



City Council Business Meeting Minutes September 15, 2020

Mayor: Robert Duncan, Presiding
Council President: Mike Caughey, Present
Councilors Present: Kimberly Downey, Robert Boese, Adam Keaton
Councilors Absent: Randy Klemm & Charlotte Thomas
Staff Present: City Administrator John Hitt, Asst. City Administrator/City Recorder Michele Eldridge, Public Works Director Chuck Scholz, Finance Officer/Deputy City Recorder Cathy Nelson.
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. Everyone present were there for items on the agenda.

THE MATTER OF MEETING WITH A MEMBER REPRESENTATIVE FROM LCSO

- Mayor Duncan commented that members of LCSO were participating in Search and Rescue operations in relation to the wildfires and wouldn't be here tonight. He spoke with Sergeant Greg Klein, but he would join us at a different meeting, as he is currently elk hunting.

INTRODUCTION OF CATHY NELSON, CITY OF HARRISBURG'S NEW FINANCE OFFICER/DEPUTY RECORDER

Members of the City Council welcomed Cathy to the City and asked her questions about her past job as the City Recorder of Waterloo. Downey wanted to let everyone know that she had gotten to know Cathy at the CIS Conferences, and that she was a real go-getter. When asked about her recent graduation from Purdue University, she shared that it was a dual degree in business management and finance. Mayor Duncan told her that she works with a great group of people, who have all been called on to serve the people of Harrisburg. We are all servants of citizens in Harrisburg. We are excited that you are here!

RESOLUTIONS

THE MATTER OF DISCUSSING USE OF CITY OWNED PROPERTY FOR POLITICAL ADVOCACY AND APPROVING RESOLUTION NO. 1244

Hitt summarized the staff report and said that the policy hadn't changed since the Council reviewed it at the last workshop. Keaton questioned the part on section IX in which it talks about the entire message being on one sign. It seemed arbitrary. Eldridge told him it was both in the code, as well as being part of state law. Keaton worried about that part of the policy, and Hitt told him that we could strike it if he felt it would avoid confusion; it's still covered in state law.

- **Caughey motioned to approve Resolution No. 1244, "A RESOLUTION ESTABLISHING CITY COUNCIL POLICY 20-1.05: USE OF PUBLIC PROPERTY FOR POLITICAL ADVOCACY."** He was **seconded** by Downey, and the **City Council voted unanimously to approve Resolution No. 1244, and thereby establishing Council Policy in relation to Political Advocacy practices on public grounds.**

NEW BUSINESS

THE MATTER OF WATERLINE IMPROVEMENTS ON 6TH STREET FROM TERRITORIAL STREET TO DEMPSEY STREET

STAFF REPORT: Scholz handed out the bid worksheet (Please see Addendum No. 1) and commented that this is the first of many straight up water bond projects that Council will see in the future. This will replace the waterline on 6th St. from Territorial to Dempsey, which is truly a mess of different pipes all through there.

- **Downey motioned to approve that the contract be awarded to H&J Construction, Inc. in the amount of \$186,167.00. She was seconded** by Caughey, and the **City Council voted unanimously to approve the 6th St Waterline Replacement, and to award the contract to H&J Construction, Inc.**

THE MATTER OF DISCUSSING A ONE YEAR RENEWAL OF A MOU BETWEEN 'RAIN' AND THE MID-VALLEY PARTNERSHIP (MVP)

STAFF REPORT: Hitt told the City Council that there was no action required; he was providing information for them. He spoke about our role as a member of the MVP Partnership, which is a combination of cities that are working on Economic Development. If they remembered, Lebanon was contributing the largest amount of any city, but due to the pandemic, was unable to follow through with that commitment. Harrisburg and some of the other cities (Brownsville and Halsey), all increased their commitment slightly to help compensate. Technically, the agreement in the agenda is between RAIN (Rural Acceleration and Innovation Network) and MVP. Page 43 shows you the types of projects that are undertaken through this program. If Harrisburg becomes dissatisfied with the program, we could turn down the agreement. They will be joining us in November, as unfortunately, they couldn't do so at this meeting. Although we've already donated our part of the funds, if Council decided to reduce or eliminate the funds, then we could ask for those to be returned; its one of the options that all the cities have. Hitt recommended that Council wait until RAIN was here to give their presentation, and answer questions to make a decision.

