



City Council Business Meeting Minutes June 14, 2022

Mayor: Robert Duncan, Presiding
Council President: Mike Caughey, Absent
Councilors Present: Robert Boese, Adam Keaton, Randy Klemm, and Charlotte Thomas
Staff Present: City Administrator Michele Eldridge, Public Works Director Chuck Scholz, Finance Officer Cathy Nelson and City Recorder Lori Ross
Librarians Cheryl Spangler and Amanda Pelkey
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

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

CONCERNED CITIZEN(S) IN THE AUDIENCE: Ariel Freytag, a volunteer, and the current Miss Oregon would like to create a free will pantry and would like to have it take place at the Library or HART Center. She feels Harrisburg is a good opportunity and location.

- Thomas asked if it was going to be non-perishable items and Freytag replied yes.
- Klemm asked if has coordinated with local agencies like God's Storehouse? She replied that she has not.
- Mayor Duncan suggested that Freytag bring it back to Council with some information at a later date.
- Mayor Duncan informed Freytag that she was here tonight for another reason as well and explained that the City had been contacted by her mother, Andrea Freytag, about a proclamation announcing June 19, 2022 as being Ariel Freytag Day in the City of Harrisburg. Mayor Duncan read the proclamation as shown in **Addendum 1**. He commented that he remembers Freytag as a child, and that she represents Harrisburg well.

THE MATTER OF APPROVING ORDINANCE NO. 983, "AN ORDINANCE AMENDING HMC 15.05.010, TO ADOPT APPENDIX H, 'SIGNS' AS ALLOWED IN THE 2019 OREGON STRUCTURAL SPECIALTY CODE"

STAFF REPORT: Eldridge stated that this was brought to her attention by our new Building Official, Russell Young who suggested we adopt the sign appendix as changes were made in the structural code in 2019. It will also be placed in the Zoning and Development Code.

- Thomas **motioned to approve Ordinance No. 983, “AN ORDINANCE AMENDING HMC 15.05.010, TO ADOPT APPENDIX H, ‘SIGNS’ AS ALLOWED IN THE 2019 STRUCTURAL SPECIALTY CODE”** and was **seconded** by Keaton. The City Council then voted unanimously to approve Ordinance No. 983, amending HMC 15.05.010

THE MATTER OF ALLOWING VOLUNTEER WORKER’S COMPENSATION COVERAGE FOR 2022-2023 BY APPROVING RESOLUTION NO. 1262

STAFF REPORT: Ross stated that this resolution is brought before Council every year and that the City is required to approve the Resolution that provides workers compensation coverage to volunteers including, volunteer boards, special event volunteers and Library volunteers.

- Keaton **motioned to approve Resolution No. 1262, “A RESOLUTION EXTENDING WORKERS’ COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF HARRISBURG FOR POLICY YEAR 2022-2023”** and was **seconded** by Klemm. The City Council then voted unanimously to approve Resolution No. 1262 extending workers’ compensation of the City of Harrisburg for policy year 2022-2023”

THE MATTER OF A REQUEST FOR THE LIBRARY TO BECOME FINE FREE AFTER A ONE YEAR TRIAL PERIOD

STAFF REPORT: Ross stated that it has been one year since the City Council approved a fine free trial period and part of the condition, was having a tracking system in place. She referred to the stats on page 17-18 of the agenda and commented for this fiscal year 2021/2022, there are 20 lost items that belongs to 9 patrons. She commented on the number of items checked out this fiscal year so far as 5,902, with an average check out duration of 22.9 days. This included 668 E-books checked out through the Oregon Digital Library Consortium. Ross also pointed out that since we began our trial period, there are two Library’s in our consortium, who have become fine free as well as the Springfield and Eugene Public Libraries. Staff recommends City Council approve their request to become fine free effective July 1, 2022.

