



Harrisburg City Council Minutes

January 14, 2020

The Harrisburg City Council meeting was called to order at 6:30pm. Presiding was Mayor Robert Duncan. Also present were Mike Caughey, Kim Downey, Adam Keaton, and Randy Klemm. Absent were Rob Boese, Charlotte Thomas, and Youth Advisor Quinton Sheridan. Staff present were Interim City Administrator John Hitt, City Recorder/Asst. City Administrator Michele Eldridge, Public Works Director Chuck Scholz, Court Clerk/Library & Utility Billing Supervisor Lori Ross, Librarian Cheryl Spangler, and Contract Planner Jordan Cogburn.

Meeting Location: Harrisburg Municipal Center @ 354 Smith St.

CONCERNED CITIZENS IN THE AUDIENCE: All present were for items on the agenda.

THE MATTER OF THE FRED PROPERTY & EQUIPMENT, LLC COMPREHENSIVE PLAN MAP AMENDMENT AND CONCURRENT REZONE APPLICATION (LU 413 & LU 414) AND APPROVING ORDINANCE NO. 971, "AN ORDINANCE AMENDING THE HARRISBURG COMPREHENSIVE PLAN MAP AND ZONING MAP TO REZONE LAND INSIDE THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG".

Mayor Duncan read aloud the order of proceedings, and the procedures to ask for a continuance, or to leave the record open.

At the hour of 6:36PM, the Public Hearing was opened.

Mayor Duncan asked if there were any Conflicts of Interest, or Ex Parte contacts. There were none declared; nor were there any rebuttals of such.

Mayor Duncan then read aloud the criteria that were relied upon for this land use hearing and noted additional copies of criteria near the door. He also directed the audience in how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

Staff Report: Jordan Cogburn, the City's Contract Planner, related the criteria for this issue, as HMC (Harrisburg Municipal Code) 18.120, which covers amendments to the zoning code, or Comprehensive Plan Map amendments. The property is surrounded by both R-1 and R-2 zones, so this is not considered spot zoning. An assisted facility type of use would be allowed with a Conditional Use Permit, but the applicant preferred to obtain R-2 zoning to have a higher

density allowance. The applicant has a nice project and a good application, and there are no real issues listed here. His recommendation is similar to that of the Planning Commission, and he recommends that the City Council approve this request as stated.

- Mayor Duncan asked if the legislature hadn't been talking about allowing R-2 uses in a R-1 zone?
- Cogburn told him that was mostly specific to larger cities, not to a city the size of Harrisburg. Regarding this request, they've made a strong case that the R-2 zoning is better for this site.

Applicant's Presentation: Karl Mueller, from Mueller Planning, said that as Mr. Cogburn has noted, this is a good proposal that fits in well with this area in the Harrisburg community. They are asking to change the zoning from an R-1 to R-2 zone, in order to accommodate senior housing on this property. He pointed out that there is more of a shortage of R-2 land, then there is of R-1 land in the City. Therefore, the zone change request makes sense. In addition, he pointed out that there is a lack of senior housing in the community.

- Klemm asked if they were targeting this housing towards seniors who need more assistance with life activities, or if it was independent housing that they were planning.
- Mueller told him that they weren't planning on assisted living. They are still determining exactly what kind of housing they will put on this property.
- Klemm had no problem with independent senior housing.
- Tim Walter, City Resident and a managing member of Fred Property, located at 445 N. 7th St. had 3 main points. The first was the change in zoning, which is supported by the 2013 Harrisburg Urbanization Study. The second is in relation to investors. They haven't finalized plans in relation to what they are planning for development, because the investors don't like loose ends and moving parts. In order to take the next step, they had to obtain the rezoning. He, and the other members, are committed to providing senior housing in Harrisburg. Finally, obtaining a higher level of care for seniors is extremely difficult, and a far bigger, and more complicated project than what this project is. Hiring an engineering company, is probably the smartest move he ever made; he then asked the City Council to support this request.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY, WAS REQUESTED. THERE WAS NONE, AND THEREFORE NO REBUTTALS OF SUCH.

THE PUBLIC HEARING WAS CLOSED AT 6:55PM.

All of Council was in favor of this project, as it was noted that there is no dedicated senior housing in town. Mayor Duncan wanted it noted especially that the quality of the person who was working on this project was why he was in favor of it. He thought this would be great for the City.

- Klemm **motioned to approve the Fred Property and Equipment LLC Comprehensive Plan Map Amendment and Concurrent Rezone Application (LU 413 & 414), subject to Conditions of Approval contained in the January 7, 2020 Staff Report. The motion is based on Recommendations by the Planning Commission on November 19, 2019, and on Findings made by the City Council**

during Deliberations on the Request at the January 14, 2020 Public Hearing. He was seconded by Keaton, and the City Council voted unanimously to approve the request for the Comprehensive Plan Map Amendment and Concurrent Rezone application.

- Downey then motioned to Approve Ordinance No. 971, “AN ORDINANCE AMENDING THE HARRISBURG COMPREHENSIVE PLAN MAP AND ZONING MAP TO REZONE LAND INSIDE THE URBAN GROWTH BOUNDARY OF THE CITY OF HARRISBURG.” She was seconded by Klemm, and the City Council voted unanimously to approve Ordinance No. 971.

THE MATTER OF APPROVING ORDINANCE NO. 972, “AN ORDINANCE AMENDING HARRISBURG ORDINANCE NO. 895 – ANNEXING CERTAIN PROPERTIES UNDER THE ‘ISLAND ANNEXATION’ PROVISIONS ALLOWED BY ORS 222.750 IN 2011

Staff report: Hitt noted that there are basically 3 issues that have arisen in relation to this delayed annexation; of which he noted that the property is now known as 770 and 776 N. 7th St. First, is that the City allowed an extension of the annexation, which should have occurred in 2017. The property changed hands in June of 2017, after that Council meeting, in which Tim Walter paid \$125,000 for the property. Therefore, that part of the original ordinance is already unmet. In addition, the original ordinance specified that the property would be zoned R-1, which is now incorrect. Finally, he proposes that the annexation be finalized once the city receives a formal land use development application, or by not later than March 1, 2021. In 2018, the tax lots that were purchased were consolidated. In addition, some of the buildings on the property have been removed.

