



## City Council Work Session Minutes June 27, 2023

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Mayor: Robert Duncan, Presiding  
Council President: Mike Caughey, Present  
Councilors Present: Kimberly Downey, Robert Boese, Randy Klemm, Charlotte Thomas  
Councilors Absent: Vacant Position  
Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz, Finance Officer/Deputy City Recorder Cathy Nelson and City Recorder/Municipal Court Clerk Lori Ross  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan at the hour of 6:35pm

**CONCERNED CITIZEN(S) IN THE AUDIENCE:** All in attendance were there for items on the agenda.

### **THE MATTER OF MEETING WITH A MEMBER REPRESENTATIVE FROM LCSO IF ONE IS AVAILABLE**

**STAFF REPORT:** Sergeant Frambes reviewed the report for May 2023 and pointed out there were 77 more calls in May than the previous month including an assault at the high school where a student attacked a teacher. The parents of the student were also arrested for interfering with a peace officer. Another arrest included a stolen phone at the boat ramp. Sergeant Frambes noted there was lots of traffic enforcement and Deputy Devin Smith was responsible for over half of the 60 plus stops.

- Downey asked Sergeant Frambes about bottle thefts around town. Sergeant Frambes replied that he has seen the Facebook post, but nobody has called dispatch.
- Boese asked about the radar trailer on N 7<sup>th</sup> Street being vandalized. Sergeant Frambes replied the wires were pulled out and disconnected; however, it was still able to gather a week's worth of data.
- Sergeant Frambes referred to **Addendum 1**, the Compliance & Risk Report showing the data gathered and commented that he has no concerns with this report and that only around 35 vehicles were stopped out of 17,881. He noted that this number includes repetitive vehicles going back and forth.
- Caughey commented on the pocket dials for May. Sergeant Frambes stated it's not abnormal for other cities including Scio who saw a significant increase last month.

**THE MATTER OF HOLDING A PUBLIC HEARING FOR AN ANNEXATION AND ZONE MAP CHANGE FOR 31.2 ACRES OF PROPERTY OWNED BY THE CITY OF HARRISBURG AND OTHERWISE KNOWN AS EAGLE PARK, AND APPROVING ORDINANCE NO. 995, “AN ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG, COUNTY OF LINN, STATE OF OREGON, INTO THE CITY LIMITS OF HARRISBURG, APPLYING A CITY ZONE, AND DECLARING AN EFFECTIVE DATE”**

Mayor Duncan read aloud the order of proceedings for the Public Hearing and noted the procedures for a continuance and the process to keep the record open.

***At the hour of 6:50pm, the Public Hearing was opened.***

Mayor Duncan asked if there were any conflicts of interest or ex parte contact. None were stated. There were no rebuttals in either request.

Mayor Duncan read aloud the criteria relied upon for the land use hearing and noted additional copies of the criteria are available by the front door of the Municipal Center. He also directed the audience on how they would need to direct testimony towards the applicable criteria and how an appeal could be made.

**STAFF REPORT:** Eldridge reviewed the staff report noting this process first began in 2013 when the Urban Growth Boundary (UGB) was extended. Eldridge commented that the annexation will simplify things for the City as we begin developing the City Park. Eldridge highlighted the following:

- Page 55 in the agenda indicates that no system development charges are due as there are no structures.
- Eldridge noted the zoning will be changed from Urban Growth Area-Exclusive Farm use (UGA-EFU) to a Public Use Zone (PUZ).
- Eldridge noted on page 56, the design standards are part of our Harrisburg Parks Master Plan meeting this criteria.
- Eldridge commented that the annexation must be continuous with the Urban Growth Boundary and the City is meeting this criteria.
- Eldridge further commented that criteria in ORS 222.111 has also been met with the adoption of Resolution No. 1271 adopting the Harrisburg Parks Master Plan.
- Eldridge noted the Department of Land Conservation & Development (DLCD), and other agencies were notified, and the City received no comments or concerns.
- Eldridge stated all requirements have been met.

Mayor Duncan asked if there were any questions from City Staff. There were no comments or concerns.

**Mayor Duncan asked for public testimony in favor or against the application. None were stated.**

Mayor Duncan then asked for any neutral testimony in relation to the application.

- Eldridge commented she did receive written testimony from Steve Philpot regarding his lessee, Ethan Brock, who has experienced problems with trespassers, garbage being left and fires on the property he farms. Philpot is hoping the City will work with him moving forward.

***With no testimony, the Public Hearing closed at the hour of 7:05pm.***

Eldridge commented that adoption of this ordinance will complete the process for the annexation and any appeals will need to be made to the Land Use Board of Appeals.

