution 2260 – City's Election To Receive State Revenues

Resolution which enables the City to receive state revenues for the 2019-2020 fiscal year. Administrator Letham read the entirety of Resolution 2260 to the Council. *Councilor Allison made a motion that the Council approve Resolution 2260 as read. Councilor Beers seconded the motion. All ayes, the motion carried.*

Resolution 2261 – Extending Worker's Compensation Coverage

Resolution which enables the City to extend worker's compensation. Administrator Letham read the entirety of Resolution 2261 to the Council. *Councilor Allison made a*

motion that the Council approve Resolution 2261 as read. Councilor Beers seconded the motion. All ayes, the motion carried.

Resolution 2262 – Loss Prevention Program

Resolution which acknowledges and declares the City's responsibility to establish a safe work environment and a functioning Safety Committee for the 2019-2020 fiscal year. Administrator Letham read the entirety of Resolution 2262 to the Council. *Councilor Allison made a motion that the Council approve Resolution 2262 as read. Councilor Hutchins seconded the motion. All ayes, the motion carried.*

Resolution 2263 – A Resolution Adopting the 2019-2020 Budget

This resolution enables the City to formally adopt a budget for the 2019-2020 fiscal year, make appropriations, and impose and categorize taxes. This Resolution establishes the City's permanent rate tax at \$4.2922 per \$1,000.00. Administrator Letham read the entirety of Resolution 2263 to the Council. *Councilor Beers made a motion that the Council approve Resolution 2263 as read. Councilor Allison seconded the motion. All ayes, the motion carried.*

Resolution 2264 – Transfer of Monies Between Objects of Expenditure

Resolution which enables the City to transfer monies to balance expense items within Funds. Administrator Letham read the entirety of Resolution 2264 to the Council. *Councilor Breshears made a motion that the Council approve Resolution 2260 as read. Councilor Allison seconded the motion. All ayes, the motion carried.*

Street Repair: Review of RFP Package for W. Hanley

The City has not yet receive the RFP package from Anderson Perry. This will be reviewed at the next meeting. Brandon Mahon of Anderson Perry addressed the Council, stating that the RFP package for W. Hanley will be very similar to the Roe Davis Package. Councilor Allison asked how the process works for determining which contractors the package is sent to. Mr. Mahon explained that package was sent to contractors who are known to do work in this area. Councilor Allison asked if the work

for these streets is planned to be done by the end of summer, to which Mr. Mahon answered that the work is planned to be done by the end of July.

A discussion ensued about the logistics of oversight for these street repair projects.

Valley Golf Club: Operating Agreement Renewal

The existing agreement between the City of Hines and Valley Golf Club to operate and maintain the golf course grounds expires on June 30, 2019. The City reviewed the agreement to see if there were any changes that were necessary. Mayor Morgan suggested that the City should clarify that the land the golf course occupies has a deed restriction that stipulates land use for recreational purposes only. Administrator Letham said he would update the agreement and bring it back to the Council for approval.

Planning Commission Findings and Recommendation: Brian Wall Variance

The Planning Commission approved and recommended the variance that Brian Wall of 220 S. Roanoke submitted. Councilor Allison asked if there were any potential fire hazards, or if there were any neighbors that objected to the variance. Administrator Letham explained that the variance would allow Mr. Wall to build a garage on the back fence line, but that there didn't appear to be increased fire hazard. Also, Administrator Letham reported that there were no concerns expressed about this variance from the public.

The following is a copy of the Findings and Recommendations of The Planning Commission:

CITY OF HINES, OREGON PLANNING COMMISSION ADMINISTRATIVE REVIEW – FINDINGS AND DECISION

APPLICANT/OWNER: Brian Wall

PROPERTY LOCATION: The subject property is located at 220 S. Roanoke, Hines, Oregon.

T23 S., R30 E.W.M. SEC 23DC TL1900 LAND IN JONES ADDITION, CITY OF HINES, HARNEY COUNTY, OREGON, ACCORDING TO THE CORRECTION PLAT FILED FEBRUARY 20, 1970, AS FOLLOWS: BLOCK 1: LOT 4.

PARCEL SIZE: .23 acres (more or less)

APPLICATION REQUEST:

Brian Wall has requested a variance to allow an accessory building which does not meet the setback or square foot requirements in a single family residential zone.

BURDEN OF PROOF:

- A. This decision is based on the following criteria in the Hines Comprehensive Plan: Chapter 3, Article A, Single-Family Residential Zone; Section 14.4a.100(B) accessory uses and accessory buildings and Chapter 13, Variances, 14.13.010 authorization to grant or deny variances and 14.13.100, circumstances for granting a variance.

BASIC FACTS:

- A. The subject property is zoned Single Family Residential
- B. The subject property has existing water and sewer service.
- C. Adjacent land to the North, South an East and West is zoned Single Family Residential.