- Walters, who was still present, commented that there were two homes on the property, both manufactured. He wasn't sure which on the assessor's report was the remaining home.
- Hitt felt these changes would clean up what was done in 2011. A reasonable course of action is to still have the March 1, 2021 trigger, which is part of state law, and is not allowed to be extended.
- Caughey asked how the transfer of ownership happened, through a title company without having SDC's paid. There was a lien on the property too.
- Hitt told him that he brought up a good point. There are several issues going on here. The lien issue is coming up next, so he asked Council to wait to discuss that until the next item on the agenda.
- Walters said that prior to finalizing the deal with the previous owner, he came to the City Council, and in his presentation, he noted that if he had to pay the fees for the infrastructure, plus the SDC's, plus the interest that was being charged, then essentially, he would have to evict the tenant. The City Council declined to do that, because there was no way he could afford to spend that, in relation to the rent being charged; it's substantially below market, for a senior citizen on a fixed budget. As a result, City Council voted to say yes, we'll approve delaying the annexation, but he was supposed to work on getting senior housing developed. The next day, the City Administrator called him to say hey, we can't do that. To be honest with you, he doesn't know how the title company did it. He was told he wouldn't be charged until they started submitting site

plans and started construction. He knows that isn't satisfactory to Council, but that's what he was told.

- Caughey told him we will address it later.
- Downey then **motioned to approve Ordinance No. 972, "AN ORDINANCE AMENDING HARRISBURG ORDINANCE NO. 895 – ANNEXING CERTAIN PROPERTIES UNDER THE 'ISLAND ANNEXATION' PROVISIONS ALLOWED BY ORS 222.750 IN 2011"**. Klemm **seconded the motion**, and the **City Council voted unanimously to approve Ordinance No. 972.**

THE MATTER OF APPROVING THE FINAL 2019 HARRISBURG WATER SYSTEM MASTER PLAN, AND RESOLUTION NO. 1224.

Staff Report: Scholz noted that the Council now has the final Water Master plan, which is a protected document. The State returned all favorable comments, and thought it was a good plan, especially with the treatment facilities. The flow rates have been improved, especially during emergencies. The plan now has incorporated their comments, and this will be the final Water System Master plan which should cover the City's needs for the next two decades.

- Caughey **motioned to approve Resolution No. 1224, "A RESOLUTION ADOPTING THE HARRISBURG WATER SYSTEM MASTER PLAN "**. He was **seconded** by Downey, and the **City Council voted unanimously to approve Resolution No. 1224, and thereby, adopting the new Water System Master Plan.**

THE MATTER OF A REQUEST TO REDUCE ACCRUED AND FUTURE INTEREST RATES ON AN EXISTING LIEN, AND APPROVING RESOLUTION NO. 1225.

Staff Report: Hitt said that this resolution relates to January 2006, when a street improvement project was done. There were costs of \$28,371 that that went to this property, in order to reimburse the City for improvements. Those resulted in larger pipes, a storm water pump station, etc., and general oversizing of that area infrastructure for future development. In addition to the lien amount of \$28,371, it also imposed an interest of 4%; the total amount due at this time is \$49,129, of which \$20,758 is accrued interest. He had prepared a timeline of actions taken in relation to this property and had provided that for Council (Please see Addendum No. 1) Tim Walter is asking for relief from the assessment. It's up to Council to allow changes to the original resolution. Council can waive the 4% interest and take it back to just the original amount of \$28,371, or Council could deny any changes whatsoever. You could choose to waive it in its entirety, or to any amount you choose. However, he would like Council to bear in mind, that this work resulted in physical improvements which clearly benefited other properties, as well as the future development of Tim Walters property. That is why it is his recommendation is to forgive the 4% interest rate accrual, but not the original amount. Its Councils judgement call as to what they feel is fair and appropriate. He thought he understood that there was a property that already paid an amount for this improvement.

- Eldridge told him yes, the N7 Subdivision had to pay for the lien on the property, and technically, there is still one more property that is located directly south of Tim Walters property, who still owes on their resolution.
- Downey wanted to know why that wasn't paid off in escrow. That should have been done.

- Caughey said that the law says that you have to satisfy all liens existing on the property, or you shouldn't have been sold the property.
- Eldridge told them that all three resolutions were recorded liens at Linn County, and were tied to those properties.
- Downey said then they should have paid that off.
- Caughey said that it's the title company who is at fault for this. It's not Tim's (Walter) fault; he likely had no clue on how this process works; and no reason to know it should have been paid off.
- Downey said that money came out of taxpayers' pockets. The interest isn't as much of a problem for her, but she is concerned about the hard costs.
- Tim Walter thanked Council for considering this. He never intended to not pay the original costs of \$28,371, as that is owed to taxpayers. However, the discussion he had at that time, first, is that the property was never hooked up to the City's water system, and since it's not using water, it's not using sewer. So, because the property was on a well and septic system, and the original decision was to delay the annexation, is why he was told it would not come due and payable when the property changed hands. The \$28,000 was part of that discussion with the tenant, which City Council had mercy on. That was the discussion he remembered at that time. He did not ask, in his email, for a waiver of that amount, he was planning on paying what was owed. They aren't hooked up to the infrastructure and won't be until they start construction.
- Mayor Duncan wasn't sure that it speaks to the title company's problem. He only vaguely remembers that meeting.
- Walters commented that the previous owner carried the contract, so he can't ask that.
- Downey said that we would have to look at the title policy.
- Keaton asked if this isn't the sort of charge that would be supported by SDC's? If they installed a larger, oversize system, that supported new development. He is curious as to why this is a lien instead.
- Hitt said that there is a record in the minutes. The developer did oversize the infrastructure at the request of the City, at the expense of the City, to facilitate future development.
- Caughey suggested that if Tim Walter is now the owner, then he should go back to the title company. He could perhaps have them pay the lien that should have been paid when you purchased it.
- Downey, however, noted that it depends on the title you had. She added that she wants the hard cost of the improvement to be paid. She isn't as concerned about interest.
- Caughey and Keaton both concurred.
- Hitt said that this action would retroactively amend the original resolution.
- Caughey asked when the SDC's money will be paid.
- Hitt told him it would be no later than March 2021, which is the deadline for the annexation, if a development agreement is not received prior to that. The annexation must be finalized, prior to any development application being heard in the Planning Commission.