- **Caughey motioned to approve Ordinance No. 995, “AN ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG, COUNTY OF LINN, STATE OF OREGON, INTO THE CITY LIMITS OF HARRISBURG, APPLYING A CITY ZONE, AND DECLARING AN EFFECTIVE DATE” and was seconded by Downey. The motion passed unanimously by a vote of 4-0. (Yes: Caughey, Downey, Boese and Klemm. No: None.)**

**THE MATTER OF EXTENDING THE BNSF FRANCHISE AGREEMENT FOR ONE ADDITIONAL MONTH, BY APPROVING ORDINANCE NO. 996, “AN ORDINANCE AMENDING ORDINANCE NO. 798, SUPERCEDING ORDINANCE NO. 988 AND EXTENDING THE LENGTH OF THE FRANCHISE UNTIL JULY 31, 2023”**

**STAFF REPORT:** Eldridge commented that due to a poorly written maintenance agreement that was not acceptable, the City Attorney, Jim Brewer has asked for a one-month extension for it to be revised.

- Caughey hopes the City makes it clear that we aren't happy and that we won't be extending it every month.
- Boese asked if Eldridge feels the agreement will be finished in 30 days. Eldridge replied that Brewer thinks it will be.
- Eldridge is hoping to bring the franchise back to an Executive Session in July.
  - **Klemm motioned to approve Ordinance No. 996, “AN ORDINANCE AMENDING ORDINANCE NO. 798, SUPERCEDING ORDINANCE NO. 988 AND EXTENDING THE LENGTH OF THE FRANCHISE UNTIL JULY 31, 2023” and was seconded by Downey.**
- Before the final vote, there was further discussion from the audience. Resident Donna Duncan suggested adding there will be no further extensions to the motion.
- Caughey commented that he has great respect for Brewer and believes he is capable of expressing our views to the railroad. Caughey suggested we leave the motion as is and inform Brewer that this will be the last time.
- Mayor Duncan asked for a stipulation that Brewer will let BNSF know Council's standings and there will be no more extensions. Mayor Duncan asked for a final vote.
  - **The motion passed unanimously by a vote of 4-0. (Yes: Caughey, Downey, Boese and Klemm. No: None.)**

**THE MATTER OF APPROVING ORDINANCE NO. 997, “AN ORDINANCE AMENDING HARRISBURG MUNICIPAL CODE CHAPTER 13.05 SEWER SYSTEM AND HARRISBURG MUNICIPAL CODE CHAPTER 13.10 SEWER RATES AND CHARGES”**

**STAFF REPORT:** Eldridge informed Council the only change, besides formatting, was updating 13.05.070 addressing a health hazard timeline from 365 days to 6 months.

- **Downey motioned to approve Ordinance No. 997, “AN ORDINANCE AMENDING HARRISBURG MUNICIPAL CODE CHAPTER 13.05 SEWER SYSTEM AND HARRISBURG MUNICIPAL CODE CHAPTER 13.10 SEWER RATES AND CHARGES” and was seconded by Klemm. The motion passed unanimously by a vote of 4-0. (Yes: Caughey, Downey, Boese and Klemm. No: None.)**

**THE MATTER OF APPROVING STATE REVENUE SHARING RESOLUTIONS, AND HOLDING A PUBLIC HEARING GIVING CITIZENS OPPORTUNITY TO COMMENT ON THE USE OF STATE REVENUE SHARING FUNDS**

**Mayor Duncan opened the Public Hearing at the hour of 7:26pm**

**STAFF REPORT:** Nelson stated Council must approve these resolutions every year to receive revenue sharing funds including Cigarette and Liquor Tax and by approving it, we are saying we want the funds.

**With no testimony provided, the Public Hearing closed at the hour of 7:28pm.**

- **Caughey motioned to approve Resolution No. 1276, “A RESOLUTION CERTIFYING THE CITY OF HARRISBURG IS ELIGIBLE TO RECEIVE STATE REVENUE SHARING MONEY IN FY 2023-2024” and Resolution No. 1277, “A RESOLUTION DECLARING THE CITY OF HARRISBURG’S ELECTION TO RECEIVE STATE REVENUES IN FY 2023-24” and was seconded by Downey. The motion passed unanimously by a vote of 4-0. (Yes: Caughey, Downey, Boese and Klemm. No: None.)**

