



Harrisburg City Council Business Meeting Minutes

May 11, 2021

Council President: Mike Caughey, Presiding
Councilors: Kimberly Downey, Robert Boese, Adam Keaton and Charlotte Thomas.
Absent: Mayor Robert Duncan and Councilor Randy Klemm
Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz and City Recorder Lori Ross
Meeting Location: Harrisburg Municipal Center @ 354 Smith St.

CALL TO ORDER AND ROLL CALL by Council President, Mike Caughey at the hour of 6:33pm

CONCERNED CITIZEN(S) IN THE AUDIENCE. All Citizens present were there for the meeting and for the items on the agenda.

THE MATTER OF AMENDING COUNCIL POLICY 18-1.04 CODE OF CONDUCT IN PUBLIC BUILDINGS, BY APPROVING RESOLUTION NO. 1252.

STAFF REPORT: Eldridge reported that this policy first came up at a Library Board meeting when it was noticed that one line of the policy prohibited the conduct of sleeping or loitering in public places. When it passed back in 2018, it was not a problem because the 9th Circuit Court decision hadn't gone through yet. Eldridge reached out to the City Attorney, and it was advised that the line was problematic and should be removed. She felt that the Library could still use it during Covid if someone were loitering and the occupancy limitation prohibited other patrons from using services. She left in the part about using public restrooms because it's more appropriate at other locations, other than the Library. It was her recommendation that Council approve.

- Keaton asked what the current status was of the 9th Circuit Courts declaration and wanted to know if it was being challenged. Eldridge responded that she didn't know if it was being appealed. City Attorney Brewer did not say.
- Thomas asked if this included parks and Eldridge responded that it included all City facilities. Thomas felt strongly that there should be restrictions on camping on public property and wanted to know if we could amend it for no sleeping over night?
- Scholz asked to clarify that parks are included also. Eldridge responded all City Facilities.
- Keaton stated that he agrees with the concept and would like to ask Brewer how far can we go to maintain a reasonable park environment considering the 9th Circuit Court Decision? Scholz stated that when the first sleeping law came to be, he contacted Brewer because parks are recreational use. Brewer stated that because

it was already a policy before the new law came over, and to leave it in to enforce the HMC. It could not be applied in buildings or public places outside of parks.

- Thomas asked if they would be able to camp at City Hall and Eldridge answered yes, without this resolution. Downey and Thomas asked how we go about asking them to move. Eldridge answered that we have to have a place for them to go or allow them to remain. Caughey stated that LCSO will take them to a shelter, which is the preferred method, as per our policy with them. If that changes, we would have a problem. Thomas stated that there are facilities 20 minutes away, just not in Harrisburg. Cities our size do not have shelters. It's usually bigger cities that are operated by nonprofits. This is a concern everywhere. Eldridge said that we do not have to decide tonight. We can table this, and she can speak with Brewer.
- Downey **motioned to table. She was seconded by Keaton and the City Council voted unanimously to table to next meeting.**

THE MATTER OF APPROVING A PARADE PERMIT FOR HARRISBURG HIGH SCHOOL GRADUATION.

STAFF REPORT: Eldridge stated that the route was the same as last year, but she wasn't sure if they would follow through with the parade or not. It was submitted, just in case. Eldridge read the route and applied a few conditions of approval. Thomas jokingly stated that we should make an in-person graduation a condition of approval. She was hopeful that they will have the graduation ceremony on the High School football field this year.

- Downey **motioned to approve the Parade Permit for Harrisburg High School. She was seconded by Keaton and the City Council voted unanimously to approve.**

THE MATTER OF APPROVING THE COMPENSATION WAGE ANALYSIS AND APPROVAL OF THE NEW WAGE SCALE TO USE FOR FISCAL BUDGET YEAR 2021-2022

STAFF REPORT: Eldridge introduced the replacement report received from Portland State **(ADENDUM 1)** in recognition of the Harrisburg being listed as Marion County and not Linn County. They wrote a letter of apology and made changes so this type of a mistake won't happen again in the future.

