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## Harrisburg City Council Minutes September 10, 2024

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Mayor: Robert Duncan, Absent (Excused)  
Council President: Mike Caughey, Presiding  
Councilors Present: Kimberly Downey, Randy Klemm, Cindy Knox (via Phone) and Youth Advisor Taylor Tatum  
Councilors Absent: Robert Boese (Excused) and Charlotte Thomas (Excused)  
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

The Pledge of Allegiance was led by Council President Mike Caughey

**CALL TO ORDER AND ROLL CALL** by Council President Mike Caughey at the hour of 6:32pm

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

**THE MATTER OF A DISCUSSION IN RELATION TO STREET TREES, CITY POLICY, AND APPROVAL OF ORDINANCE NO. 1004, "AN ORDINANCE AMENDING HARRISBURG MUNICIPAL CODE 8.05.060":** Eldridge reminded Council this was reviewed at the August 27<sup>th</sup> City Council meeting, where the consensus was to gather more information and discuss when Scholz was in attendance. Caughey was concerned about the minimum height of trees not being valid for all City streets. Caughey has since retracted his concern and believes that enforcement should be taken by a complaint basis or for vision clearance issues in a timely manner.

- Tatum asked who is responsible for trees hanging over sidewalks and roads. Eldridge stated the adjacent home owners are responsible for maintaining the right-of-way.

- Knox asked about utilizing the services of Tree City USA or the Arbor Day Foundation. Scholz stated the City has in the past, and due to the amount of grant funding being so low, it wasn't worth staff time.
- Downey **motioned to approve Ordinance No. 1004, "AN ORDINANCE AMENDING HARRISBURG MUNICIPAL CODE 8.05.060"** and was **seconded by Klemm. The motioned passed unanimously by a vote of 4-0.** (Yes: Downey, Klemm, Caughey, and Knox. Youth Advisor Tatum also voted in favor. No: None.)

**THE MATTER OF ESTABLISHING A FRANCHISE AGREEMENT WITH HUNTER COMMUNICATIONS BY ADOPTING ORDINANCE NO. 1005, "AN ORDINANCE ESTABLISHING A FRANCHISE AGREEMENT FOR FIBER INTERNET SERVICES WITH HUNTER COMMUNICATIONS:**

Eldridge introduced Patrick McBride and Kris Kinsella with Hunter Communications. Kinsella informed Council that Hunter Communications is an Oregon born company who currently employs over 250 people. Eldridge reviewed the staff report noting the changes to the agreement that were made. Eldridge added it was nice to have the competition with more comparable prices available for our residents.

- Klemm commented that he has been using Hunter Communications since April at his business and he is very happy with their service.
- Caughey asked if it was fiber internet. McBride replied yes and the fiber is direct into individual homes allowing for better speed and quality.
- Scholz thinks the item should be tabled to allow more time for Council to review and to create a Policy for new Franchise Agreements. He further commented that he has already received several right-of-way request from Hunter Communications.
- Eldridge added that a right-of-way can't be approved by a utility that doesn't have a current agreement.
- Downey was frustrated that this was brought to Council and our City Attorney prior to Scholz reviewing. Downey added she would like to see other companies in town, but we need to make sure we have a system in place which includes Scholz review and input.
- Scholz would like to first see a presentation before an agreement.
- Downey would like to know what the process is for other cities to begin a new Franchise Agreement.
- Caughey would like to see proposed rates.
- Knox was concerned about not having enough time to read the staff report, what it would look like physically and what the rates were.
- Tatum agrees we should gather more information.
- Klemm wants to come up with a policy to refer to.
- Eldridge apologized to Scholz for not discussing with him prior and added it was brought to her when she was on vacation, and he was gone. Eldridge will set up a presentation for Hunter Communications and will reach out to other cities to see if they have guidelines for establishing Franchise Agreements.
- Downey **motioned to table to the October 8<sup>th</sup> City Council meeting and was seconded by Klemm. The motion passed unanimously by a vote of 4-0.** (Yes: Downey, Klemm, Caughey, and Knox. Youth Advisor Tatum also voted in favor. No: None.)

**THE MATTER OF RECOMMENDING LEAGUE OF OREGON CITIES (LOC) LEGISLATIVE PRIORITIES FOR THE 2025 LEGISLATIVE SESSION:** Eldridge reviewed the vote results as shown in **Addendum 1**. She remarked that she had walked out of the last LOC Small City Meeting with Brownsville and Halsey.