**THE MATTER OF APPROVING THE CITY BUDGET FOR FISCAL YEAR 2023-24 BY APPROVING RESOLUTIONS TO INCREASE WATER RATES (RESOLUTION NO. 1278), SEWER RATES (RESOLUTION NO. 1279), STORM DRAINAGE RATES (RESOLUTION 1280), TO ADOPT BUDGET APPROPRIATIONS FOR FY 2023-2024 BY APPROVING RESOLUTION NO. 1281 AND ADOPT A MODIFIED CASH BASIS FOR ACCOUNTING BY APPROVING RESOLUTION NO. 1282.**

**STAFF REPORT:** Nelson stated that Resolutions No.1278, 1279 and 1280 reflect a 2% utility rate increase as approved by City Council and the Budget Committee. Resolution No.1281 accepts the budget changes which include the \$15,000 for a new item, playground, which is a donation approved at the June 13<sup>th</sup> City Council meeting. Nelson noted this was the only change made since approved by the Budget Committee. Resolution No. 1282 was suggested by the City auditor as we are switching to Modified Cash Accounting to assist with reporting GASB-97 requirements.

- **Downey motioned to adopt the approved FY 2023-2024 City Budget as amended and to approve the following resolutions:**

**Resolution No. 1278, “A RESOLUTION ESTABLISHING WATER RATES FOR USERS OF THE HARRISBURG MUNICIPAL WATER SYSTEM, REPEALING RESOLUTION NO. 1266, AMENDING RESOLUTION NO. 578, SECTION 5, AND ESTABLISHING AN EFFECTIVE DATE.”**

**Resolution No. 1279, “A RESOLUTION ESTABLISHING SEWER RATES FOR USERS OF THE HARRISBURG MUNICIPAL SEWER SYSTEM, REPEALING RESOLUTION NO. 1267, AMENDING RESOLUTION NO. 579, AND ESTABLISHING AN EFFECTIVE DATE.”**

**Resolution No. 1280, “A RESOLUTION ESTABLISHING STORM DRAINAGE RATES FOR USERS OF THE HARRISBURG MUNICIPAL STORM DRAINAGE SYSTEM, REPEALING RESOLUTION NO. 1268, AND ESTABLISHING AN EFFECTIVE DATE.”**

**Resolution No. 1281, “A RESOLUTION MAKING APPROPRIATIONS FOR THE CITY OF HARRISBURG, OREGON, FOR THE FISCAL YEAR 2023-2024.”**

**Resolution No. 1282 “RESOLUTION ADOPTING THE CASH BASIS OF ACCOUNTING FOR THE ANNUAL BUDGET, BOOKS OF RECORD, AND FINANCIAL REPORTING”**

**and was seconded by Caughey. The motions passed unanimously by a vote of 4-0.**  
(Yes: Caughey, Downey, Boese and Klemm. No: None.)

**THE MATTER OF CONSIDERATION TO ALLOW A “COMMUNITY & ECONOMIC DEVELOPMENT PROPERTY IMPROVEMENT GRANT” REQUEST FOR \$39,160 FROM THE OWNER OF THE AIR THAI RESTAURANT BUILDING LOCATED AT 180 MOORE ST.**

**STAFF REPORT:** Eldridge introduced Maria de Guadalupe Carbajal de Jones who is present this evening. Eldridge reminded Council that she had originally applied for an HRA Grant to help with the cost of replacing her roof. Soon after, it was discovered the Air Thai Restaurant was not located inside the HRA District.

- Carbajal de Jones informed Council she has already spent \$50,000 on repainting the inside and outside, replacing the suppression system and the HVAC. She stated the cost for replacing the roof is \$80,000 which includes replacing the gutters.
- Eldridge referred to page 213 of the agenda which shows the guidelines for the Public Improvement Grant Program, a draft program created based on American Rescue Plan Act (ARPA) funds. Eldridge commented that the City had planned on not using these funds due to the funding gap for the water bond projects; however, she felt it was worth bringing to Council to see if these funds could be used on a one-time basis. Eldridge commented there is still \$2M in the HRA fund that we may not have to use if we can get a grant.
- Boese asked Carbajal de Jones if she received any additional bids. She replied she received two and this one was \$6,000 less. Boese asked how long the roof will last and she replied she wasn't certain but felt it was the best roof for the property.
  - **Downey motioned to approve the community and development grant request for Maria de Guadalupe Carbajal de Jones in the amount of \$39,160 upon completion of the work described in the grant application and was seconded by Caughey. The motion passed unanimously by a vote of 4-0.** (Yes: Caughey, Downey, Boese and Klemm. No: None.)

