

**MINUTES FROM  
A MEETING OF THE HINES COMMON COUNCIL  
February 9, 2021**

**Present:**

**Mayor:**

Nikki Morgan

**Council:**

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

**City Staff:**

City Administrator Letham, Chief DeLange, Chief Spence and Public Works Acting Superintendent Lewellen

**Public Audience:**

Duane Hutchins, Hilda Allison, Warren Stahl, Judy Irwin, Lola Johnson and Dustin Beers

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

**Approval of the February 9, 2021 Agenda**

*Councilor Beers made a motion to approve the agenda for February 9, 2021 as presented. Councilor Williams seconded the motion. All ayes, the motion carried.*

**Approval of the January 26, 2021 Meeting Minutes**

*Councilor Beers made a motion to approve the meeting minutes from January 26, 2021. Councilor Williams seconded the motion. All ayes, the motion carried.*

**Accounts Payable for January 28, 2021 and February 9, 2021**

*Councilor Beers made a motion to approve the A/P for January 28, 2021 in the amount of \$4,054.88 and February 9, 2021 in the amount of \$26,360.46. Councilor Williams seconded the motion. All ayes, the motion carried.*

**Department Reports**

**Chief DeLange** – Reported there has been 247 calls since his last report. Domestic violence calls are out of control. They are averaging about one per day. Drugs involved in most of them. DUIs are up. Allen Johnson has been hired as a reserve officer. They have written the first drug ticket which is processed through Justice Court. Would like the Council to pass an Ordinance similar to the Kratum Ordinance. A lot of thefts around town. Items being taken out of the back of trucks and cars. Residents should not leave items of value in their vehicles at night, especially guns as they are being taken. A lot of traffic stops lately, with quite a few tickets being written. There are been several vehicle accidents. County and State have had a couple of fatal accidents that seem speed related. Sex abuse and mental health cases are down. He, Chief Skunkcap and some officers have visited the schools talking about drugs. The State has passed a law that all new police officers must pass a psych eval. The officers must travel to Sisters for the test

and it is a \$600 charge to the City for testing. The State is proposing a bill that requires any new police officer must have a 2-yr college degree, otherwise the officer would not be State certified. Councilor Quick asked what the justification is and Chief DeLange responded that it is part of the State's police reform program. Councilor Miller stated that we need to do something soon about the drug problem, at least within City limits, such as an Ordinance. Administrator Letham said that he and the Chief will work with the District Attorney and City attorneys to see what can be done about this. Councilor Williams asked if Chief DeLange had heard from any other Police Chiefs about what other cities are doing. Chief DeLange explained that right now everyone is having a wait and see what happens attitude. Councilor Williams asked if the City could pass an Ordinance and raise the fine above \$100. Chief DeLange said yes, but we would be going against what the State has set. The City cannot arrest someone on a drug violation however, we can raise the fine over what the State has set. Councilor Quick asked if the City could seize property. Chief DeLange said since it has been decriminalized, he is not sure. If so, it would have to be done through Civil Court. He did say that if you receive multiple violations it then turns in to a criminal rather than civil violation.

**Chief Spence** – 1 call to 911 since last month. 2 vehicle crash in front of the Shell station the other night. Pretty hard collision with spillage. Has been working with Burns, Tribal and Search & Rescue and had ice rescue training at the gravel pits. The had "Burn to Learn" training on Saturday. Extrication training was held the other day. New recruits are getting some great training.

**Public Works, Acting Superintendent Lewellen** – They are pumping approximately 150K gallons of water/day currently. Lagoon is handling approximately 135K - 140K gallons per day. Pumping into the overflow lagoon currently. Pumping approximately 210K gallons per day to get it full for the Spring. Plowing a lot of snow. Got the Skate Park plowed clear to allow installation of the new equipment. Had a belt break on the plow truck. Have gone through the City replacing missing street signs.

**City Administrator Letham** – Administrator Letham thanked the Public Works crew for their assistance with the installation of the pieces for the Skate Park. Used the recently purchased forks for the skid steer which was used for moving the pieces. The City also recently purchased a 4-wheeler. Has been immediately useful clearing snow from the sidewalks. Oregon Government Ethics Commission (OGE), he will send an email to the Council members with instructions. Well #3 is currently off-line. The casing is going to be replaced through a change order prior to bringing the well back on-line. The Planning Commission is reviewing an Ordinance addressing Accessory Dwelling Units (ADUs). Once they have completed their review, they will present a recommendation to the Council. He and Chief DeLange will be meeting with the 911 Board next week to renew the IGA. The City will host Obsidian Days this year. Almost all vendors have said they will be here. Planning on hosting the 4<sup>th</sup> of July in Hines Park again this year. Will be meeting with the engineers and contractors again next month to gear up again for the water project. Have received several telephone calls regarding mosquito control. Biggest concern has been communication. He has explained that the first steps will be discovering mosquito breeding grounds and then spreading larvicide. And then observing where adult mosquitos are and using controlled ground spraying to eradicate the adults. The City will release information with the February water bills explaining the process and will work to make sure residents know what is happening. Goal to have park sprinkler bid ready by

the end of February and ready for the approval at the March 9<sup>th</sup> meeting. He has been working with the Fire Department for a grant for new equipment. Looking at a grant of \$50K for new turnout equipment. Councilor Miller asked about the walking path grant. Asked what the matching amount would be. Administrator Letham said he will go into more detail later in the meeting but said there are both a Federal and State grant available. The Federal grant requires a 10-11% match. The State grant requires a 30% match, but they will accept "in kind" such as volunteer hours, or money paid to engineers, etc. towards that total.