- Downey was confused by Recreational Immunity (Priority E) as it already passed. Eldridge replied to it's to make permanent as the current agreement expires July 1, 2025. Downey and Klemm both would like to change their vote to support that priority.
- Scholz commented that housing funding is not infrastructure funding (Priority A), which is misleading. Klemm and Downey changed their vote not to support that priority.
- *The consensus from City Council was to only support priority E; Restoration of Recreational Immunity.*
- Klemm would like the LOC to know why we don't support priority A. Eldridge to share with LOC.
  - **Klemm motioned to recommend to the League of Oregon Cities, the Harrisburg City Council to support "E"; the Restoration of Recreational Immunity and was seconded by Downey. The motion passed unanimously by a vote of 4-0.** (Yes: Klemm, Downey, Caughey, and Knox. Youth Advisor Tatum also voted in favor. No: None.)

**THE MATTER OF APPROVING THE 4TH QUARTER 2023/2024 EXPENSE REPORT:** Nelson explained that 95% of the red is due to grants that were budgeted for but were not awarded. No comments or concerns in relation to the 4<sup>th</sup> Quarter 2023/2/024 Expense Report.

- Before the motion, Downey inquired about the status of the Water Treatment Plant Permit. Eldridge informed Council she is currently waiting for a reply from the county as to whether it's a structure or part of our infrastructure, which would not require a permit.
  - **Downey motioned to approve the 4<sup>th</sup> Quarter 2023/2024 Expense Report and was seconded by Klemm. The motioned passed unanimously by a vote of 4-0.** (Yes: Downey, Klemm, Caughey and Knox. Youth Advisor Tatum also voted in favor. No: None.)

**THE MATTER OF APPROVING THE CONSENT LIST:** No comments or concerns.

- **Klemm motioned to approve the consent list as presented and was seconded by Downey. The motion passed unanimously by a vote of 4-0.** (Yes: Klemm, Downey, Caughey and Knox. Youth Advisor Tatum also voted in favor. No: None.) **The motion to approve the consent list approved the following:**
  - **Minutes from the August 13, 2024 City Council Meeting**
  - **The Payment Approval Report for August 2024**

**CITY ADMINISTRATOR VERBAL REPORT:**

- Ross informed Council of our 1<sup>st</sup> Annual Scarecrow Contest. Klemm would like to involve our local businesses. Nelson stated funds are available in CE & D for prizes which will include local business gift cards. Information will be sent to out in this months utility bill.
- Eldridge informed Council the Pacific Northwest Marathon is being held on September 21<sup>st</sup>. This is the last qualifier before the Boston Marathon and typically has 500 participants.
- Caughey reminded Council that tomorrow is the anniversary of 9/11 and to please remember the day and what it stands for.
- Knox asked about the sidewalks next to the new playground and tennis courts on Smith St and if that is part of the street improvement project for 6<sup>th</sup> St. Scholz replied that it's on the schedule for a local company to repair sometime after the project completion date of September 29<sup>th</sup> to avoid paying BOLI wages for the work. This would save the city around \$25,000.

- Eldridge added that SMAC is looking into reducing small cities grant match requirements and a request to look at BOLI wages in relation to smaller cities. Eldridge asked Scholz how much the state takes for administrative on BOLI payments. Scholz replied the maximum is \$7,500 and the minimum is \$250.

**OTHER ITEMS**

**With no further business, the City Council Meeting adjourned at the hour of 7:49pm**

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**Mayor**

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**City Recorder**

## COUNCIL LEGISLATIVE PRIORITIES – 1<sup>ST</sup> CHOICES

\*\* V IS A REPEAT OF A

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V**	W	X
Mike	X				X					X								X						
Rob																								
Bobby																								
Charlotte																								
Kim	X				X																			
Cindy	X	N			X								X											
Randy	X				X	X	X			X														
Taylor	X				X					X			X									X		
Michele	X			X	X			N	N			N			X	N								
Chuck	n	n	n	n	X	n	n	n	n	n	n	n	n	N!	n	N!	N!	n	n	N!	n		n	N!
Cathy					X					X	X		X							X				
Lori	X									X								X	X		X			

- A: Infrastructure Funding -7
- E: Restoration of Recreational Immunity - 6
- J: Address Energy Affordability Challenges from Rising Utility Costs - 4
- M: Alcohol Tax - 3
- R: 2025 Transportation Package - 2
- U: Community Safety & Neighborhood Liability - 2

\*Commentary; (B, D) Stop Housing Insanity; (O) Feds should be dealing with cybersecurity & privacy, not local states; (Q) Does LOC have any idea of who they are supposed to represent anymore? (R) Waste of time and money when trying to take on such a large broad range all at once. It will not fly. (T) NOT the correct solution; would still allow electric vehicles exemptions and increase the cost of delivered consumables to the public on the back ends of things. (W) Increased regulatory crap (X) Hell No! Tried two decades ago, screwed things up badly. Need education & outreach on retaining & recruiting, not flooding the market again with under qualified, under educated, and under regulated people.