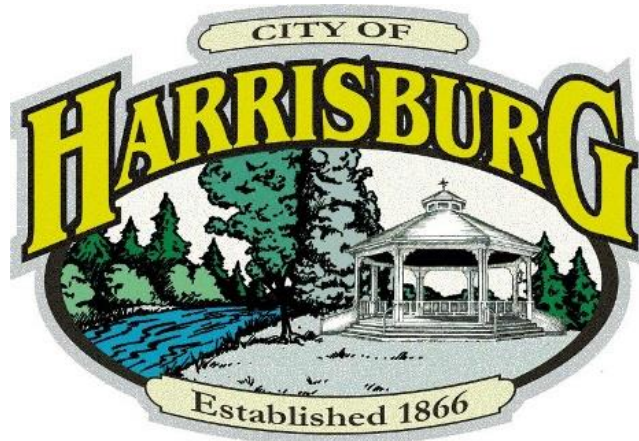


This document is supplemented by agenda packet materials, meeting materials distributed and audio recordings of the meeting and may be reviewed upon request to the City Recorder.



## Harrisburg City Council Minutes April 09, 2024

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Mayor: Robert Duncan, Presiding  
Council President: Mike Caughey, Present  
Councilors Present: Kimberly Downey, Robert Boese, Charlotte Thomas, and Cindy Knox  
Councilors Absent: Randy Klemm (Excused)  
Staff Present: City Administrator Michele Eldridge, City Recorder/Municipal Court Clerk Lori Ross, and City Attorney Sean Kidd  
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

The Pledge of Allegiance was led by Mayor Robert Duncan

**CALL TO ORDER AND ROLL CALL** by Mayor, Robert Duncan at the hour of 6:30pm

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

**THE MATTER OF THE MAYOR PROCLAIMING APRIL AS CHILD ABUSE PREVENTION AND AWARENESS MONTH:** Council President Mike Caughey read the Proclamation on behalf of Mayor Robert Duncan, proclaiming April as Child Abuse Prevention and Awareness Month.

**THE MATTER OF A DISCUSSION IN RELATION TO THE PROPOSED MUDDY CREEK SOLAR PARK/FARM OUTSIDE OF HARRISBURG:** Eldridge reminded Council the reasoning for the City remaining neutral as of now, is due to the City having no jurisdictional authority over the location of the proposed Muddy Creek Solar Park.

- Harrisburg resident and farmer, John Langdon of Diamond Hill Dr approached Council introducing Dr. Chad Higgins, an expert on agrivoltaics and an Ecological Engineer at Oregon State University. Langdon stated Qcells approached his family over three years ago and they were the 17<sup>th</sup> company to do so over the last 15 years. Langdon

was told his property was the best location for a solar project in western Oregon and that three other property owners had committed, making his property the 4<sup>th</sup>.

- Dr. Higgins stated that he is here today, to answer questions and to provide resources.
- Langdon informed Council that he is not asking for anything. He just wants the opportunity to say why he is doing this, which is to make his farm better. Langdon feels this will happen with or without him.
- Dr. Higgins stated that Qcells is interested in Harrisburg because it has the five requirements; enough sun, flat land, land already disturbed, deep soils and transmission nearby. Dr. Higgins further commented that Harrisburg is one of very few communities on the west side of Oregon that does. Therefore, companies will always be looking at it for infrastructure.
- Thomas commented that she is a fan of property rights and asked if there was a guarantee that Qcells would follow Dr. Higgins' guidance. Dr. Higgins replied there is no guarantee until the application is submitted and if his guidance is not included, he won't support them.
- Knox asked what type of crops would grow well under solar panels. Dr. Higgins replied C-3, which are older crops, due to having the highest light limitations.
- Boese is concerned about what is going to happen to the future of the farmers and feels farmers are the most important thing for Harrisburg. Boese asked where the power produced would be distributed and Dr. Higgins replied that it would flow to the lowest level, wherever needs it the most at that time.
- Reporter Edie Moro commented on the reluctance of soil testing by other solar fields and what the long-term effects could be.
- Ed Horst, of Wildwood Estates, commented that it is not only where the demand for power is that determines how it's distributed, but it's also about the market and the money to buy it.
- Daniel Bell, of Mount Tom Dr, commented on the beautiful view he has from his property now, and is concerned about that and the noise the plant will produce.
- Scott Nelson, of N. Miller Rd, commented on the cramming of industrial products onto our farmlands and was concerned about selling our farmland to foreign entities which will control our energy crisis. Nelson further commented that the land does a great job growing grass and would like to know what they will be growing to make it balance.
- Yvonne Scott, of Mt. Tom Dr, commented that she can see the solar park the most from her property. She referred to her notes and also the project order which can be found at <https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2023-10-06-MCEP-NOI-Project-Order.pdf> . She further commented that Qcells wants to break ground this summer and there are only so many days to make a public comment.
- Susan Cade, of Wildwood Estates Loop, feels that Qcells is doing the run around to get approval by going to Salem and not the county.
- Troy Jones, of Gap Rd, stated they are asking for support from the City Council and would like for them to take a vote this evening.
- Thomas stated she would remain neutral.
- Downey commented that residents she spoke with didn't know why we were having this discussion as it's not located inside the City limits. Downey would remain neutral at this time and feels our citizens want discussions about the water.
- Boese feels our citizens don't have all of the information that is available, and he would vote to oppose it.
- Knox would also vote to oppose it. She commented that she would like to hear more from Scott later.