- Thomas asked when a patron doesn’t return a book, can they still check out items? Ross replied that if the item has gone into lost mode and has been reordered, they would need to pay for the item, prior to regaining their library privileges.
- Librarian Cheryl Spangler added that the patron receives several notifications informing them of the late materials.
- Ross stated that they receive an email notice 3 days prior the due date reminding them, the first late notice mailed 5 days after due date, the second at 15 days, a third at 30 days and a final at 60 days stating the book is considered lost and will need to be paid for prior to checking out any materials.
- Klemm asked if they pay the replacement value and Ross replied they are charged for the retail value and not our cost.
- Keaton asked about feedback from the patrons and Spangler responded that everyone is excited and glad about it.
- Mayor Duncan asked how you access E-Books, and Ross and Thomas responded it was through the Libby App available on your phone or tablet.
- Spangler informed Council that they have raised over \$3,500 for the mural so far.
 - Thomas **motioned to approve the Harrisburg Public Library become a Fine Free Library effective July 1, 2022** and was **seconded** by Klemm. The City Council then voted unanimously to approve the Harrisburg Public Library become a Fine Free Library effective July 1, 2022.

THE MATTER OF APPROVING AN ‘ASSIGNMENT’ OF THE FRANCHISE AGREEMENT (ORDINANCE NO. 955) FOR MCI METRO ACCESS TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS TRANSMISSION TO MCI COMMUNICATIONS SERVICES LLC., AND AUTHORIZING THE CITY ADMINISTRATOR TO CONSENT TO THE ASSIGNMENT AND UPDATED ADDENDUM NO. A

STAFF REPORT: Eldridge informed Council that MCI never signed the Ordinance from 2017, or authorized it and since then, they have changed their name. There was also a problem with the map, included with the ordinance, showing the route of their communication lines as shown on page 36, of the agenda. The correct route was pointed out to be on page 39. Eldridge turned the franchise over to City Attorney David Coulombe to review in October of 2021. The new agreement was received in May of 2022 and Mr. Coulombe felt the language in the Assignment of Franchise, on page 37, was sufficient to sign. Eldridge explained that based on the circumstances behind this Franchise Agreement, it was thought best to assign the franchise to the company that owns the transmission line instead of amending the original ordinance. Eldridge informed Council that the City has been receiving franchise fees this entire time and the rest of the terms to the agreement have not changed. The agreement will be good until June 30, 2037 with two 5-year renewals or opportunities to make changes.

- Klemm asked if the company who had been paying the franchise fee has been informed of whose responsibility it is going forward? Eldridge answered yes.
- Keaton asked if we can't increase our franchise fees during that time. Eldridge responded that we cannot, however, we can terminate the contract.
- Keaton asked what the overall cost of this mistake was between staff and attorneys for both sides. Eldridge responded there was a lot of email correspondence and down time when nothing was happening. She doesn't feel it was bad.
 - Klemm **motioned to authorize the City Administrator to consent to the foregoing agreement and updated addendum A, as shown in Exhibit B and was seconded by Keaton. The City Council then voted unanimously to authorize the City Administrator to consent to the foregoing agreement and updated addendum A, as shown in Exhibit B.**

Klemm used the word “agreement” instead of the word “assignment” in the motion. A second motion is made.

- Klemm **motioned to replace “agreement” with “assignment” was seconded by Thomas. The City Council then voted unanimously to the motion.**

THE MATTER OF DETERMINING THE CITY'S RESPONSE TO MEASURE 109, THE OREGON PSILOCYBIN SERVICES ACT

STAFF REPORT: Eldridge stated the measure passed in 2020 with a vote of 56% and will take effect January 1, 2023. She commented that Psilocybin does have beneficial outcomes for mental health issues, depression, and anxiety. The new law allows manufacturing, delivery, or administration of Psilocybin at licensed facilities. She informed Council that Linn County voted no on Measure 109 and Harrisburg voters were 63% opposed to it. The measure allows cities to prohibit or allow it with time place and manner in their jurisdiction but only before the law goes into effect. It would need to go to this General Election with an August 19, 2022 deadline. Eldridge instructed Council to look at the draft ordinance on page 45 and if they would like to take it to the ballot, she will bring back this issue to adopt the resolution. Eldridge commented that if were going to allow these facilities to exist, we would have the flexibility on stating where they were located and the hours of operation. The third option would be to do nothing, but we would not be able to set up any control in the future.

- Mayor Duncan doesn't think Harrisburg is the right place for these facilities.
- Thomas, Keaton and Klemm agree with the Mayor to let the citizens vote on it.
 - The consensus from City Council is to bring the resolution back to the next meeting to refer the measure to the voters.