- On May 4th, 2021, the Personnel Committee made a recommendation to City Council to approve Exhibit F, Wage Scale 3. There are six positions that are below the average median and staff felt it is important to make sure we are staying even with our competitors for a City our size. Eldridge stated that at first, she was surprised that they could afford this. Our property taxes are at a 90% collection rate and we are 6.5% ahead in the budget now. There is \$63,000 saved in the General Fund due to employee job replacements being paid less than their predecessor and by the end of May we will have \$7,500 in savings for benefits not being paid out. We also have an increase in State Revenue and are receiving funds from the City of Monroe. Eldridge stated that it was important to take care of our employees and reminded Council that they have the ability to modify salaries or limitations if they desire.
- Caughey mentioned that Public Works was the worst percentage of all. Eldridge pointed out the Admin Staff was looking good, expect for the Finance Officer.
- Keaton was verifying that there are three options here and Eldridge explained the differences.
- Caughey said that we have been at a 2% COLI for years and we still fell behind. We might want to look at the cost index we are using and maybe it should be 3%.

Keaton suggested it was helpful to look at the Consumer Price Index. Downey asked Eldridge if she could ask around about wages in the future, and she stated that she could on an informal basis on years that we don't have a study.

- Keaton **motioned to approve the results of the Compensation Wage Analysis and motioned to approve the wage scale as shown in Exhibit F per recommendation of the Personnel Committee. He was seconded by Downey. The City Council then voted unanimously.**

THE MATTER OF A PROCLAIMING MAY 2021 AS MENTAL HEALTH MONTH IN HARRISBURG

STAFF REPORT: Caughey read the Proclamation as it appears in the agenda for Mayor Duncan.

THE MATTER OF A DISCUSSION IN RELATION TO A RESOLUTION PASSED BY THE CITY OF BAKER CITY

STAFF REPORT: Eldridge stated that a few weeks ago in Baker City, a resolution was written by the Mayor, Manager, and the City Attorney. They had a town hall workshop and then introduced this resolution. She thought it was well written and respectful. If City Council advises that we want to go forward with a resolution, we would have to make some changes and our City Attorney would need to look it over.

- Caughey stated that he did some research and said that particular letter and resolution that was forwarded to us was never approved by City Council or the Mayor of Baker City. Council refused to consider it in any respect. The feeling was that it was inappropriate, inaccurate, and asking the City to go against the laws of the state. Another was written in March and was agreed to by City Council. It was of the same subject matter, but less inflammatory or insulting in his opinion. The story was in the Baker City Herald. It was of the same concerns that we have, small Cities and areas are being treated like big Cities, like Portland and without regards to restaurants in a small City.
- Downey said that she liked the letter but didn't see the other. She liked the issue and thought it had good intent. She was curious if it was signed by the Mayor. Eldridge said that it was the resolution from the City website. (Noted by City Recorder; the letter resolution 3881 are signed by the Mayor and the City Recorder for Baker City. This was verified after meeting.) Caughey stated that was not the letter that was sent. Eldridge said that she got the resolution directly from the Baker City website and was surprised that it was signed by the Mayor and City Recorder.
- Keaton noted that the minutes from that meeting are not available yet on the Baker City website. The item is on the agenda, but not signed. Caughey stated that it was definitely discussed at that meeting.
- Gordan Moritz, of Sommerville Loop, asked what the proclamation was about. Eldridge read some of the proclamation. Keaton added that it's an acknowledgment that the City can't break the law and that was why 27 counties signed a letter saying those rules aren't working for us and to let them make the rules for our local areas instead of a one size boot fits all.
- Thomas stated that as a City Council, we struggle with this not hurting our local businesses. Downey asked if we could see the counter letter as she thought this letter was good as did Thomas and Keaton. Thomas said that

this is a real crisis, not imaginary. Those counties are so spread out over in Eastern Oregon.

- Kay Barnett, of Whitley Place, approached Council with a letter, **(ADDENDUM 2)** she believed was presented to Baker City Council and asked Eldridge to read it.
- Keaton stated that he likes the idea and asked if this was something that we are interested in. If the Council is, he would like to have Mayor Duncan and Council Member Klemm present. He would also like to check the COVID hospital status. Thomas commented that one hospital doesn't fit all. Downey asked if the hospital stats are still online. Thomas responded that it tells you how many are hospitalized but not where. Caughey stated that one of the points made was that there was an overload of people in the local hospital. COVID patients were sent to Boise where they could get taken care of properly. Keaton stated that in Albany one floor is COVID. They are isolated in a room that has a negative pressure zone.
- Eldridge read the letter signed by the Baker City Council.
- After, Caughey stated that Baker City lost a lot of business and Harrisburg was fortunate that we haven't lost any.
- Thomas stated that she totally understands the resolution as this has gone on way too long.
- Caughey stated that it seems like a lot of folks are not aware of infection rate and it has been sloping downwards the last few weeks. The number of deaths in the US is around 581,000 and Oregon is 37th on the list. The worst state is California followed by Texas and Florida. Hawaii was the best state due to doing a great job keeping the infection rate down and by keeping the virus out.
- Keaton asked if we wanted to bring it back and Downey stated that she wanted to be prepared. Caughey liked the idea of sending a letter stressing the small-town problems compared to the big town. Scholz recommended an Ad Hoc Committee to come up with something to present to the City Council. Caughey, Keaton, Thomas and Eldridge set an Ad Hoc meeting for Friday, the 14th at 4pm and would bring a Harrisburg letter & resolution to the next meeting.