- Caughey noted then the resolution states that this goes away, in 2026. So, if for some reason, they decided to not move forward with this project, then the requirement would go away, correct?
- Keaton thought it would terminate or disappear then.
- Hitt advised the Council that they could amend that as well. You could amend it to say it doesn't terminate in 2026. You could strike that last sentence.
- Downey wondered why that was written that way?
- Scholz told her that it's likely because that's the estimated life of that oversize pipe. While the pipe itself could still be used for 50 years, the federal requirement is 20 years. Council discussed this issue for a while and determined that they would prefer that it get paid, and that it shouldn't drop off in the future. Hitt suggested language stating that it shall be due and payable, not later than Jan 11, 2026. Caughey and Klemm were both agreeable to that change.
- Keaton then **motioned to approve Resolution NO. 1225, "A RESOLUTION AMENDING RESOLUTION NO. 857, REMOVING THE INTEREST RATE REQUIREMENT AND THEREFORE REDUCING THE AMOUNT OF THE LIEN ON THAT PROPERTY IDENTIFIED AS 15S04W10CA00200", and then added on prior to the second on the motion, that it should also be amended to be due and payable not later than Jan 11, 2026.**
- Downey **seconded the motion, and the City Council voted unanimously to approve Resolution No. 1225, and thereby removing the 4% interest rate, and the \$20,758 in accrued interest, as well as amending that the principal amount will be due and payable not later than Jan 11, 2026.**

THE MATTER OF AUTHORIZING A MURAL TO BE PAINTED IN THE HARRISBURG PUBLIC LIBRARY.

Staff Report: Eldridge reiterated the information from the agenda staff report, which included a picture showing where the mural will be located. The Library Board approved the issuance of a contract with Holly Bea Jones at their last meeting.

- Cheryl Spangler, Librarian, said that the money for this, will be paid out of the Ready to Read grant, not out of the general budget. She encouraged the City Council to add to the amount that was approved by the Library Board. Holly is a great artist and has volunteered her time to the Library in the past.
- Scholz did ask for them to remove what looks like a heart on one of the trees. He didn't want someone cutting a heart into the trees in the park across the street.
- Klemm **motioned to authorize city staff to proceed with the steps needed to contract with Holly Bea Jones to paint an approved mural on the wall of the Harrisburg Public Library. He was seconded** by Downey.
- Caughey stated that he would like to ask if the Council could add in a matching amount for the artist, out of the General Fund?
- Council concurred with that request; therefore, Caughey **motioned to amend the original motion, to have the City match the \$150 fee to the artist and to say thank you. Klemm seconded that motion.**

- **The City Council then voted unanimously to approve the additional \$150 fee to be paid to the artist (for a total of \$300) for her work in the Library, and then also voted unanimously to approve the original motion, and therefore allowing staff to proceed with contracting with Holly Bea Jones for painting the approved mural in the Library.**

City Administrator Oral Report:

- Hitt asked if he could provide his oral report in relation to the Municipal Court issue, as Lori Ross was here tonight, and can go home after her report is heard.
- Lori Ross, Court Clerk, was here this evening, and handed out her report on Municipal Court (Please see Addendum No. 2)
- Hitt noted that they had recently made some changes in cooperation with the Judge. For instance, they had joined the violations bureau program, which provides for more fines being paid out of City hall and brings fewer people to court. It's clear, defined, and with limited deferred adjudication, they are clearly limited to 3 choices, and with proof required that they attend the class.
- Ross went into detail about the 3 different types of programs. One is geared towards middle aged people, who can take online classes, as well as being in a classroom if preferred. They will focus on in person classes and will save the online option for special circumstances. She can see if they took the class before and whether they don't fulfill their obligations. Classes are offered in Junction City, and in the Salem area. The AARP is another one they provide for older people; those are online classes. The final program is for younger drivers. There are a variety of talk tough classes, in which kids are shown by nurses what happens when you talk on the cell phone while driving, or don't buckle your seat belt. That class is harder for kids to get into, but it's worth it. If they sign up for traffic safety class, instead of receiving a citation, they pay a court fee, and are also responsible for paying for the cost of the class. They are on probation for a year, but if they fulfill their obligation, and if there are no citations in that 12-month period, their record is removed. If they fail, they are required to appear in court. The fee will not go to a presumptive fine, and they will have to pay the entire court fee. The violations bureau is nice, and good for people who don't want to go to court, or for those with only 1 or 2 tickets.
- Caughey asked if this information was on the City website?
- Ross told him it was. She had a big docket for court the next day. The financial report she handed out doesn't include her time but will in the future. She summarized the rest of the expense report.
- Klemm noted that on the first page, the total doesn't include the judge's salary.
- Ross had thrown this together quickly but said that that the total should be closer to \$10,000. After being asked how much time she spent on the Court program, she indicated that it was close to 50% of her time.
- Klemm was glad that most of the collections received would pay for that.
- Ross noted that we are in a good place with the collection report; we took over the court, on July 1, 2016, and the revenue progressively gone up.

THE MATTER OF APPROVING AN IGA WITH THE CITY OF COBURG FOR ENHANCED TRAFFIC ENFORCEMENT SERVICES.