HEARINGS AND EXHIBITS:

A hearing on this matter was held June 24, 2019, at Hines City Hall, located at 101 E. Barnes Avenue, Hine, Oregon. The following exhibits made up the record:

- A. An application for Variance filed with the Hines Planning Commission.
- B. Harney Co. Assessor's Summary Report for property in question.
- C. A legal description of the subject property.
- D. Notice of Public Hearing and Affidavit of Publication.
- E. Staff Report

FINDINGS OF FACT:

- A. The subject property does not display exceptional or extraordinary circumstances which do not apply generally to other properties in the same zone or vicinity, that result from lot size or shape, topography or other circumstance over which the owners of the property since enactment of this ordinance have had no control because they acquired the property after the enactment of this ordinance.
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone and vicinity possess since numerous variances have been allowed for similar buildings in the same neighborhood.
- C. The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy since it would appear from previous variances permitted in this neighborhood that the city intends to allow such exceptions for accessory buildings in this neighborhood.
- D. The variance requested is the minimum variance with would alleviate the hardship by granting the same accessory building variance as was granted to others in the same neighborhood.

DECISION:

The Hines Planning Commission has found that the facts do satisfy the proposed application for variance as presented by Mr. Wall. The application for variance is hereby forwarded to the Hines Common Council with a recommendation that they approve and adopt the findings as amended in the Findings and Decision and APPROVE the application for variance as presented.

ATTACHMENTS:

- A. Staff Report
- B. City of Hines Planning Commission Hearing Procedure
- C. Planning Commission Meeting Minutes dated June 24, 2019

APPROVED and FORWARDED on this 24th day of June, 2019.

Stacey Radinovich, Chair

The Council reviewed the findings of the Planning Commission. *Councilor Beers made the motion that the Council approve the Wall request for Variance as read. Councilor Beers seconded the motion. There were 3 ayes in favor from Councilors Beers, Breshears, and Allison, with one vote in dissent from Councilor Hutchins. 3 ayes, 1 nay, the motion carried.*

Wheelhouse Business License

A new business license was requested by Louis and Cheryl Smith. Their business name is Wheelhouse and they plan to deliver flowers, gifts, and RV Supplies. Their location will be at 1510 Hines Boulevard, Burns, OR. However, they intend to make deliveries into the City of Hines.

Councilor Allison made a motion that the Council approve the business license for Wheelhouse, owned by Cheryl and Louis Smith. Councilor Breshears seconded the motion. All ayes, the motion carried.

Old Business:

Brandon Mahon, Anderson Perry – Water System Improvement Project Update

Mr. Mahon shared an update on water system improvement project. Mr. Mahon discussed the schedule, explaining that original the project was initially going to be phased, but with some delays in the design and land acquisition for the reservoir, the reservoir and distribution phases will be ran simultaneously. The tank (reservoir) will be out for bid late summer, and construction will start in the fall or early winter. Also, surveying and prep work for replacing water lines will begin in late summer and early fall.

Mr. Mahon explained the mapping and surveying for easements/right of ways, will be a pretty big part of the project because of the current state of the City's alley ways, etc. and conflicting information between maps and reality. They will meet with Mr. Jerry

Lewellen, Acting Superintendent of Public Works to discuss existing water lines, dead water lines, and any issues that Mr. Lewellen is aware of in the current system. Mr. Mahon said that bidding will be opened in late fall to early winter.

Mr. Mahon also spent some time explaining the land exchange that will be done for the City to secure land to for the new water tank. He shared maps with the Council showing the exchange. The Council like the land exchange plan.

Mayor Morgan asked Mr. Mahon what would happen with distribution lines that would no longer be used. Mr. Mahon said that old lines would either be replaced, or capped with concrete and abandoned.

Ordinance 327 – Transient Lodging Tax Disposition and Use

This ordinance amended number 272, and repeals section 2 of ordinance of 272 providing for the disposition and use of transient lodging taxes collected by the City.

Administrator Letham read Ordinance 327 to the Council in its entirety. *Councilor Allison made the motion that the Council approve Ordinance 327 as read. Councilor Breshears seconded the motion. All ayes, the motion carried.*

Public Comment

None.

Council Comments:

Councilor Allison asked about the protocol for hiring City employees. Mayor Morgan explained that there are no specific guidelines, except that hiring protocol is determined by the City Administrator, following State and Federal laws.

Councilor Beers thanked the Public Works crew for filling the potholes on West Pettibone.

Councilor Allison asked about line painting for the City Hall parking lot, and around the park on Circle Drive. Administrator Letham acknowledged that there was a need to repaint stripes, and that part of the budget for paving and repairs will be for painting and crack sealing, if other major repairs do not exhaust the budget for repairs.

Councilor Allison asked about the Pavilion Bathroom project. Administrator Letham said that he is still researching that project to get it done as well.

Mr. Breshears asked if we could fill the hole on North Ogden with gravel. Mr. Breshears also discussed the necessity for community members to fix the street cuts properly.

Administrator Letham suggested the City would be benefitted by creating a specifications binder.

There were no further comments.

Adjournment:

There being no further business, Councilor Beers made a motion to adjourn the meeting and Councilor Allison seconded the motion. All ayes, the motion carried and the meeting adjourned at 7:47 pm.

Respectfully Submitted:

Kirby Letham
City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON JULY 9, 2019


Nikki Morgan, Mayor