**THE MATTER OF RECONSIDERING SIZE LIMITATIONS TO ACCESSORY STRUCTURES IN HMC 18.50.150**

**STAFF REPORT:** Eldridge commented that it was discovered with the new development code that an accessory structure refers to a garage carport as well as a shed and feels that the 500 square foot size limitation, for a garage, is too small. Eldridge noted that within the code there is also a 50% square foot limitation compared to the primary structure and the height cannot exceed the primary dwelling. Eldridge stated the Planning Commission discussed this at their last meeting and decided to allow up to 1,000 square feet for an accessory structure. Eldridge commented that two citizens were considering applying for variances and changing this will keep it from needing to be approved by the Planning Commission.

- Boese liked the idea of making it easier for residents.
- Klemm likes changing it to 1,000 square feet.
- *The consensus from City Council was to bring an Ordinance back to a future meeting.*

**City Council recessed at 7:58pm to begin the HRA Board Meeting. The HRA Board meeting concluded at 8:00pm, however, other discussions took place not affiliated with the HRA before returning to the City Council Work Session. That discussion will be included below.**

**OTHERS:**

- Caughey spoke of continued frustration with Republic Services regarding picking up glass and yard debris and with them not giving their customer service employees

proper information. Caughey is aware of other residents around town who are also frustrated for the same reason.

- Scholz thinks it's a customer statewide problem from growing too fast.
- Eldridge spoke of the Clean-up Event held on June 24<sup>th</sup> and noted there was some confusion, or lack of communication with the extra dumpsters the City purchased. Both dumpsters were smaller resulting in Public Works putting yard debris into the City dump truck. She added that City Attorney Jim Brewer is working on the Franchise Agreement.
- Klemm asked if Junction City was an option for garbage service. Eldridge responded yes.
- Boese added that Coburg also has their own garbage service.
- Eldridge noted that Republic Services still hasn't submitted their annual Summer Sounds Donation.
- Caughey asked Scholz about the status of the water system. Eldridge commented that the City was not a recipient of the Capital Campaign, and most awards went toward requests for sewer and streets, adding capacity for housing.
  - Scholz replied we are moving forward with splitting the project into two phases using state funding, grants, or loans for phase two. Our engineers are currently separating out two big projects. He noted the system will not be operable until both phases are complete, but he feels by the end of the year, we will have a better time frame.
- Eldridge informed Council she met with SMAC recently and they will be scheduling training for Councilors in August or September.
- Eldridge informed Council that McCracken Trucking is looking into relocating their trucking division from Portland to Harrisburg.
- Eldridge informed Council she will be on vacation from the 5<sup>th</sup> of July to the 17<sup>th</sup>.
- Eldridge reminded Council of the 4<sup>th</sup> of July Holiday schedule.
- Caughey informed Council he will be on vacation from the 8<sup>th</sup> of July to the 23<sup>rd</sup>.

**With no further discussion, the City Council Work Session adjourned at the hour of 8:36pm.**

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**Mayor**

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**City Recorder**



# Compliance & Risk Report

Harrisburg, 7th St., NB

Start: 2023-06-07  
 End: 2023-06-16  
 Times: 0:00-23:59

Medium Risk Threshold: Speed Limit + 10  
 High Risk Threshold: Speed Limit + 20  
 Speed Range: 1 to 150  
 Time View: By Hour (Total Volumes)

Time	Speed Limit	Mode	Compliant	Low Risk	Medium Risk	High Risk	Total Num Vehicles
0:00	25	Dependent Messages	83	16	0	0	99
1:00	25	Dependent Messages	57	5	0	0	62
2:00	25	Dependent Messages	30	6	0	0	36
3:00	25	Dependent Messages	43	7	1	0	51
4:00	25	Dependent Messages	67	23	3	0	93
5:00	25	Dependent Messages	173	47	1	0	221
6:00	25	Dependent Messages	492	138	1	0	631
7:00	25	Dependent Messages	638	156	1	0	795
8:00	25	Dependent Messages	839	142	0	0	981
9:00	25	Dependent Messages	698	183	2	0	883
10:00	25	Dependent Messages	733	232	1	0	966
11:00	25	Dependent Messages	856	242	1	0	1099
12:00	25	Dependent Messages	841	235	1	1	1078
13:00	25	Dependent Messages	749	261	3	0	1013
14:00	25	Dependent Messages	776	267	1	0	1044
15:00	25	Dependent Messages	1205	313	3	0	1521
16:00	25	Dependent Messages	1188	425	3	0	1616
17:00	25	Dependent Messages	1134	436	5	0	1575
18:00	25	Dependent Messages	842	307	1	0	1150
19:00	25	Dependent Messages	659	203	2	0	864
20:00	25	Dependent Messages	751	220	1	0	972
21:00	25	Dependent Messages	566	87	1	0	654
22:00	25	Dependent Messages	272	41	0	0	313
23:00	25	Dependent Messages	137	25	2	0	164
<b>Total</b>			<b>13829</b>	<b>4017</b>	<b>34</b>	<b>1</b>	<b>17881</b>





