

**MINUTES FROM
A MEETING OF THE HINES COMMON COUNCIL
AND BUDGET COMMITTEE
July 13, 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, Jerry Lewellen Public Works Superintendent, Ryan DeLange Police Chief, and Bob Spence Fire Chief

Public Audience:

Chris Wiseman, Denise Rose, Eldon Hart, Sally Hart, Gretchen Bates, Jordon Bennett, and Stefanie Wiseman

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

Approval of July 13, 2021 Agenda

Mayor Morgan asked if there were any changes to the agenda. Administrator Letham requested to add an item to new business listed as Planning Commission Recommendation of a Zone Change. Councilor Beers made a motion to approve the July 13, 2021 agenda with the addition. Councilor Williams seconded the motion. All ayes, motion carried.

Approval of Minutes from June 22, 2021

Councilor Beers made a motion to approve the June 22, 2021, minutes. Councilor Williams seconded the motion. All ayes, motion carried.

Accounts Payable for June 24, 2021, June 30, 2021, July 7, 2021, and July 13, 2021

Councilor Beers made a motion to approve the Accounts Payable for July 13, 2021 in the amount of \$44,351.00. Mayor Morgan asked Councilor Beers to restate the motion breaking out the accounts payable by date. Councilor Beers amended his motion approving the accounts payable in the amount of \$44,351.00 for July 13, 2021, July 7, 2021, June 30, 2021, and June 24, 2021. Councilor Williams seconded the motion. All ayes, motion carried.

Department Head Reports

Public Works Superintendent Jerry Lewellen – Lagoons are pumping about 140K gal/day. The heat is causing the water to evaporate. The water is already down one foot. Pumping 1.7M gal/day of drinking water. Mowed the field at the fairgrounds for the fireworks show. Have been spraying weeds at the lagoon. Sprinkler installation at Pavilion Park is going well. Engineer was in last week inspecting the lagoon lift station. Did maintenance on the Newport/Milwaukie water line today. Councilor Quick thanked Public Works for getting the water back online so quickly. Councilor Williams advised that paint is on order to paint Circle Drive and Barnes Ave.

Police Chief Ryan DeLange – 240 calls for service, most are domestic or theft calls. 2 unattended deaths. Burglary and theft calls are up. Officer Mitchell has been working a couple of gun cases. People breaking into homes and stealing guns. County is noticing some homeless. Public needs to lock homes, cars/trucks, campers, etc. Burns is down 2 officers, and we are busy trying to cover. High School was broken into a couple of weeks ago and one building was destroyed. The kids responsible were caught, middle school and elementary school students. A week or so ago revived a man in cardiac arrest CPR and AED's do work! Congratulations from the Council!

Fire Chief Bob Spence – Responded to 5 calls since the last report. A couple of grass fires, a garbage pile that got out of control. Burn ban was put into effect June 27th.

City Administrator Kirby Letham – Wanted to let people know that the smoke we are seeing is from the Bootleg fire in the Beatty/Bly area. DEQ has advised that heavy smoke will continue for some days. Keep weeds and grass mowed down. Chief Spence commented that he was very happy this 4th of July that there were no fire calls due to fireworks. Citizens of Hines please be careful out there. We could be looking at a long fire season possibly into October or November. Bathrooms in the main park are almost finished. Some drywall needs to be finished and then fixtures installed. Should be done in the next couple weeks. Working on getting some RFPs put together for street repairs, crack sealing, park fences and computer security. Herb Vloedman has had his permits approved through the County and the State and will move forward on installing the self-storage units. There was a permit request for a home. They were going to install a manufacture home. They have since withdrawn the request as the cost went up \$70K and were told the price could continue to be increased. Still moving forward with the Brownfield grant identifying properties that can be cleaned up and put back in to use. The water project is nearing completion. About 3-4 weeks of work left. Testing for the new tank should be ready next weeks. The last two lines to be installed have been delayed as there were some archaeological significant items found. Working with the Tribe to identify the items. It could be 3-4 weeks before the city is able to move forward with those lines, and then an additional 3-4 weeks for the work to be completed. Councilor Williams asked what happens at project completion and was advised that Jerry and or Kirby will do a final

walkthrough with Anderson Perry. The 2021/2022 budget was adopted and recorded with the County. Councilors commented about how good the playground equipment looks. The Kiwanis and Tumbleweed got together and have painted the park equipment. They did a great job!