Staff Report: Hitt summarized his report and noted that this is the final draft of the IGA for the enhanced traffic services program with the City of Coburg. Coburg will be providing a minimum of 25 hours of traffic enhanced services a month, provided mainly by their reserve officers. The contract will be effective from Feb 1st, to November 1st of this year, and will save us \$22 to \$23 an hour from what LCSO (Linn County Sheriff's Office) does. We've written in the requirement for a summary traffic survey from the Coburg Police Department, due not later than June 30th. This will provide us with the type, frequency and severity of traffic crimes, and will give us a baseline of where the worst areas are in town, and what kind of traffic violations we are most prone to. We also have the ability to have them be court bailiff if needed or necessary.

- Caughey asked specifically how are they going to handle something like a DUI? Will they transport people to the jail in Linn County, or will they process it themselves, and if they do, where will people be detained?
- Hitt said that there are only two places to take people with DUI's: in Albany or Eugene. We haven't coordinated that with LCSO yet. There will be lots of details and coordination, which will be worked out with City staff, as well as LCSO, and the Coburg police force.
- Klemm asked when they issue citations, are those allowed to come to our Municipal Court?
- Mayor Duncan told him yes. They already have citations, with our name and address, and cars will have magnetic shields, that have both Coburg and Harrisburg on them.

The City Council discussed some concerns about traffic issues outside the City, and whether Coburg police would stop anyone. Mayor Duncan said that to his knowledge, they will call Linn County if it's outside the City. Eldridge, however, said that if someone breaks a traffic law right in front of them, that they have an obligation to respond to that. Downey noted that the farmers are concerned about it. Klemm asked for clarification on section 4, which states paperwork being done at the end of the month. Is that month by month, or the month after the quarter? Hitt told him it was once a quarter. We wanted to limit the amount of time doing paperwork. There is some fluidity in the agreement, but if you approve the motion as written on page 85, the contract is not to exceed \$15,000. On page 96, you'll see that there is a total of \$14,025, which pays for basic patrol hours. But he is asking for a little additional funds to give him flexibility, to be able to use them in other activities. Keaton asked with the bailiff issue, if we would alternate between them and LCSO? Eldridge told him, no, it's based on LCSO being the bailiff. If for some reason, they aren't available, we would have the ability to call Coburg to fill in.

- Caughey then **motioned to approve the IGA between the Cities of Harrisburg and Coburg for Traffic Enforcement Services for 11 consecutive months commencing February 1, 2020, with a total cost not to exceed \$15,000. He was seconded by Keaton, and the City Council voted unanimously to approve the IGA for traffic enforcement services to be provided by the City of Coburg Police Department.**

THE MATTER OF APPROVING THE S. 5TH ST. IMPROVEMENT PROJECT

- Downey declared that she had a conflict of interest in the next topic.
- Scholz asked if this will benefit her property.

- Downey told him that it will benefit them.
- Scholz told her right now, we aren't considering any money. This is just approval to move forward with the bid process.
- Downey said that she had noticed that there were no proposed costs passed to property owners.
- Keaton told her that since you've declared a conflict, realistically, someone would have to call you on it, if they should disagree with you being involved.
- Downey said that she will stay out of the discussion. If the vote isn't right, and she doesn't feel her conscience will allow her to vote, then she will state that.
- Scholz said that this is obviously a street improvement project. This came up, because we were talking about the sewer station lift station being here, but because of the elevation of the street, we had to take care of the stormwater issue. 5th Street is in between the rail tracks, and the water doesn't go anywhere. The more we looked at this project, the more ramifications came to light. That's why we have the ability to use storm water funds, street funds, plus SDC's from Storm Water and Transportation, and also the water bond project, because of the water line replacement. After all the survey work was done, we found alternate solutions to putting a pump station down there. There were other solutions, that in the long term were less expensive, to build and maintain. It all comes back to having to get rid of the storm water, and while not ideal, we will need a stormwater pump station. That will work during heavy rains, on the standing water, until the system surcharges, and it takes care of it. Water will go away relatively quickly. This project will include a new water line, storm water improvements, new asphalt, curb, gutters and a sidewalk on both sides, plus a small planter strip. It's a narrower right-of-way, so we won't have a big planting area on there.
- Mayor Duncan was amazed, because 5th street was a mess! It's amazing that we can do this.
- Caughey asked then if we will remove the street, replace all the pipes, and then install a new one?
- Scholz told him it's not considered a street; its surface is an oil mat. That's why SDC's can be used. Then we will not replace the sewer pipe, because it only runs down that street, and it's actually in good shape. If it's not broken, it can be slip lined later if needed. The storm lines will all need to be replaced. The ones put in there are mostly installed by property owners. The only real one, is at 5th & LaSalle, and there is another at Kesling; this project will clean that up.
- Caughey said if someone were to live on 5th, then this would be a great improvement in their neighborhood.
- Downey was excited about not having her garage flooded.
- Scholz stated that this will be a nice improvement, similar to what we did with 1st and Kesling. Some of the homeowners actually have concrete parking pads, and when finished with their driveway approach, there might be a small chunk of gravel in-between them. We will work with the contractor to offer them good deals if they want to match that up.
- Caughey asked if the project would be done in a year, right?

- Scholz told him it should be by September. If you give approval, then he would come back in a month with bid numbers, and an engineering recommendation, and then we can start. Weather wise, it will be close to June, but with the water in that area, it may take a few more months to finish.
- Caughey **motioned to approve the S. 5th St. Improvement Project and was seconded** by Klemm. **The City Council then voted unanimously to approve the S. 5th St. Improvement Project.**

THE MATTER OF APPROVING A REVISED INTERIM CITY ADMINISTRATOR CONTRACT.

Staff Report: Hitt reviewed the information in the agenda bill, and the primary features as noted in the numbered section. He liked the option of considering him as an independent contractor, with his own LLC; however, he wanted the Council to please note the email with the City Attorney, Jim Brewer. That is on page 122. His concern, is that if you hire him that way, is that if PERS audited the City and determined that he should be considered an employee after all, then there could be problems.

