

**MINUTES FROM
A MEETING OF THE HINES COMMON COUNCIL
AND BUDGET COMMITTEE
July 27, 2021**

Present:

Mayor:

Nikki Morgan

Council:

Councilors Amity York, Misty Shepherd, Marsallai Quick, Robert Beers, Ron Williams and Gary Miller were present.

City Staff:

Kirby Letham City Administrator

Public Audience:

Chris Wiseman, Eldon Hart, Duane Hutchins, Jordon Bennett, Dean Brizendin and Brad Erbe

***Mayor Nikki Morgan called the meeting to order at 5:30 pm and led the flag salute.**

Approval of July 27, 2021 Agenda

Councilor Beers made a motion to approve the July 27, 2021, agenda as presented. Councilor Williams seconded the motion. All ayes, motion carried.

Approval of Minutes from July 13, 2021

Councilor Beers made a motion to approve the meeting minutes from July 13, 2021, as presented. Councilor York seconded the motion. All ayes, motion carried.

Accounts Payable for July 27, 2021

Councilor Beers made a motion to approve the Accounts Payable for July 27, 2021, in the amount of \$502,782.42. Councilor Williams seconded the motion. All ayes, motion carried.

City Administrator Letham Report

Harney County Housing Project – First thing they want to do is get a surveyor to partition the lot and a lot line adjustment and make sure the City Right of Way is preserved to make sure the City has access to the ditch and the area behind the lot. Need to determine the sewer connection needs. Line could come up from Byrd or come down from Saginaw. The depth of the line on Byrd could be more conducive to connecting the

house to the sewer. Anderson Perry will look at that with Jerry Lewellen and Administrator Letham. The next step after that will be to bring in the sewer line to those lots. Later in the meeting Councilor Quick asked for clarification about what is to be surveyed. Administrator Letham said that both lots owned by the city will be surveyed.

Park Bathrooms – The engineer is working on the bid packet. Waiting for a response to an email advising that the city would like to put it out to bid ASAP.

Homeless Camping – He has a meeting scheduled with the League of Oregon Cities (LOC) on Thursday. Looking for information about what other cities have done so that he can draft an ordinance and be prepared for a first reading at the next Council meeting.

Small City Allotment Grant – The last grant the city received is earmarked for the N. Saginaw paving project with completion this year. Working on the pricing of the project. May approach ODOT regarding an extension as the grant was awarded in Jan 2020 and with Covid, will see if an extension is possible. Will then look at requesting the next Small City Allotment Grant and work on which street(s) have the most need.

Lagoon Lift Station Renovation – Becoming a higher priority as the pump has been working extra hard. He has received notice that the ARP funds are becoming available. He will confirm that infrastructure will be covered under these funds. Councilor Quick asked what happens is the lift station stops working. It could create an emergency situation within the city to get the sewer system to continue working. There are 3 pumps, and Public Works rotates through the pumps so that there is no undue strain on one particular pump.

Water Project Update – The new tank is complete. They have started filling it to test it for structural integrity. Once that testing is complete, they will sanitize the tank and will do water quality testing. They will give it a shot of chlorine, flush out a good portion of it, refill it and test the water quality again. If it passes the water quality test, they will bring it online. The goal to bring it online is between August 10 – 15. There will be information released through the radio, newspaper and website advising residents that it could be 60 – 90 days that you could smell and/or taste chlorine. This is normal, and the levels will not exceed acceptable levels. The chlorine will go away as the tank cycles through a couple of times. There are two additional water lines that need to be installed. Working with the Tribe on mitigation solutions as there was some archaeological material found in a couple areas. More information will be provided later in the meeting.

Small Cities Meeting – Administrator Letham was unable to attend, however Mayor Morgan and Councilor Shepherd were in attendance. The next meeting will be October 14th in John Day.

Planning Commission Update – LS Networks is continuing to install high-speed internet around the city. They come to the city when they need Right of Way permits. Spectrum Communications is also working around town improving their infrastructure.

Park Sprinklers – Almost done with the City Hall and Fire Hall parks. By the end of next week, they should be fully functional.

Nuisances – The city has been notifying those residents that have been in violation. It is a continuing process. Councilor Beers asked about what appears to be a junk pile near the Sands RV Park. Administrator Letham explained that the State Fire Marshal was in

town and did an inspection of the Sundowner Motel. A brush pile belongs to the Sundowner, and the city is working with the owner to get it cleaned up. Councilor Beers clarified that he saw a junk pile at the Sands RV Park. Dean Brizendine addressed the Council and advised that Mr. Phelps is trying to sell the RV Park and that the items that are being seen do belong to Mr. Phelps and that he is supposed to remove the items.

OTEC – Had a meeting with OTEC. Due to high fire danger, they have instituted a new policy. They will shut off power under these conditions: projected winds of 50+ mph and if the National Weather Service declares a Red Flag Day. If those conditions are met, they will shut down the line between John Day and Burns along Hwy 395. Chris Wiseman asked how would this affect Crane? They Mayor suggested that someone from Crane contact OTEC directly.

Crack Seal – Councilor Williams commented that the city needs to get the crack seal project started immediately.

Public Comment Non-Agenda Items (Speaking time limits may apply)

Duane Hutchins – Brought up lighting for the Pavilion Park. He has done some research and found a model that he suggested the Council look at. He suggested the dusk – dawn solar lights. Maybe 6 of them to start to see how they would do. They would run about \$200 each.

