



## City Council Business Meeting Minutes April 11, 2023

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Mayor: Robert Duncan, Presiding  
Council President: Mike Caughey, Present  
Councilors Present: Kimberly Downey, Robert Boese, Adam Keaton, and Charlotte Thomas  
(Thomas arrived at 6:31pm)  
Councilors Absent: Randy Klemm  
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

**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 CONSIDERATION OF HIRING A LOBBYIST TO WORK ON BEHALF OF THE SMALL MUNICIPALITIES ADVOCACY COALITION**

**STAFF REPORT:** Eldridge reviewed the slide presentation as shown in **Addendum 1**. Eldridge commented that SMAC now has six cities, including Harrisburg, Brownsville, Halsey, Monroe, Scio and Sodaville that are interested in obtaining Tate Public Affairs, and Harrisburg is the last one to sign. She referred to the proposal as shown in Exhibit B.

Brownsville City Administrator, Scott McDowell, addressed Council commenting that State Legislatures are forgetting about us and the taxpayer and the only way to change is by building relationships with our representatives and with SMAC, maybe we can make a difference.

Sean Tate introduced himself to Council and commented that his business plan is to assist rural Oregon and noted it's sometimes difficult for smaller cities.

- Downey asked Tate how he would best represent us to get things accomplished. Tate replied that he prefers to stay on the policy side vs the politics, which is their job and that getting results is ours.

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- Thomas commented that she sees the potential but wanted to know how much involvement we are looking at and if there would be an increase in meetings. Tate responded there will be more of a role for our Councilors to play, requiring more time. Tate further commented they would need to get everyone trained to make phone calls and to send emails and that he is currently working on training materials.
- Eldridge thanked both McDowell and Tate for speaking to Council. She stated they are currently working on the Memorandum of Understanding (MOU) and it will likely start in May or June, noting the cost for this fiscal year will be \$1,000 and \$3,900 for FY 2023/2024.
  - Downey **motioned to authorize the City Administrator to enter into an agreement with Tate Public Affairs and to become a member of the Small Municipality Advocacy Coalition and was seconded by Thomas. The motion passed by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Keaton and Thomas. No: None.)

#### **THE MATTER OF APPROVING THE 2023-2028 STRATEGIC PLAN**

**STAFF REPORT:** Eldridge stated this is a final version of the Strategic Plan which includes updated pictures. She informed Council, they can still make changes or approve. No comments or concerns from Council.

- Thomas **motioned to approve the 2023-2028 Strategic Plan and was seconded by Caughey. The motion passed by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Keaton and Thomas. No: None.)

#### **THE MATTER OF APPROVING THE 2ND QUARTER 2022/2023 EXPENSE REPORT**

**STAFF REPORT:** Nelson informed Council this report covers expenses through December 31, 2022 and commented that interest is above what was budgeted.

- Thomas asked about the street fund being at 41% and Nelson replied that it's due to not receiving the Safe Routes to School Grant (SRTS).
  - Downey **motioned to approve the 2<sup>nd</sup> Quarter 2022/2023 Expense Report and was seconded Caughey. The motion passed by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Keaton and Thomas. No: None.)

#### **THE MATTER OF APPROVING THE CONSENT LIST**

**STAFF REPORT:** No comments or concerns from City Council.

- Downey **motioned to approve the consent list and was seconded by Keaton. The motion passed by a vote of 5-0.** (Yes: Caughey, Downey, Boese, Keaton and Thomas. No: None.) **Motion to approve the consent list approved the following:**
  - **The Minutes for the February 28, 2023, March 14, 2023, and the March 28, 2023 City Council Meetings**
  - **The Payment Approval Report for March 2023**
  - **Approve the Out of State Travel for Michele Eldridge to attend the Local Government Re-imagined Conference being held in Long Beach, CA**

#### **CITY ADMINISTRATOR VERBAL:**

**RVs at Wastewater Facility:** Eldridge referred to **Addendum 2** which shows a single RV that has been living on the City property for an extended period. She commented that about five years ago, former City Administrator's Brian Latta and John Hitt both allowed an employee to live out there and when it was brought to their attention she did as well. She further commented that this employee is

not connected to any water or sewer services at this property and the employee pays to dump the sewer and fill up the water. She commented that there is also a solar panel for electricity purposes.