- Downey agreed that trying to count yourself as an independent contractor, is pretty risky. You would be treating yourself as a business, and she doesn't think we should go in that direction.
- Keaton asked if we did that, would the City send out for bid?
- Hitt told him that the \$25,000 threshold belongs to state licensed contractors. He would not be one of those. His point is valid, but the state would look at him differently.
- Downey asked that since there are other interims out there, then maybe they could tell him what they are set up as.
- Hitt told her that he was one. He was a county administrator, who was an independent contractor. But it's already being questioned by our attorney.
- Downey said that even in the private sector, this sort of thing is really frowned upon. It's seen as an entity taking advantage of employees.
- Eldridge added that the city was already audited on Judge Lemhouse, and ended up having to pay more into the PERS system.
- Caughey had one change, to section 6. It shouldn't mention every 90 days but should instead say that compensation is for once a quarter. He then **motioned to approve the employment agreement, effective Jan 14, 2020.** Downey seconded **the motion**
- Keaton said that the **motion needs to be amended, to compensate for the change suggested by Mike, and made the motion as such. He was seconded** by Klemm.
- **The City Council voted on the amending motion, which was unanimously approved, and then the original motion, which was also unanimously approved.**
- Eldridge added that unfortunately, the City will also be charged additional PERS fees for employee Cheryl Spangler.
- Hitt noted that as Eldridge has pointed out earlier, that the employees don't get PERS benefits paid into their account from this, and the City doesn't even get this applied to our side account. Only the PERS general funds gets the PERS fees that are now charged for retired employees.

THE MATTER OF PROCLAIMING JANUARY 26-FEB 1, 2020 AS SCHOOL CHOICE WEEK IN THE CITY OF HARRISBURG.

- **Mayor Duncan read the Proclamation aloud.** (The Proclamation was in the agenda packet, as well as being on the City website).

THE MATTER OF APPROVING THE CONSENT LIST

- Downey **motioned to approve the Consent List and was seconded** by Keaton. The City Council then voted unanimously to approve the Consent List. The actions of the City Council approved the following:
 - The appointment of Anita McClure to the Library Board, for the remainder of a term ending June 30, 2020.
 - The Appointment of Jeremy Moritz and Roger Bristol to new 4-year terms on the Planning Commission, with both terms ending December 31, 2023.
 - The City Council Minutes for the October 22, 2019 Work Session.
 - The Payment Approval Report for December 2019.

CITY ADMINISTRATOR VERBAL REPORT:

Knife River, 3rd Addendum Agreement: Hitt told the City Council that Council had just authorized it to an extent, and they are working on the restoration requirement required by the State of Oregon.

City Administrator Recruitment: Hitt noted that at the Personnel Committee meeting held on Jan 20, there were only two cities who are recruiting right now. One was from the City of Toledo, due Feb 2nd, with a suggested wage of \$90,000 to \$125,000, and for a population of 5,180. The other is Eagle Point, with a population of 9,000, with a suggested wage of \$105,000 to \$122,000. That may be a good starting point to talk about re-initiating the process for Harrisburg at the next work session.

Summer Sounds Concerts and Movies: Hitt said that rather than movies, his understanding is that they are not well attended, whereas summer concerts are. We don't need to decide this tonight, but we will be discussing it in the next week.

- Downey said that the problem with the movies, is that they start so late, because it doesn't get dark until really late at that time of year.

OTHERS:

- Scholz said that hopefully at the next Council meeting, we will have the LaSalle Street Project, from 6th to 9th on the agenda. That's another street in which there will be a water line replacement, as part of that project. We will get approval of that before we go out to bid. He also talked to Jim Brewer today, about the water lines in general, since we are phasing them after these two projects. He wasn't sure if he needed to bring it to Council for approval, because we already received approval from the voters. He said not

necessarily, but we should do what Council wants. We will have several of those in the future, so in those future projects, we will talk about that.

- Caughey said we have two others now. By the way, on the water system map, there is a road called Kramer Way that is mentioned, and on our street maps, and on most maps, it shows as Sommerville Loop. Can we get a definitive agreement on the name?
- Scholz told him that Kramer is outside the City limits, and therefore outside our jurisdiction. If we annex property out there, and it comes into the city limits, then we can probably change it then.
- Caughey also said that he had concerns about the Reader Board. When there are five lines on the board, it's too small to read it, and he has concerns about people doing the legal speed trying to read it.
- Keaton agreed with Mike on that.
- Eldridge remarked that was sometimes hard, when someone had a minimum amount of information to share, and every word was necessary to convey the message.
- Downey said to tell people that there is a word limitation.
- Keaton commented that there will be a discussion about the Van Buren bridge outside of Corvallis, that affects everyone downstream of it, and he suggested anyone wanting to be involved, should be at the Cascades West Transportation meeting this Thursday, at the Corvallis Public Library from 4:30 to 6:30.
- Keaton then added that as the Chairperson of the Linn County Republican Party, there is a Meet & Greet scheduled this Saturday, the 25th at Grid Iron Pizza, from 2:30 to 5:00. There is free pizza (in limited quantities) that will be served. Several representatives will be there.

With no further business, the meeting was adjourned at 9:02pm for the HRA Board Meeting to begin.

Mayor

City Recorder

TIMELINE OF CITY ACTIONS AFFECTING PROPERTY NOW KNOWN AS 770 & N776 N. 7TH STREET

January 2006 – Property lien in the amount of \$28,371 (approved by Resolution # 857) placed on property to reimburse city for oversized improvements made over and above those required by the Harris Glen subdivision. Oversizing done to facilitate future development on subject property. Annual interest rate of 4% included with the Lien. Total current amt. of Lien c. \$49,130

March 2011 – City approved a delayed annexation (Ordinance # 895) of subject property (then two parcels). Annexation required to be finalized upon either “change of ownership of the properties or on March 1, 2021, whichever occurs first” It should be noted that ORS 222.750 (6) limits delayed annexations to not more than 10 years or, alternatively, the annexation property “becomes part of the city immediately upon transfer of ownership.” Ordinance also requires that “System Development Charges shall be due and payable, based on the amount of those charges at the time of payment, immediately upon a change of ownership. (It is not clear the extent of SDC fees envisioned)

April 2017 – City passes a motion to “extend the annexation until 2019 or until the buyer (Mr. Walter) received land use approval for the senior housing development”

June 2017 – Properties sold to Mr. Walter for \$125,000.