THE MATTER OF APPROVING THE CONSENT LIST

- Keaton **motioned to approve the consent list and was seconded** by Klemm. **The City Council then voted unanimously to approve the consent list. A motion to approve the consent list approved the following:**
 - **Harrisburg City Council Minutes for March 8, April 12, and April 26, 2022**
 - **The Payment Approval Report for May 2022**
 - **Appointment of Kristi Prozialeck to the Library Board with term ending June 30, 2026**

CITY ADMINISTRATOR VERBAL REPORT

- **SRO-City ARPA Funding:** In response to the recent school shooting in Uvalde, Mayor Duncan stated that he has no faith in the Government to do something about the safety of our schools at this time. He recently spoke with Harrisburg School Administrator, Brian Starr about the possibility of hiring a School Resource Officer and was told the School District could not afford the yearly cost of \$80,000 to \$90,000. Mayor Duncan was hoping that the City would be able to use some of the American Relief Program Act (ARPA) funds and split the cost with them.
 - Nelson asked for how long? Mayor Duncan responded, one year.
 - Eldridge commented that we currently have \$485,000 of ARPA funding available. It would be better if they could cover half of the cost.
 - Thomas asked if the School District would even be able to find the funding?
 - Mayor Duncan said he would speak with Starr and bring this back to a future meeting.
- **Zoning & Development Code:** Eldridge hopes to have it back in July and bring to the August meeting. The next half of the code will be heard by the Planning Commission next week.
- **Pictures of City Council:** Eldridge would like to get updated pictures of the Mayor and City Council and suggested maybe the riverfront or gazebo. She will send out an email and select a date.
- **HRA-Agreement:** Eldridge hopes to have more information at the June 28th City Council meeting about the potential agreement with Elaine Howard. She has some questions that need to be answered first, but we think we can get some funding based on adding the water plant to the HRA Boundaries.
- **HAZMAT:** Eldridge referred to the emergency calling card presented to the Mayor and City Council and explained the proper chain of command for an emergency.
 - Scholz mentioned that it was taken four years of putting this exercise together and it will take place this Thursday and will include around 50 agencies participating in the training. He stated that if you are signed up with Linn Benton Alerts, you will get a notification on your cell phone. They will send out a reversed 911 call Thursday morning and it should begin around 8am and end by noon. The public is welcome to come down by BN Park to watch the event.

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- Eldridge stated there will be information available on the City Website and Facebook page about the event.

OTHER ITEMS

- Nelson informed Council that the interest rate fund has gone from .875% to .9%
- Mayor Duncan was asked by Andrea Freytag to take a photo with Ms. Oregon, Ariel Freytag.

ADJOURN: With no further discussion, the City Council meeting adjourned at the hour of 7:44pm for the HRA Board Meeting to begin.

Mayor

City Recorder



Mayor's Proclamation

Announcing June 19, 2022
as being Arielle Freytag Day in the
City of Harrisburg.

Whereas, Arielle Freytag has recently been crowned Miss Oregon USA, and will be competing at the prestigious and globally recognized Miss USA pageant, and in addition, having won the Miss Oregon 2014 International Junior Miss Competition, and Miss Oregon 2019 for National American Miss Competition; and,

Whereas, Arielle has spent almost 26 years of service of her life dedicated to public service, including holding fundraisers in Harrisburg for the September 11th tragedies, providing stuffed animals for children affected, dog bones for rescue dogs, and boots/work gloves for rescue workers, delivering the donations to New York, and,

Whereas, Arielle served as part of the Harrisburg delegation that went to Anaheim, CA to represent Harrisburg as an All-America City Finalist in 2006, and,

Whereas, Arielle has still found time to be her mother's caretaker, as well as serving as the Vice-President of the H.A.R.T. Community Center and has shown that her loyal and dedicated service is in effect a service to all citizens of Harrisburg.

Now, Therefore, I, Robert C. Duncan, Mayor of the City of Harrisburg, name June 19th, 2022 as Arielle Freytag Day in Harrisburg.

Attest:

Handwritten signature of Lori Ross in black ink.

Lori Ross
City Recorder

Handwritten signature of Robert C. Duncan in black ink.

Robert Duncan
Mayor