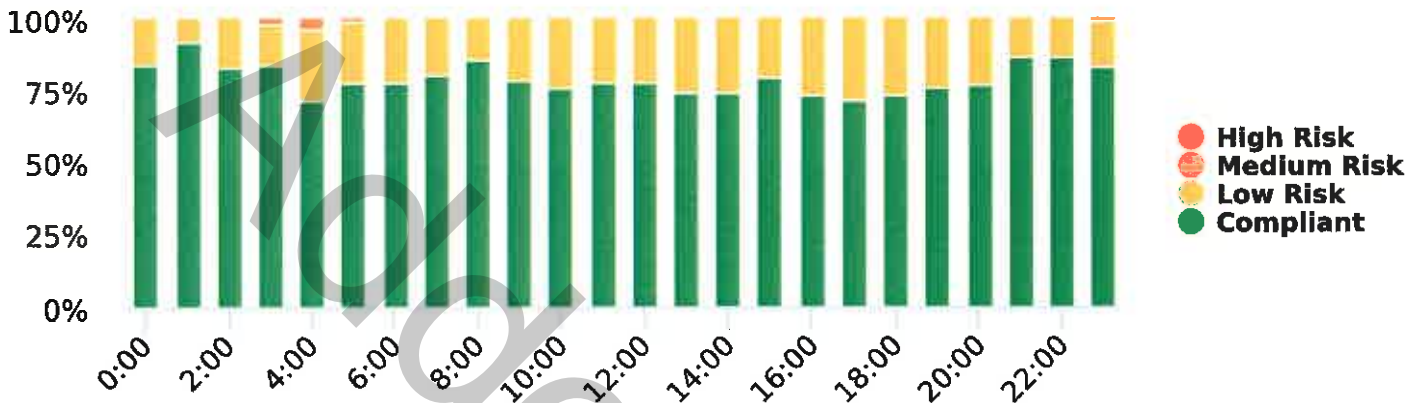
Start: 2023-06-07  
 End: 2023-06-16  
 Times: 0:00-23:59

# Compliance & Risk Report

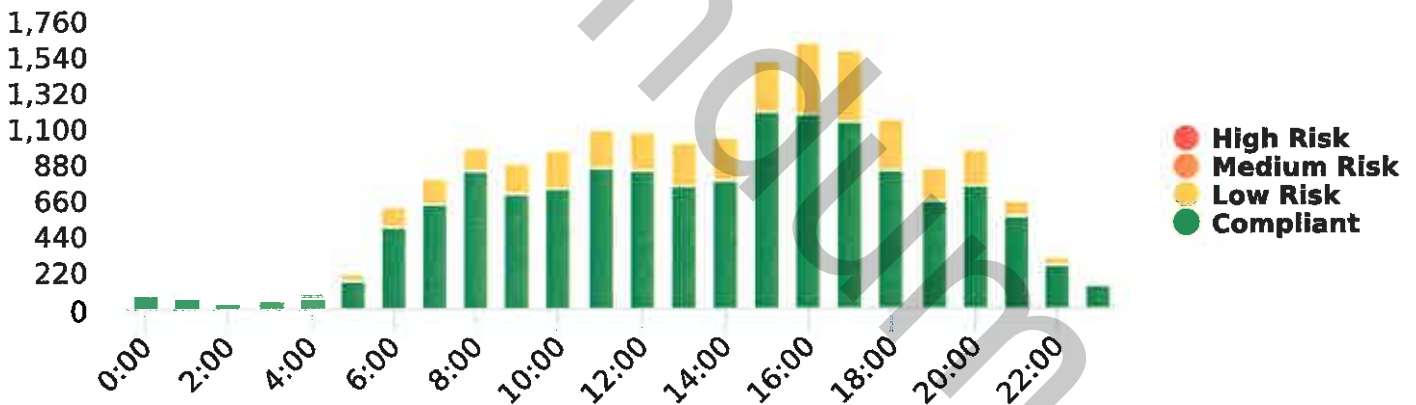
Harrisburg, 7th St., NB

Medium Risk Threshold: Speed Limit + 10  
 High Risk Threshold: Speed Limit + 20  
 Speed Range: 1 to 150  
 Time View: By Hour (Total Volumes)

Compliance % by Hour (Totals)



Compliance by Hour (Totals)



Speeds