??? 2018 – Properties consolidated, (including disputed area known as Tract B) into one, 1.25 acres parcel, Map # 15S04W10CA -00200. Current RMV assigned by County - \$198,400.

2019 Calendar Year Court Expenses

Judge Blake's Salary	\$4,800.00
City Attorney	\$3,312.50
Supplies (Forms)	\$677.00
Misc	\$150.00
Majik Software	\$550.40
Total:	\$4,689.90

2019 Calendar Year Collections

{Payments}	\$39,826.44
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HARRISBURG MUNICIPAL COURT

Charges Filed Report - Monthly Detail
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Case Number	Sequence Number	Date	Code	Offense Type	Ordinance Type
19-C-0001	100	01/17/2019	1310060	ORDINANCE	Local
19-C-0014	100	01/06/2019	920030	ORDINANCE	Local
19-C-0022	203	02/13/2019	609060	VIOLATION	State
19-C-0032	100	03/01/2019	1310060	ORDINANCE	Local
19-C-0033	100	03/01/2019	505030	ORDINANCE	Local
19-C-0037	10	03/18/2019	609060	VIOLATION	State
19-C-0047	101	04/19/2019	1005150	ORDINANCE	Local
19-C-0083	100	06/24/2019	1880020	ORDINANCE	Local
19-C-0118	100	08/30/2019	1310060	ORDINANCE	Local
19-M-0035	100	03/09/2019	8111824	CRIMINAL	State
19-M-0051	7	05/19/2019	813010	CRIMINAL	State
19-M-0067	200	05/19/2019	813010	CRIMINAL	State
19-M-0069	100	06/08/2019	8111824	CRIMINAL	State
19-M-0084	100	06/09/2019	164805	CRIMINAL	State
19-M-0097	100	07/04/2019	813010	CRIMINAL	State
	500	07/04/2019	811140	CRIMINAL	State
19-M-0102	100	07/30/2019	164354	CRIMINAL	State
19-M-0103	100	08/04/2019	164045	CRIMINAL	State
19-M-0107	100	08/01/2019	813010	CRIMINAL	State
19-M-0109	100	08/14/2019	133076	CRIMINAL	State
19-M-0122	100	09/24/2019	8111824	CRIMINAL	State
19-M-0143	100	10/22/2019	162195	CRIMINAL	State
19-M-0149	100	11/13/2019	162195	CRIMINAL	State
19-P-0158	43	11/25/2019	811555	ORDINANCE	State
19-P-0163	13	12/14/2019	811555	ORDINANCE	State
19-P-0164	16	12/14/2019	811555	ORDINANCE	State
19-T-0002	100	01/13/2019	806010	MOVING VIOLATIONS	State
19-T-0003	1	01/18/2019	811175	MOVING VIOLATIONS	State
	4	01/18/2019	806010	MOVING VIOLATIONS	State
	7	01/18/2019	803220	NON-MOVING TRAFFIC	State
19-T-0004	100	01/13/2019	1120	MOVING VIOLATIONS	State
19-T-0005	100	01/18/2019	1120	MOVING VIOLATIONS	State
19-T-0006	1	01/18/2019	1120	MOVING VIOLATIONS	State
19-T-0007	1	01/18/2019	1120	MOVING VIOLATIONS	State
19-T-0008	1	01/18/2019	1120	MOVING VIOLATIONS	State
19-T-0009	1	01/18/2019	1120	MOVING VIOLATIONS	State
19-T-0010	1	01/18/2019	1120	MOVING VIOLATIONS	State
	4	01/18/2019	806012	NON-MOVING TRAFFIC	State
	7	01/18/2019	807010	MOVING VIOLATIONS	State
19-T-0011	1	01/18/2019	811175	MOVING VIOLATIONS	State
	4	01/18/2019	806012	NON-MOVING TRAFFIC	State
	1	01/18/2019	806010	MOVING VIOLATIONS	State
19-T-0012	1	01/18/2019	806010	MOVING VIOLATIONS	State
19-T-0013	1	01/18/2019	806010	MOVING VIOLATIONS	State
19-T-0014	1	02/13/2019	811175	MOVING VIOLATIONS	State
	4	02/13/2019	806010	MOVING VIOLATIONS	State
	7	02/13/2019	803300	VIOLATION	State
19-T-0015	1	01/25/2019	807010	MOVING VIOLATIONS	State
19-T-0016	1	01/25/2019	811175	MOVING VIOLATIONS	State
19-T-0017	1	02/04/2019	806012	NON-MOVING TRAFFIC	State
19-T-0018	1	02/04/2019	811175	MOVING VIOLATIONS	State
	4	02/04/2019	806010	MOVING VIOLATIONS	State
19-T-0019	1	02/21/2019	811111SZ	MOVING VIOLATIONS	State
19-T-0020	1	01/25/2019	811175	MOVING VIOLATIONS	State
	4	01/25/2019	806010	MOVING VIOLATIONS	State
	7	01/25/2019	803300	VIOLATION	State
	10	01/25/2019	803550	NON-MOVING TRAFFIC	State
19-T-0021	1	01/25/2019	806012	NON-MOVING TRAFFIC	State