Eldridge referred to a memorandum (**Addendum 3**) from Brian Latta regarding Presidential Policy Direct (PPD-21) on Critical Infrastructure Security outlining what the City must do to protect the property, commenting that even though this property is a wastewater facility, our system feeds into the Willamette River effecting cities downstream. Eldridge mentioned America's Water Infrastructure Act of 2018 (AWIA), requiring us to fence the property or have it patrolled. Eldridge stated that farmer Kurt Kayner, who is leasing the City property, has commented that he has witnessed several people trespassing and Eldridge feels seeing the RV there can be a deterrent.

Eldridge stated the reason for bringing this to Council now, is due to a Citizen contacting her stating he felt it was subsidizing having a highly paid employees, Chuck Scholz, living on the riverfront property. Eldridge commented that she doesn't feel this is a problem and that he is saving the City money by providing security. Eldridge spoke with our City Attorney, and they suggested Council create an agreement and set a rental fee for Scholz to be living at the City property. Eldridge asked Council if they felt this was fair considering the circumstances.

- Downey felt there was some value with Scholz being there but wanted to know what that value was to have him there and does it offset the cost. She would also like to have something in writing.
- Mayor Duncan wanted to know what the cost would be for fencing the property. Eldridge commented it would be astronomical as it was \$45,000 for the Dog Park at Eagle Park, which is a 43,000 sq ft area.
- Thomas commented that she felt it was a waste of time for staff to look into a cost analysis and felt Council should be able to make the decision tonight.
- Kurt Kayner approached Council stating he has seen people trespassing continually and since Scholz has been there he hasn't had any of his equipment stolen. He feels that whoever complained about this has an ax to grind with Scholz.
- Downey stated for the record, she wasn't aware of anyone, let alone Scholz, living at the property.
- Mayor Duncan commented that everyone needs to have checks and balances, and this probably should have been addressed before Council sooner.
- Kurt Kayner commented that Scholz left his property, where he was living in his trailer, on his own free will, to live at the City property and that the City should be paying him.
- Downey trust Scholz saying he has honesty and integrity.
- Eldridge stated she would bring back to a future meeting with more information and reminded Council of the perception of the Public Employee and wants to keep away from any negativity.
- Caughey commented that the City would have to pay someone for security and feels that any rent collected would be far less and the City is saving money by allowing this to happen.
- Mayor Duncan asked staff to let the citizens know about the discussion and decision. Eldridge suggested placing it on the City website.
- Downey commented that she appreciated the citizen bringning this concern to Council.
- Eldridge stated she would bring this back to Council in May.

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**Additional Others:**

- The City Auditor will be at the April 28<sup>th</sup> meeting for the City and the HRA Audit Report.
- Eldridge suggested having an Ad-Hoc Parks Committee to discuss donations for the dog park and signage, noting this would be a one-time meeting. Boese stated he was willing to participate. Eldridge stated she would reach out to former Parks Committee members about participating.
- Councilor Adam Keaton informed Council that the April 25<sup>th</sup> City Council meeting will be his last due to moving out of state.