- Downey wanted to specifically see which businesses that RAIN has heard from.
- Hitt would have Eldridge send it to her. He was disappointed to see only two businesses on the list.
- Downey thought it might be more beneficial to give that money to our businesses instead.

THE MATTER OF DISCUSSING CITY PROCEDURES IN THE EVENT OF WORKPLACE VIOLENCE

STAFF REPORT: Hitt said that we had been discussing some of our city procedures having to do with workplace violence, in relation to some recent events happening in a neighboring City. We have a very clear and explicit policy. It's a normal process to put the person on administrative

leave, start investigations, and get all the facts. That can include what the circumstances were; such as whether an employee was provoked and to get statements from witnesses. After the information is gathered, we present it to the employee, and allow them to give their side of the story. They can even bring in an attorney if they want. Once a decision is made, they are told in writing, or at the meeting of that decision. The person accused, can provide oral or written testimony. A disciplinary process would then be started, and that person could provide even more testimony. We would render our final decision at that point.

- Eldridge added that when the City is considering termination, or a final written warning, demotion, or suspension, then the City is required to contact a CIS (City County Insurance Services) pre-loss attorney. If the City were to follow through without contacting them, and that employee were to sue the city, then CIS wouldn't cover the actual loss. That helps to make sure that expert assistance is given. We can also include the City Attorney in that, but we would need to pay him for his time.
- Downey asked if a deputy arrested an employee for violence, would we be allowed to fire them then?
- Hitt said not on the spot. We don't know what we don't know. There was a recent Supreme Court decision, which emphasized that we have to allow due process to be followed.
- Scholz said that a sheriff deputy might decide to arrest someone, based upon eh situation.
- Hitt added that if someone came in and was threatening to sue, or threatening any of us, then we would trespass them from City Hall, and we would ask the deputies to keep an eye on them. We would start a rapid investigation. You can tell them that depending upon the case, that its likely termination will result from their actions.
- Downey said that it's important that we protect both our citizens and our employees.
- Hitt said that's why you trespass them and forbid them contact with anyone.
- Mayor Duncan said that you've mentioned attorneys. If they bring an attorney, would our insurance cover that?
- Downey said that our insurance company brings the attorney's in the first place. We advise them, and they tell us how to proceed. Then they will cover the costs. They have really big guns there.

THE MATTER OF APPROVING THE CONSENT LIST

- **Caughey motioned to approve the consent list and was seconded by Downey. The City Council then voted unanimously to approve the consent list. That action approved the following items:**
 - 1. The City Council Minutes for July 28, 2020**
 - 2. The Payment Approval Report for August 2020**

CITY ADMINISTRATOR VERBAL REPORT

1. PROGRESS REPORT: BUILDING PERMIT IGA WITH JUNCTION CITY: Hitt told the City Council that we have been working with Junction City to join their building permit program. We are still somewhat negotiating with them. We have sent Linn County the notice; they mostly have good service, but sometimes, it's not so good. To partner with Junction City, the City must follow state law requirements. We must assume a building permit program and electrical program, and the state must approve that. They would give their approval of the process by January of next year. His deadline to submit all the paperwork is October 1st, 2020. If it's approved, then we would look at adopting our ordinances in January. Our program with Junction City would then start on July 1st of the next fiscal year.

- Mayor Duncan asked if that was just in the City limits then? So, Linn County wouldn't handle anything in the City?
- Hitt told him that was correct.