- Caughey commented that the City has no responsibility to determine how land outside or city is handled. He would remain neutral and not take a side.
- Mayor Duncan commented that he is opposed to it because of the company.
- With three City Councilors remaining neutral and two in opposition, the consensus was not to make a motion at this point.
- Vicky Bells, of Mount Tom Dr, commented that she is upset with the City as she is a Harrisburg taxpayer.
- Arnie Kamper, of Gap Rd, commented that the farming community has always supported the City and he thinks the City should support the Friends of Gap Rd (FOGR).
- Jones commented that it is disappointing that the City is remaining neutral.

**The City Council Business Meeting recessed at the hour of 8:21pm.**

**The City Council Business Meeting resumed at the hour of 8:27pm.**

**THE MATTER OF DISCUSSION IN RELATION TO THE FARM LEASE PROPERTY LOCATED AT 23914 PEORIA RD:** Eldridge reviewed the staff report outlining whether the Harrisburg Harvest Festival Association's (HHFA) should be leasing the City property. Eldridge noted staff did invite both Kayner and Isom to attend this evening.

- Thomas, an HHFA Board Member, commented that without the property, or the support of the farmer, the Harvest Festival wouldn't happen. Thomas was concerned if the City were to lease it to another farmer, they could use the track portion for farming, which is now established as a track after many years, or possibly not be finished with their harvest by the Harvest Festival which would hinder the parking requirements. Eldridge commented that the lease does not include the track portion.
- City Attorney Sean Kidd informed Council there is no requirement to go out to bid for leasing a property. The current leaser can be renewed at any time if the City wishes to.
- Mayor Duncan suggested leasing the property to Kayner once again and to review the financial details at a later date.
  - **Downey motioned to renew the lease to the current farmer of the Wastewater Facility and was seconded by Caughey. The motion passed unanimously by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Thomas, and Knox. No: None.)

**THE MATTER OF DISCUSSION IN RELATION TO REPUBLIC SERVICES CURRENT YEAR RATES:** Eldridge reviewed the staff report noting the mistake on the 2024 Republic Services Rates presented to Council in January. The information presented is for the public record.

**THE MATTER OF ESTABLISHING AN EAGLE PARK SPONSORSHIP PROGRAM:**

- **Downey motioned to table item number five on the agenda to the next meeting and was seconded by Thomas. The motion carried by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Thomas, and Knox. No: None.)

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

- **Downey motioned to approve the consent list and was seconded by Thomas. The motion passed unanimously by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Thomas and Knox. No: None.) **A motion to approve the consent list approved the following:**
  - **Minutes from the February 27, 2024 City Council Meeting**
  - **The Payment Approval Report for March 2024**

**City Administrator's Verbal Report:**

- BNSF has received another version of the Construction and Maintenance Agreement, and they are asking for more information. It will be brought back to another meeting.
- Eldridge recently signed a Bi-Lateral Compliance Agreement between the City of Harrisburg and the Oregon Health Authority. This is a requirement of the OHA, and the City is in compliance with meeting their conditions.
- The City has hired a new Administrative Assistant who will start on Friday. We will soon also be hiring a new Public Works Utility III.
- A reminder of the upcoming Budget Committee Meeting to be held on May 13, 2024 and June 3<sup>rd</sup> if needed.
- Eldridge informed Council of a resident on Sommerville Lp who received a notice of right to lien from two contractors associated with the Shadowood project due to an incorrect address being used. One has been corrected and they are working on the other.

**The City Council Business Meeting recessed at the hour of 9:00 pm to prepare for the Executive Session.**

**The City Council Executive Session began at the hour of 9:00pm.**

**THE MATTER OF HOLDING AN EXECUTIVE SESSION UNDER ORS 192.660(2)(H) TO CONSULT WITH COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED**

**The City Council exited the Executive Session at the hour of 9:22pm and the City Council Business Meeting resumed at that same hour. No further discussion.**

- **Thomas motioned to approve the Memorandum of Understanding with the City of Junction City for Solid Waste & Recycling Services and to send notice of termination for the current agreement with Republic Services and was seconded by Downey. The motion was passed unanimously by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Thomas and Knox. No: None.)

**With no further discussion, the City Council Business Meeting adjourned at hour of 9:23pm.**

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**Mayor**

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**City Recorder**