Chris Wiseman – At the last meeting the Council discussed passing a resolution regarding the 2nd Amendment. Mr. Wiseman said the problem with a resolution, is that it is only a statement, it is not enforceable. He asked what the city attorney recommended. Administrator Letham said that they recommended that the city not pass a 2nd Amendment ordinance. The city attorney has asked for a copy of the County's ordinance for review. Mr. Wiseman said there is about 50 days before SB 554 goes into effect. Councilor Beers asked for a very brief synopsis. Dean Brisbane explained that weapons must be locked up unless they're on your person. Weapons at home are to be locked in a gun safe or gun room. If someone breaks into your home and gains access to your weapon you will be liable for how that weapon is used for the next 5 years and \$125K fine. This topic will be on the agenda for the next meeting.

Old Business

Harney County Fair Sponsorship – Jordon Bennett – He is asking for a donation to the rodeo purse. The larger the purse the better quality of participants. The rodeo does limit the number of participants. The current purse is \$10K. They would like a donation of \$2K to raise the total purse to \$12K. The highlight event is the bronc riding. In the past the city has sponsored a buckle for about \$200. *Councilor Quick made a motion to donate \$2,000 to the Harney County Fair to sponsor the bronc riding event. Councilor Beers seconded the motion. All ayes, motion carried.*

Update – MOA meetings with the Tribe: Most Favorable Stipulation Ideas

During installation of new water lines, from Byrd, the alleyway between S. Roanoke and S. Quincy and almost to Barnes there were a few areas determined by the archaeologists to be culturally significant. And at the other end of town, the alleyway between N. Roanoke and N. Quincy from Conley to Bennett there were a few areas also determined to be culturally significant. Have been working with the Tribe to protect the areas and respect them. Have been working towards an agreement that will also allow the city to move forward with the water project. The Tribe has stipulated they be allowed to have someone onsite as the city finishes the project. Administrator Letham read an email from the archaeologist that listed some standard mitigation measures the State Historical Preservation Office (SHPO) typically sees. Out of the ideas proposed by SHPO the Tribe would support interpretive panels, donation to cultural department, ethnography of the Hines area, planting of native plants, a National Register listing, etc.

New Business

League of Oregon Cities Legal Representation: Resolution 2309

A resolution authorizing the city's participation in the League of Oregon Cities' advise program providing limited free legal advice to Oregon cities located in Eastern Oregon. Administrator Letham read Resolution 2309 in its entirety. He did not read Exhibit A. It is similar to the previous program except now it is a permanent program and no longer a pilot program and raises the allotted hours from 10 to 15 of free legal advice. *Councilor Beers made a motion to approve Resolution 2309 as read. Councilor Shepherd seconded the motion. All ayes, motion carried.*

New Business License: KC's Coffee Box – Cynthia Spencer

The Spencer's were not able to attend the meeting. They will be operating a mobile trailer coffee kiosk. Councilors asked what are the hours of operation, and what will they offer? Questions about will they need a water account set up? Administrator Letham did advise them they would need the State Food Handler's license and that the city needs a copy. *Councilor Quick made a motion to approve the business license for KC's Coffee Box. Councilor York seconded the motion. All ayes, motion carried.*

Municode Legal Review Proposal

Municode will review our municipal code to make sure it complies with state law. They will add links from our code to state law to show the references. They present two options of services available. *Councilor Beers made a motion to adopt option 1 of the municode legal review proposal. Councilor Shepherd seconded the motion. All ayes, motion carried.*

Public Comment Period (Speaking time limits may apply):

Chris Wiseman – Please reconsider passing a 2nd Amendment ordinance.

Dean Brizenden - Please reconsider passing a 2nd Amendment ordinance.

Chris Wiseman – This isn't the only bill they're trying to stop.

Councilor Quick – Personally, I agree with you. The Council does take this seriously. However, as a Council member, we really need to think this through as a Council.

Dean Brizenden – As a past law enforcement member I see both sides. People need to be able to protect themselves.

Mayor and Council Comments

Councilor York – None

Councilor Shepherd – Multiple people have expressed their thanks for the city cleaning up multiple areas in town.

Councilor Miller - I back the 2nd Amendment.

Councilor Quick – I back the 2nd Amendment.

Councilor Beers – I back the 2nd Amendment. The people that come into your home to attack you do not live by the rules. If you take guns away from citizens, they cannot protect themselves. Disagree with what the State is doing.

Councilor Williams – None.

Mayor Morgan – She and Councilor Shepherd attended the Small Cities meeting. She said if the other Councilors get the chance to attend these meetings it's a chance to hear how other small cities are handling issues that come up. The Mayor and Councilor Shepherd commented that John Day has an impeccable plan in place. Although a lot of smaller cities don't have the business growth, what they are finding is a lot of people are still moving in and then telecommuting. Administrator Letham said that although he couldn't attend the meeting, the energy coming from the small cities in Eastern Oregon, the next 5 – 10 years, things are going to be great.

Councilor Beers – A resident approached him about a splash pad in the park.

Next Council Meeting is scheduled for August 10, 2021, at 6:30pm.

Adjournment:

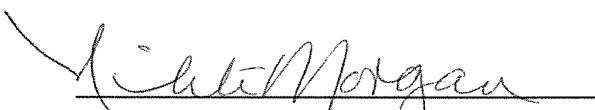
There being no further business, Councilor Williams made a motion to adjourn the meeting. Councilor Beers seconded the motion. All ayes, the motion carried. Meeting adjourned at 7:52pm.

Respectfully Submitted:

Kirby Letham

City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON August 10, 2021.


Nikki Morgan, Mayor