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

Jordon Bennett for the Chamber of Commerce – they concluded a second round of interviews last week and believe they have found a new director, as soon as, he clears the background screening. He then asked about the Chamber funding from the city. Administrator Letham let him know that the city will be giving the Chamber of Commerce \$23,750 this year.

Old Business

Harney County Housing Project Update – Administrator Letham is a member of the Harney County Housing Committee which is a subcommittee of the Community Revitalization Team (CRT). In March, the Council voted to donate a lot on S. Saginaw to the project. This lot was considered the most suitable for building the first home in this project. In a previous report the Council was advised that the lender wanted the city to put in 20% in cash as part of the lending package, and the city would receive this money back when the house sells. The lender has since agreed that the city does not need to put in 20% in cash as the land value more than covers this amount. A Request for Proposal was released and a builder, Kyle Kaino has been chosen. Administrator Letham mentioned that the lot is a little larger than ½ acre and suggested the city partition the lot, have the first home built, and if all goes well, perhaps build a second home on the other piece. He showed a revision to the housing plan. Originally, it was thought to build a 2-story home, however, the decision has been made to make it a single story, making the house ADA compliant. He asked Superintendent Lewellen about the water line and was told the new line now runs down the middle of S. Saginaw to Byrd. There was discussion about the sewer line. Councilor Beers asked what the typical lot size is in the city. Administrator Letham said the lots in the city run from .10 acre to .30 acre. Administrator Letham asked Denise Rose from Economic Development if she had any comments. She said that she appreciates the city contemplating the donation of this lot. They are excited about the experience level of the contractor. He has great references and believes that he going to build a great home. Everyone is giving something towards the project. The lender is waiving fees with a low interest rate loan. OTEC is donating towards the new service. Councilor Quick asked about the value of the donation by the city. The preliminary value of the City's donation is approximately \$49,250, this includes the donation of the land. If the Council chooses to move forward, there will be a resolution drafted formally donating the land to Harney Homes. *Councilor Quick made a motion to support the Harney Housing Plan and approve the donation of tax lot 5401 owned by the City of Hines located at the end of S. Saginaw Ave for the purpose of building a home and to be sold. Councilor York seconded the motion. 5 ayes, 1 nay, the motion carried.*

Park Bathroom – Engineer Update – Levi Voight of STRUX Engineering contacted Administrator Letham. He is finalizing the plans and wanted to know if the bathroom was going to be year-round or seasonal? Mr. Voight said the cost difference could be anywhere from \$2500 to \$5000 difference. Long term cost could increase significantly with heating and servicing the bathroom during the winter. Concern was expressed about possible damage done during the winter. Councilor Quick asked what the season is, and Mr. Lewellen said they try to open the park bathroom by April 15 and close it mid-October depending on weather. *Councilor Williams made a motion to build the City Hall bathroom as a seasonal bathroom. Councilor Beers seconded the motion. All ayes, motion carried.*

Homeless Camping Update – Administrator Letham was not able to get in contact with the League of Oregon Cities (LOC) attorney prior to the meeting. The Senate Bill was passed by the State. This will limit what the city can do regarding the homeless. A study was commissioned in California about homelessness. In the study they found 3 key causes to homelessness. First reason was mental illness, the second reason was drug addiction, and the third reason was a combination of both. Another point made by this study was that those communities that had a relaxed attitude about homelessness attracted more homeless. Cities that have a strict approach to homelessness and enforce those laws tend to have a smaller problem with homelessness. He will work with the LOC attorneys to draft strict resolution(s) that address homelessness. The study also found that even if cities went to extremes to create places for the homeless to go, those places were rarely used. Audience member Chris Wiseman said he looked at the Senate Bill and saw that it said that camping sites had to be made available to the homeless for no charge. Chief DeLange commented that the city parks are ok as there is a city ordinance in place that states no public camping in the park. His concern is other properties that the City owns. Discussion ensued as to what the city is required to provide. Administrator Letham said that he will work with LOC to see what the requirements are. Councilor Williams asked do we have ordinances in place for street parking, camping, what kind of timeline for staying?