**With no further discussion, the City Council Business Meeting adjourned at hour of 7:50pm.**

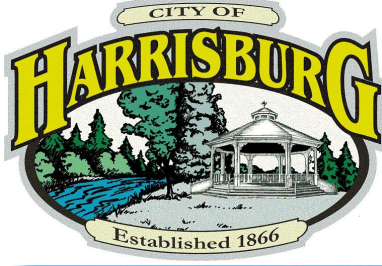
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**Mayor**

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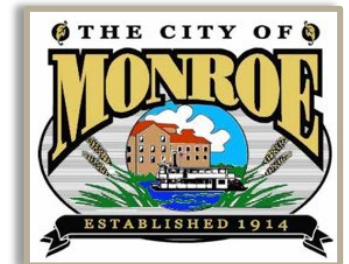
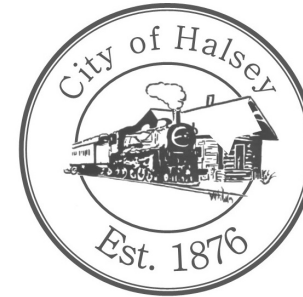
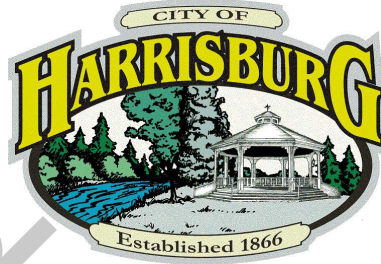
**City Recorder**





**Small Municipalities Advocacy Coalition (SMAC)**

*April 11, 2023*



September '22 | The Letter ★ December '22 | The Meeting



## Our Mission, Vision and Values

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*The LOC is the trusted, go-to resource that helps Oregon city staff and elected leaders serve their cities well and speak with one voice.*

### Our Vision

That all Oregonians live in thriving communities that are equitable, healthy, and safe.

### Our Mission

The LOC is the essential and trusted partner for local, state, federal, and community leaders in developing policy and legislation to empower Oregon's cities through collaboration, advocacy, training, and sharing best practices.



☐ 1. Full Funding and Alignment for State Land Use Initiatives

☐ 2. Local Funding to Address Homelessness

☐ 3. Infrastructure Funding to Support Needed Housing

☐ 4. Community Resiliency and Wildfire Planning

☐ 5. Protecting Public Employees and Officials

☐ 6. Return to Work

☐ 7. Attorney Client Privilege

☐ 8. Address Measure 110 Shortcomings

☐ 9. Building Decarbonization, Efficiency, and Modernization

☐ 10. Continue Investments in Renewable Energy







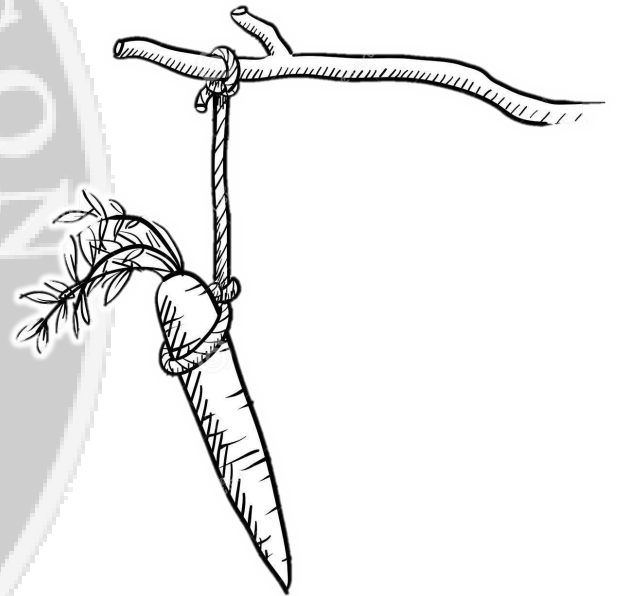
**Five Cities have agreed on:**

- 1. Advocacy Priority**
- 2. Professional Assistance**
- 3. Internal Policy**



## **Proposal does the following:**

- 1. Educates & Trains**
- 2. Creates Priorities**
- 3. Forges Alliances**
- 4. Builds Consensus**
- 5. Identifies Opportunities**
- 6. Fights for Rural Values & Needs**
- 7. Strengthens Rural Voices**



US



&







Just because you do not take an interest in politics  
doesn't mean politics won't take an interest in you.