HARRISBURG MUNICIPAL COURT

Charges Filed Report - Monthly Detail
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Case Number	Sequence Number	Date	Code	Offense Type	Ordinance Type
	31	06/08/2019	803455	NON-MOVING TRAFFIC	State
19-T-0074	34	06/08/2019	8111001	MOVING VIOLATIONS	State
19-T-0075	37	06/08/2019	811175	MOVING VIOLATIONS	State
19-T-0076	40	06/09/2019	803455	NON-MOVING TRAFFIC	State
19-T-0077	43	06/09/2019	8111002	MOVING VIOLATIONS	State
19-T-0078	46	06/12/2019	811175	MOVING VIOLATIONS	State
19-T-0079	49	06/13/2019	8111001	MOVING VIOLATIONS	State
19-T-0080	4	06/04/2019	8111001	MOVING VIOLATIONS	State
19-T-0081	10	06/04/2019	806012	NON-MOVING TRAFFIC	State
	13	06/04/2019	803550	NON-MOVING TRAFFIC	State
	115	06/04/2019	811175	MOVING VIOLATIONS	State
19-T-0082	16	06/07/2019	811175	MOVING VIOLATIONS	State
19-T-0085	10	06/18/2019	1120	MOVING VIOLATIONS	State
	13	06/18/2019	806012	NON-MOVING TRAFFIC	State
19-T-0086	16	06/18/2019	8111001	MOVING VIOLATIONS	State
19-T-0087	19	06/18/2019	811265	MOVING VIOLATIONS	State
19-T-0088	22	06/21/2019	8111001	MOVING VIOLATIONS	State
19-T-0089	25	06/23/2019	811175	MOVING VIOLATIONS	State
	28	06/23/2019	806010	MOVING VIOLATIONS	State
19-T-0090	31	06/23/2019	811175	MOVING VIOLATIONS	State
	34	06/23/2019	806010	MOVING VIOLATIONS	State
19-T-0091	37	06/23/2019	811145	MOVING VIOLATIONS	State
19-T-0092	40	06/23/2019	811175	MOVING VIOLATIONS	State
19-T-0093	4	06/17/2019	8111002	MOVING VIOLATIONS	State
19-T-0094	7	06/18/2019	806012	NON-MOVING TRAFFIC	State
19-T-0095	4	06/26/2019	803455	NON-MOVING TRAFFIC	State
19-T-0096	7	06/26/2019	811265	MOVING VIOLATIONS	State
19-T-0098	100	07/04/2019	811375	MOVING VIOLATIONS	State
19-T-0099	4	07/09/2019	811265	MOVING VIOLATIONS	State
19-T-0100	10	07/15/2019	806010	MOVING VIOLATIONS	State
	13	07/15/2019	803300	VIOLATION	State
	115	07/15/2019	811175	MOVING VIOLATIONS	State
19-T-0101	16	07/15/2019	393100	VIOLATION	State
19-T-0104	6	07/22/2019	811265	MOVING VIOLATIONS	State
19-T-0105	9	07/27/2019	806010	MOVING VIOLATIONS	State
	12	07/27/2019	807010	MOVING VIOLATIONS	State
19-T-0106	15	08/01/2019	811175	MOVING VIOLATIONS	State
	18	08/01/2019	806010	MOVING VIOLATIONS	State
19-T-0108	100	08/08/2019	8111001	MOVING VIOLATIONS	State
19-T-0110	14	08/17/2019	8111001	MOVING VIOLATIONS	State
19-T-0111	17	08/18/2019	811175	MOVING VIOLATIONS	State
	20	08/18/2019	806010	MOVING VIOLATIONS	State
19-T-0112	23	08/19/2019	811210	MOVING VIOLATIONS	State
19-T-0113	26	08/19/2019	811210	MOVING VIOLATIONS	State
19-T-0114	29	08/20/2019	811210	MOVING VIOLATIONS	State
	32	08/20/2019	806010	MOVING VIOLATIONS	State
19-T-0115	35	08/20/2019	811210	MOVING VIOLATIONS	State
19-T-0116	38	08/23/2019	811175	MOVING VIOLATIONS	State
	41	08/23/2019	806010	MOVING VIOLATIONS	State
	44	08/23/2019	803300	VIOLATION	State
19-T-0117	8	08/16/2019	811175	MOVING VIOLATIONS	State
	11	08/16/2019	806010	MOVING VIOLATIONS	State
19-T-0119	10	09/14/2019	806010	MOVING VIOLATIONS	State
19-T-0120	13	09/14/2019	1120	MOVING VIOLATIONS	State
19-T-0121	7	09/14/2019	1120	MOVING VIOLATIONS	State
	109	09/14/2019	807010	MOVING VIOLATIONS	State
19-T-0123	10	09/24/2019	813602	NON-MOVING TRAFFIC	State

HARRISBURG MUNICIPAL COURT

Charges Filed Report - Monthly Detail
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Case Number	Sequence Number	Date	Code	Offense Type	Ordinance Type
20-T-0006	24	12/27/2019	811210	MOVING VIOLATIONS	State
20-T-0007	27	12/27/2019	811507	MOVING VIOLATIONS	State
	30	12/27/2019	811175	MOVING VIOLATIONS	State
20-T-0008	33	12/27/2019	8111001	MOVING VIOLATIONS	State
20-T-0009	36	12/27/2019	811210	MOVING VIOLATIONS	State
20-T-0010	39	12/18/2019	1120	MOVING VIOLATIONS	State
20-T-0011	42	12/30/2019	803455	NON-MOVING TRAFFIC	State
Grand Totals:		235			