Small City Allotment Grant – N. Saginaw Paving Project – Administrator Letham let the Council know that the city was awarded a Small City Allotment Grant in the amount of \$100K for street repairs. At the time of application N. Saginaw was listed as the priority street to be repaired. There is a lot of water that runs under the base for the street. Councilor Williams asked why tear it up to lay a new base? Why not make the current street the base and overlay on top of that? Administrator Letham will check into that to see if it will work.

Lagoon Lift Station Renovation Project – Administrator Letham stated that the City received \$314K in ARP funds. We received \$150K for this year. We can use it for infrastructure. He has Anderson Perry looking at the project. He has contacted Biz Oregon to see if there are any grants that we could apply for. The lagoon lift station is for

the immediate need. The next step would be a wastewater master plan. Biz Oregon is already looking at funding for that. Would like to look at a city-wide plan to upgrade the whole infrastructure. Superintendent Lewellen described the work needed. The newest pump at the lift station was installed in 1978. The others are 1969 and 1972. The pump station was built in the '50s. The engineer was out inspecting last week. He wants to replace everything, the electrical, the pumps, etc. Also thinks the lagoons need to be dredged. Said they make pumps with screening that are automated so the crew would not have to manually clean out the pumps. He said the engineer told him that there are grants available to help bring aging systems up to current code. Administrator Letham said that he is working with Biz Oregon, Anderson Perry and DEQ to come up with a list for grants that the city could qualify for. Councilor Quick asked what kind of cost is the city looking at? Administrator Letham said the pumphouse upgrade will take up most of the ARP funding. He said that he will bring numbers forward to the next meeting for discussion.

Discussion: 2nd Amendment Sanctuary City – Chris Wiseman presented at the last City Council meeting. There is a copy of County Ordinance No. 2021-01 Declaring a Second Amendment Sanctuary in Harney County. Gretchen Bates handed out a copy of the County ordinance amended to provide an example of a City of Hines ordinance. They are asking for the city to adopt a similar ordinance. Stephanie Wiseman read the synopsis of SB 554. Ms. Bates explained that there is a referendum in the works to force SB 554 to go in front of the voters. In the meantime, they are asking the city to consider an ordinance like the one passed by the County that resists SB 554. The Mayor summed up their request by stating what they are requesting is that the city adopt an ordinance that says the city will follow the 2nd Amendment to the U.S. Constitution. Councilor Quick asked Chief DeLange his thoughts on this. He has concerns about legal issues if police need to take a gun away from someone suffering from mental illness for example. Chris Wiseman commented that 2/3 of the counties across the U.S. have become 2nd Amendment Sanctuary counties. Discussion ensued regarding issuing a resolution stating that the City supports the 2nd Amendment as opposed to passing an ordinance that could possibly have legal and/or fiscal impact to the City. Chief DeLange suggested the City's attorney review the County's ordinance and get their feedback. Councilor York wondered why the County ordinance was so broad. Ms. Bates responded that the County was trying to cover all the bases as the SB was so broad. Councilor Beers like the idea of issuing a resolution in support of the 2nd Amendment, and after further research possibly issuing an ordinance. Ms. Bates added that Senator Findley and Representative Owens support such an ordinance 100%. Eldon Hart commented that the County ordinance should be in the paper so that the residents know what is going on. There are multiple locations in Hines and Burns that have the referendum if someone would like to sign it.