2. CRF FUNDING UPDATE/PROJECTS: Hitt said that there was another worksheet handed out to Council tonight. (Please see Addendum No. 2) The balance sheet shows the reimbursements we have already received out of the amount that is available. (That amount was only recently confirmed). In addition, he and Eldridge have been working on some new programs. One of those is a new fall grant program, like the first; that is budgeted at \$60,000. In addition, we have \$10,000 set aside for new computers for Council. Eldridge pointed out that the program would apply to the same companies as before, which are all small commercial businesses. They have to show an actual loss compared to last year during the same time period. The City would cover up to 25% of their losses, to a maximum of \$5,000 each. The program is limited to the first \$60,000.

Eldridge added that our IT Consultant, Steven Church at Cobalt Computers, had found some premium Dell Laptop Computers for Council. These would be purchased so that if the pandemic were to become worse, or if Council members were quarantined, then Council could still participate in meetings, even if they didn't have other equipment at home. Keaton was excited about the possibilities in relation to technology purchases for Council, but he didn't want to have a computer. He frankly only uses a computer at work; otherwise, he uses his Fire Pad. The one he uses for Council only cost about \$50. For \$100, you can get a tablet that provides everything you need for Council. You can look at a PDF document, and your email. Anything other than that is overkill. Downey thought perhaps Keaton should speak with Church. Keaton said that Eldridge can refer to him if needed; but he truly felt that tablets would be all they need. Downey said that she would like Keaton to talk with Steve Church.

Keaton felt that what would be most useful, he felt, was a camera in here. You could livestream the entire Council meeting. That seemed a more reasonable use of these funds. Scholz agreed that we could do that in here. Keaton noted again that he works on a \$10,000 computer while developing software; we only need something that can browse the Internet, works with PDF documents, and has Outlook.

- **Downey motioned to approve the fall business grant program, and to purchase tablets for the City Council to use in the future. That motion was seconded by Caughey, and the City Council voted unanimously to approve the uses for the CRF funds as suggested by Staff and modified by City Council.**

OTHER ITEMS: Hitt had an email he was sent recently, where citizens were asking to allow people impacted by the wildfires, who had lost their homes, to stay on their properties in their RV's. Our current code, HMC 10.05.050 says that an RV can be used on private property with the consent of the owner. There is also a special temporary permit for housing hardships, which requires Council's permission for a 90 day stay on private property. That allows for the RV to be on private property, not on the street. Is Council in favor of allowing this?

Mayor Duncan, Downey, and Caughey all were in favor, and the consensus for the rest of Council shared that opinion. Downey said that if we are in an emergency, he should be able to draft an emergency ordinance. She doesn't want people to wait for Council approval when it's true emergencies like these. She likes that we care about this and would allow it at this time. She would like there to be clear parameters. Keaton liked that, but as a point of caution, he wouldn't want it abused. He doesn't want people to just come here, because they heard we are allowing this. Downey agreed, and said that they would need to be invited by a property owner. Keaton thought people would just come here.

September 15, 2020

Mayor Duncan then asked if the City were dealing with the blackberries that are overgrowing the 4th street area? Scholz suggested code enforcement deal with, and the City Administrator decided to take care of it. He offered to go down and rip them out, but doing so would ruin the fence, which would need to be replaced. He wants a direct order from Council or the City Administrator to do this. Hitt will talk about it and will decide what to do. He will follow up on it.

ADJOURN: Council adjourned at the hour of 7:40pm.

Mayor

City Recorder

September 11, 2020

City of Harrisburg
120 Smith Street
Harrisburg, OR 97446
Attn: Chuck Scholz, Public Works Director



RE: 6th Street Waterline Replacement Notice of Apparent Low Bidder and Engineer's Recommendation for Award of Contract

The City received the following bids for the 6th Street Waterline Replacement project.

1. <u>H&J Construction, Inc.</u>	\$ <u>186,157.00</u>
2. <u>Wildish Construction Co.</u>	\$ <u>202,825.60</u>
3. <u>Turney Excavating, Inc.</u>	\$ <u>246,387.00</u>
4. <u>Banzer Construction Co.</u>	\$ <u>284,258.00</u>

I have reviewed all bid packages and found all to be complete and responsive.