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

Warren Stahl – would like to propose that the City map in the Public Works shop be preserved and saved. It is a hand drawn map. The Council was very receptive to this idea.

**Old Business:**

**Lola Johnson, Director of the Chamber of Commerce:**

Ms. Johnson wanted to let the Council know that she has resigned as the Director of the Chamber of Commerce. She wanted to take the time to come in and thank the Council for all their support. Council members wished her well with her new venture.

**Ordinance 328: Fuel Tax – First Reading**

Ordinance 328 is the Ordinance that will put in to affect the fuel tax that was voted on in November 2020, instituting a \$.01/gallon fuel tax. Administrator Letham will read the complete Ordinance at the second reading. Tonight, he will paraphrase the ordinance. This ordinance is enacted to provide additional funds for the construction, reconstruction, improvement, repair, maintenance, operation and use of the public highways, roads, and streets in the City and those subject to City control. This ordinance shall be known as the "City of Hines Motor Vehicle Fuel Tax Ordinance." This measure was passed by the voters by a total of 551 Yes, 358 No. The Council will read the Ordinance and vote to adopt during the March 9<sup>th</sup> meeting. The fuel tax is set to become effective as of April 1, 2021.

**Update on TLT Funds**

The City budgeted \$7,125 for tourism promotion from TLT funds. So far, the City has received \$4,511.53 for this budget year. For the 2019-2020 fiscal year the City budgeted to spend \$9,500 in tourism promotion from TLT funds, but still had \$4,445.79 at the end of the year that moved into "Available Cash on Hand". We can write a resolution to move the money back to the TLT account. This would allow the City to make plans to spend this money this fiscal year. There are a couple of City residents that are interested in working with City staff with this project. Duane Hutchins and Hilda Allison have both volunteered to work on this.

**Update on the Pathway Grant**

In September 2020 ODOT released the 2021 Oregon Community Paths Grant Application. In October 2020 Administrator Letham submitted a letter of intent to apply. In November 2020, the City Administrator was advised that our letter of intent had been approved and the City was cleared to apply for the grant. The Valley Golf Club members submitted several concerns about the proposed pathway. The map was modified to

address those concerns. The grant application was submitted February 1<sup>st</sup>. The City will be notified sometime between March and May 2021 if the proposed project was awarded a grant. Councilor Miller asked if it is necessary for the Council to vote on approval of what would be needed for matching funds. The Mayor responded that until the City receives the award there is no need for a vote. Administrator Letham said that if the City receives the grant, the match would be budgeted and voted upon, then there would be a design phase, then final approval of designs from ODOT before construction. This would ensure that the project costs fall within the amount of the grant.

### **New Business:**

#### **Business License Application – Freedom Industries: Dustin Beers (Construction)**

Has his CCB License and business insurance. Received a business license from the City of Burns. He will begin with drywall and flooring as he builds his experience and client base. *Councilor Williams made a motion to approve the business license for Freedom Industries. Councilor Miller seconded the motion. 5 ayes, 0 nay, 1 abstain.*

### **Homelessness and “City Camping”**

A few years ago, the homeless problem became severe in Boise, ID. Boise tried to act and was sued by the ACLU representing homeless individuals. The City of Grants Pass had a similar lawsuit last summer. Both cities lost their cases in the lower courts and the Supreme Court has refused to hear Boise’s case. The results of these cases are that there are now big changes to how a city can or cannot address the issue of homeless camping. House Bill 3115 has been introduced at the state level. It is designed to ensure cities around the state are aligned with recent federal rulings limiting how local governments can regulate camping. Administrator Letham explained that he would like the Council to research the topic to be able to come up with how the City will address this issue. Councilor Williams mentioned that the City of Bend is having a terrible time with homelessness. He believes that the City does need to do something. Councilor Miller said that he believes with COVID-19 that the homeless issue will get worse. Councilor Quick asked Chief DeLange how many homeless he sees in a month. He said about 5. Administrator Letham added that although we cannot criminalize homelessness, if they are committing crimes, they can still be arrested. Councilor York asked Chief DeLange how this is different from squatting. Chief DeLange said that squatting involved private property, where “homeless camping” involves public property.

### **Public Comment Period (Speaking time limits may apply):**

None

### **Mayor and Council Comments**

**Councilor York** – None

**Councilor Shepherd** – None

**Councilor Miller** – Thanks to Lola Johnson for the work she did with the Chamber of Commerce.

**Councilor Quick** – Thanks to Lola Johnson for the work she did with the Chamber of Commerce. Thanks to Chief Spence and good job with the training.

**Councilor Beers** – Thanked the department heads for doing great jobs. Also, thanks to Lola Johnson for her work with the Chamber of Commerce.

**Councilor Williams** - None

**Mayor Morgan** – Thanked the department heads.

Next Council Meeting is scheduled for February 23, 2021 at 6:30pm.

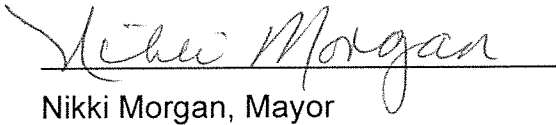
**Adjournment:**

*There being no further business, Councilor Beers made a motion to adjourn the meeting. Councilor Williams seconded the motion. All ayes, the motion carried. Meeting adjourned at 8:05pm.*

Respectfully Submitted:

Kirby Letham  
City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON FEBRUARY 23, 2021.

  
Nikki Morgan, Mayor