New Business

Planning Commission Recommendation: Zone Change on Circle Drive Lot

Ron Schirm is interested in purchasing the vacant lot next to the OSP office on SW Circle Drive. He is researching what would be required to build 3 duplexes (townhouse style) on the property. The land is currently zoned Commercial and has petitioned the Planning Commission to recommend to the City Council that the property be re-zoned as residential. He also asked for permission to use the alley between Circle Dr. and Quincy as a driveway for the units. Parking was discussed. If residents decided they wanted to park they could conceivably tie up the parking for the Post Office, OSP Office and even the park. A question was brought up about the current zoning around Circle Dr. It was explained that the homes were built prior to the Zoning ordinance and were grandfathered in 1979. If something happens to one of the homes, such as a fire, the owners have 1 year to rebuild a home, or the zoning changes to commercial. Superintendent Lewellen is concerned about the water meters in the alley. Councilor Beers expressed concern about vehicle access. Councilor Williams suggested that the Council make a decision in consideration of time. Administrator Letham presented options to the Council. They could suggest to Mr. Schirm a mixed-use type of building with shop(s) on the ground floor and apartment(s) above, they could deny the recommendation, or they could approve the recommendation. Chief Spence asked if the alley would be wide enough for a firetruck and was told no. Superintendent Lewellen expressed concerns about the antennas on the new water meters. It does not seem to be feasible. *Councilor Beers made a motion to deny the Planning Commission's recommendation. Councilor Quick seconded the motion. All ayes, the motion carried.*

Harney County Fair Sponsorship – Jordon Bennett – Mr. Bennett said that this year they are bringing in cowboys from out of the area to compete in this year's rodeo. He suggested the city donate towards the prize money, as the larger the purse, the more contestants of higher quality participate. He and Administrator Letham will discuss this further and bring the subject back to the Council at a later date.

Donation Request: Red Ribbon Week – *Councilor Williams made a motion to approve \$150 donation for the drug & alcohol-free dinner for Red Ribbon Week. Councilor Shepherd seconded the motion. All ayes, the motion carried.*

Donation Request: Harney County Senior Center – Senior Nutrition Program – *Councilor Beers made a motion to \$150 donation to the Senior Center Nutrition Program. Councilor Williams seconded the motion. All ayes, the motion carried.*

Donation Request: Harney Partners for Kids and Families – Councilor York explained CASA. They are advocates for foster youth. Councilor Quick asked what does the money go towards? Councilor York responded that it is to assist with recruiting of CASA advocates who are volunteers and to possibly help with travel costs. *Councilor Quick made a motion to donate \$300 to CASA. Councilor Williams seconded the motion. All ayes, motion carried.*

Public Comment Period (Speaking time limits may apply):

Mrs. Hart thanked Mr. Beers for the research that he did on the mosquitos. She said that they have had sludge in their water lines. She would like to know when their water should be clear again. Superintendent Lewellen said tomorrow he will flush the hydrant by their home.

Mayor and Council Comments

Councilor York – A citizen approached her about animals in the city limits. Possible violation of the number of animals. Rabbits are permitted pets, goats the resident needs a permit from the city. She to work with Administrator Letham.

Councilor Shepherd – She wanted to thank Amie and Paula for the work done on the Independence Day celebration. Administrator Letham said he would pass on her comments.

Councilor Quick – She told the Harts that she was glad they spoke about the mosquitos and thanked them for mentioning it to the Council. Thanked the department heads.

Councilor Beers – He had a citizen approach him about the fire danger present from empty lots with tall grass. Many of them are along the highway. Visibility issues at stop signs, can we get parole & probation to take care of it? Hole at Pettibone & the Highway, can we get gravel to fill the hole? Superintendent Lewellen said they filled that hole 2 weeks ago. The cut on Bennett between Quincy & Roanoke...Superintendent Lewellen said they filled that hole 3 weeks ago. Wanted to acknowledge that Dan Griggs helped him with the mosquito research.

Councilor Williams – None.

Next Council Meeting is scheduled for July 27, 2021, at 6:30pm.

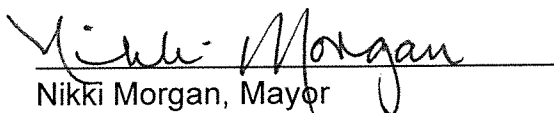
Adjournment:

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 9:20pm.

Respectfully Submitted:

Kirby Letham
City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON July 27, 2021.


Nikki Morgan, Mayor