HARRISBURG MUNICIPAL COURT

Collections Report - Monthly Summary
Report Dates: 01/01/2019 - 12/31/2019Page: 1
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Code	Description	Count	Amount	GL Account
Court Costs				
AF	ATTORNEY FEE	26	240.93	
CF	COLLECTION FEE	42	878.03	
COSTS	COURT COSTS	30	208.11	
COURT FEE	CF	7	400.00	
DIFF-ADJUD	DIFF ADJUDICATION	6	735.00	
DMV-DIV	DMV DIVERSION	30	4,195.00	
FTA	FAILED TO APPEAR	2	3.35	
LPF	LATE PAYMENT FEE	138	294.64	
NSFFEE	NSF - FEE	4	2.07	
PA	PAYMENT ARRANGEMENT- FEE	78	404.37	
PF	PROBATION FEE	15	181.83	
PV	PAROLE VIOLATION FEE	11	26.30	
SCF	SHOW CAUSE FEE	199	666.31	
SUSP	SUSPENSION FEE	80	327.86	
SUSPFTA	DL SUSPENDED FOR FTA	1	15.00	
WF	WARRANT FEE	166	1,664.32	
Total Court Costs:		835	10,243.12	
Fines				
AMD	CHARGE AMENDED	6	608.05	
DISM	CHARGE DISMISSED	8	873.00	
DIV	DIVERSION AGREEMENT	1	200.00	
FINE	FINE ASSESSED	41	1,760.94	
GBD	GUILTY BY DEFAULT	45	5,585.87	
GUILTY	FOUND GUILTY	182	11,077.42	
GUILTY NT	FOUND GUILTY	36	3,448.37	
Total Fines:		319	23,553.75	
Surcharges				
COUNTY	COUNTY ASSESSMENT	105	1,105.78	
DIV STATE	STATE ASSESSMENT	2	340.00	
STATE	STATE ASSESSMENT	139	4,213.79	
STATE-DUII	SAD	2	150.00	
Total Surcharges:		248	5,809.57	
Third Party				
REST	VICTIM RESTITUTION	4	220.00	
Total Third Party:		4	220.00	
Grand Totals:		1,406	39,826.44	

HARRISBURG MUNICIPAL COURT

Collections Report - Monthly Summary
Report Dates: 01/01/2018 - 12/31/2018Page: 1
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Code	Description	Count	Amount	GL Account
Court Costs				
AF	ATTORNEY FEE	46	333.04	
CF	COLLECTION FEE	80	554.41	
COSTS	COURT COSTS	62	830.26	
FTA	FAILED TO APPEAR	7	100.00	
LPF	LATE PAYMENT FEE	84	192.26	
PA	PAYMENT ARRANGEMENT - FEE	48	33.53	
PF	PROBATION FEE	26	69.44	
PV	PAROLE VIOLATION FEE	34	36.84	
SCF	SHOW CAUSE FEE	158	720.27	
SUSP	SUSPENSION FEE	70	339.89	
WF	WARRANT FEE	233	2,395.22	
Total Court Costs:		848	5,605.16	
Fines				
AMD	CHARGE AMENDED	5	725.00	
DIV	DIVERSION AGREEMENT	1	75.00	
FINE	FINE ASSESSED	62	2,434.13	
GBD	GUILTY BY DEFAULT	11	1,444.40	
GUILTY	FOUND GUILTY	85	6,413.76	
GUILTY NT	FOUND GUILTY	27	3,906.14	
Total Fines:		191	14,998.43	
Surcharges				
COUNTY	COUNTY ASSESSMENT	76	330.81	
STATE	STATE ASSESSMENT	97	1,025.47	
Total Surcharges:		173	1,356.28	
Grand Totals:		1,212	21,959.87	

HARRISBURG MUNICIPAL COURT

Collections Report - Monthly Summary
Report Dates: 01/01/2017 - 12/31/2017Page: 1
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Code	Description	Count	Amount	GL Account
Court Costs				
AF	ATTORNEY FEE	34	354.47	
CF	COLLECTION FEE	93	1,039.35	
COSTS	COURT COSTS	84	500.73	
FTA	FAILED TO APPEAR	8	37.14	
LPF	LATE PAYMENT FEE	8	31.28	
PA	PAYMENT ARRANGEMENT- FEE	49	40.53	
PF	PROBATION FEE	26	136.87	
PV	PAROLE VIOLATION FEE	23	34.46	
SCF	SHOW CAUSE FEE	24	122.08	
SUSP	SUSPENSION FEE	17	66.03	
WF	WARRANT FEE	139	1,965.16	
Total Court Costs:		505	4,328.10	
Fines				
BF	BAIL FORFEITURE	1	50.00	
DIV	DIVERSION AGREEMENT	9	405.00	
FINE	FINE ASSESSED	138	6,085.79	
FORF	FORFEITED	1	50.00	
GBD	GUILTY BY DEFAULT	3	314.00	
GUILTY	FOUND GUILTY	31	2,839.19	
GUILTY NT	FOUND GUILTY	1	145.80	
SENT	SENTENCED	1	10.00	
Total Fines:		185	9,899.78	
Surcharges				
COUNTY	COUNTY ASSESSMENT	64	276.67	
STATE	STATE ASSESSMENT	79	969.25	
Total Surcharges:		143	1,245.92	
Grand Totals:		833	15,473.80	

HARRISBURG MUNICIPAL COURT

Collections Report - Monthly Summary
Report Dates: 01/01/2016 - 12/31/2016Page: 1
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Code	Description	Count	Amount	GL Account
Court Costs				
AF	ATTORNEY FEE	20	329.48	
CF	COLLECTION FEE	34	347.83	
COSTS	COURT COSTS	66	393.61	
FTA	FAILED TO APPEAR	15	20.31	
PA	PAYMENT ARRANGEMENT- FEE	21	56.47	
PF	PROBATION FEE	18	284.48	
PV	PAROLE VIOLATION FEE	20	21.80	
SUSP	SUSPENSION FEE	3	3.88	
WF	WARRANT FEE	86	737.25	
Total Court Costs:		283	2,175.11	
Fines				
DIV	DIVERSION AGREEMENT	1	24.00	
FINE	FINE ASSESSED	68	2,740.88	
GUILTY	FOUND GUILTY	7	508.00	
GUILTY NT	FOUND GUILTY	3	235.00	
Total Fines:		79	3,507.88	
Surcharges				
COUNTY	COUNTY ASSESSMENT	40	250.76	
STATE	STATE ASSESSMENT	61	1,205.25	
Total Surcharges:		101	1,456.01	
Third Party				
REST	VICTIM RESTITUTION	2	222.00	
Total Third Party:		2	222.00	
Grand Totals:		465	7,361.00	