THE MATTER OF APPROVING THE CONSENT LIST

Downey **motioned to approve the Consent List and was seconded by Keaton. The City Council voted unanimously to approve the Consent List. The items approved by this action were as follows:**

- **The City Council Minutes for March 23, and April 13, 2021**
- **The Payment Approval Report for April 2021**

CITY ADMINISTRATOR VERBAL REPORT

1. 132-Acre Park. This will be a discussion at the next meeting discussing changes to signage and other stuff going on there.

2. BN Track will be on the schedule also. The City has increased the budget for attorney fees for working on the Franchise Agreement which expires in 2022. Downey stated that she thought we were going to get rid of it explaining that they don't maintain the road or do anything with it. She

would like to talk about removing it and wanted to know how other members felt. Now is our chance.

- Scholz stated that there have been four City Administrators that have written letters in the past regarding the condition of the road, and they ignored every single one. In 2017 the City designed street specs when BN was going to work with the City and City Council at that time, approved them. It was going to be part of a work together project, but they started to do it on their own. Their contract is for 20 years so now is the time to approach that. Keaton stated that he would like to see the length of that contract shortened significantly. Eldridge commented that she would like to have Brewer here when we discuss it. He has an idea of where we are with the railroad.
- Caughey asked Scholz if he could give a round number of what it is going to cost to repair the road. Scholz stated that a wild guess would require a hole lot more. There would be engineering designs required and too many other variables involved. Keaton asked if it would be between \$1 to \$10 Million and Scholz answered yes, somewhere in between.
- Thomas stated that we don't need the tracks. If they want the contract, we have them over a barrel. Eldridge was asked what the City receives annually from BN and she answered about \$13,000.
- Gordan Moritz asked about why there is no gating on Smith St as they do on Territorial and LaSalle St. Caughey stated that it was discussed, and he thinks it is important since it is a school route. He would like for it to be included in the agreement. Keaton responded that he believes the reason is that it's an open road and no place to put it but agrees that it should have it.

3. Woodhill Crossing. The subdivision on south side of Sommerville Loop has changed engineers and are talking about submitting an extension. They will be going forward.

4. Butterfly Gardens. The originally thought of manufactured homes is no longer viable due to a two year backorder on manufacturing the homes. They will be looking into a subdivision with town homes and it will still be for 55 and over. This could go forward to the June Planning Commission meeting.

5. Miscellaneous.

- Thomas asked what was going on with the old Fire Department property on 6th St. Eldridge answered that it was Vincent Ferris who purchased the property and he will be moving his construction business to that location.
- Downey asked about the house on the corner of 6th and Sommerville Loop and was curious why they have so long to complete the project when most building permits are for one year. Eldridge answered that you have 180 days between inspections so you can bleed it out. She will check with the County to see where they are with the process. Eldridge stated that the home was on the Historical Resource List and was owned by one of the first Doctors that came to town. She believes it was relocated from a farm outside of town.
- Gordon Moritz asked about the home on 6th St next to where the RV Storage is located. He stated it was a beautiful two-story home and though it was historical. Eldridge couldn't recall the home but was interested in learning about it.
- Caughey asked Scholz about the tree municipal code. His understanding was the minimum height requirement was six feet above the sidewalk and eight feet above the road. Scholz advised him that it was indeed eight feet and 14 feet. Scholz

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mentioned that the HMC is more for developed trees and he is aware that it can't apply to a young tree without harming the tree. That part of the code will have to have an adjustment made.

ADJOURN: At the hour of 8:25pm; the meeting adjourned with no further business.

Mayor

City Recorder