Pericles



WW Facility RV Location



# MEMORANDUM

To: All City Employees, City Contractor's, Suppliers, Service Providers and other Utilities

From: Brian Latta, City Administrator – Harrisburg

Date: November 6, 2015

Re: Access to Gated Critical Infrastructure (Water/ Wastewater) City Facilities

PRESIDENTIAL POLICY DIRECTIVE/PPD-21 -February 12, 2013 -The Presidential Policy Directive (PPD) on Critical Infrastructure Security and Resilience advances a national unity of effort to strengthen and maintain secure, functioning, and resilient critical infrastructure. This directive establishes national policy on critical infrastructure security and resilience. The Secretary of Homeland Security shall, promote a national unity of effort, and coordinate the overall Federal effort to promote the security and resilience of the Nation's critical infrastructure.

By virtue of the Environmental Protection Agency (EPA) the approach to meeting its mission under the Safe Drinking Water Act (SDWA) the Clean Water Act (CWA) and the Bioterrorism Act, the EPA works with its state partners (DEQ) to support and regulate infrastructure security, and carry out the implementation of PPD-21.

Water and Wastewater infrastructure is vulnerable to a variety of threats and hazards. The most plausible intentional attack methods (Outsider and Insider) facing utilities, in no particular prioritized order, include improvised explosive devices; vehicle-borne improvised explosive devices; hazardous material releases; explosive devices in wastewater collection systems; chemical, biological, or radiological contamination in drinking water distribution systems; assault; sabotage of water treatment systems; radiological dispersal devices; and cyber-attacks on SCADA systems.

The US EPA defines an "active and effective" security program and addresses the following features, which discuss physical security:

- (a) Establish physical and procedural controls to restrict access to utility infrastructure and facilities to employees, only those conducting authorized business and to detect unauthorized physical intrusions.
- (b) Incorporate security considerations into decisions about acquisition, repair, major maintenance, and replacement of physical infrastructure; This should include consideration of opportunities to reduce risk through physical hardening and the adoption of inherently lower risk design and technology options.

To be in compliance with the regulations and to keep our facilities safe and secure the City of Harrisburg, its employees, and visitors must abide by the following rules for entry into our facilities.

- Employees who work at these facilities will be assigned the access code.
- All visitors must check-in at City Hall

- All visitors must be accompanied by a City of Harrisburg employee at all times when visiting any of our facilities
- All visitors onsite at any City facility must be able to present picture ID
- Gate codes shall not be provided, shared or assigned by anyone other than the Public Works Director (PWD) or the City Administrator (CA). A master list of the active and deactivated codes and whom they were assigned to shall be maintained on file in the Public Works Director office
- Non-City of Harrisburg personnel authorized by the PWD or CA to conduct official business onsite shall follow all rules as outlined in this memo
- City of Harrisburg contractors and other approved utilities authorized by the PWD or CA to conduct official business onsite shall not need to be accompanied by a City of Harrisburg employee nor check-in at City Hall each time they enter the facility if they have been assigned a gate code
- All personnel entering the facility must wear appropriate safety attire as defined by the task they are performing and as directed by the City of Harrisburg Safety & Health policy statement.
- Unless authorized by a Certified operator; no one shall make any operational changes, operate any valves , controls or liquid process changes

An employee found in violation of these rules will be subject to discipline up to and including termination.

Violation of these rules by visitors, contractors or their employees or authorized personnel shall result in immediate expulsion from All City of Harrisburg facilities and may include prosecution under U.S. Code Title 42, Section 300i1, titled, "Tampering with public systems," states the following (42 U.S.C. § 300 (i)(1)):

a) Tampering ; Any person who tampers with a public system shall be imprisoned for not more than 20 years, or fined in accordance with title 18 "Crimes and Criminal Procedure", or both. The court may impose on such person a civil penalty of not more than \$1,000,000 for such tampering or not more than \$100,000 for such attempt or threat.