I recommend that the contract be awarded to H&J Construction, Inc. in the amount of \$186,157.00.

Sincerely,

Branch Engineering Inc.
Damien Gilbert, P.E.
City Engineer

CRF Program Balance Sheet

Grant Cap Amount	\$	108,176.75	Descriptions:
Reimbursement No. 1	\$	(971.00)	Regular Supplies/Screening
Reimbursement No. 2	\$	(19,476.88)	Supplies & Econ Dev Small Business Grants & Utilities
Reimbursement No. 3	\$	(1,346.34)	Supplies & add't'l \$1k from Small Business grants
Subtotal 09.14.20	\$	86,382.53	
Pending Programs	\$	(10,000.00)	Council/HMC Computers
	\$	(10,000.00)	Lobby Build/Security & Pandemic
	\$	(60,000.00)	Small Business Grant Program (Fall) , COVID 19 - Revenue Loss
Subtotal	\$	6,382.53	
	\$	(6,300.00)	Contingency/Audit Funds
Remaining Balance	\$	82.53	



City of Harrisburg
120 Smith Street
Harrisburg, OR 97446
Phone (541) 995-6655
www.ci.harrisburg.or.us

SMALL BUSINESS GRANT PROGRAM APPLICATION (FALL) **(COVID-19: Revenue Loss)**

Coronavirus Pandemic – Dates for application submission: **Oct 1, 2020 to Nov 2, 2020***

Applications received after the program application dates will not be eligible for the program.

STAFF USE ONLY	
Grant Number:	Date Received:
Grant Approved Date:	By:
Grant Amount Approved:	Date & Check Number:

PROGRAM OVERVIEW: On September 15, 2020, the City Council for the City of Harrisburg voted to extend a secondary business grant program to small retail sales and personal service businesses in the City of Harrisburg. The City pays for this grant from our Community and Economic Development Program, which is then reimbursed by the Federal Government through the CRF Program.

Eligibility in this fall grant program is based upon a stated loss in Gross Revenues, due to the Coronavirus Pandemic, during the period of April 1 to September 30, 2020, compared to the same period in 2019. The City of Harrisburg will pay for up to 25% of your total losses during this period, **not to exceed \$5,000**. Program **funds are limited to \$60,000**, and funds are paid out on a **first-come first-served basis***.

*Applications will be dated, and time stamped by the City when they are received, only if they are complete & accurate.

The applicant need not repay any funds awarded if all program conditions are met.

ELIGIBILITY REQUIREMENTS: To be eligible the following requirements must be met:

- The business must have 15 employees or less.
- Only one grant is allowed per business owner.
- The business must operate within city limits and is located in the C-1 Commercial zone.
- The grant will apply to general losses in business revenue, due to the Coronavirus Pandemic for a period of April 1 to September 30, 2020, in comparison to this same period in 2019.
- Business Revenue Loss must be related to direct business-related revenues in comparison to this same period in 2019. This can be related to a reduction in your work force, or a shut down due to quarantine requirements, while incurring costs during that time period, such as rent, mortgage payments, and utilities. This can also include reduced space and limitations for customers in your business, or restructuring. (Ex: allowing only take-out, and no in-restaurant dining allowed.)
- The grant applicant must have a current Harrisburg business license for the last six months.
- The grant applicant must have a commercial business license and be in the business of retail sales, personal, or commercial business services.

RESTRICTIONS: This grant does not apply to landlords and rental program participants, **businesses with past due city accounts**, industrial businesses, large businesses, manufacturers, and banks, or to social gaming license holders, solicitation license holders or home occupation license holders.

PROCESSING TIMELINE: The city will make every effort to process all applications in a timely fashion, subject to application volume. Applications will be dated and timestamped by the City when received. **APPLICATIONS THAT ARE INCOMPLETE/INCORRECT, WILL BE RETURNED TO YOU, AND WILL NOT BE DATED & TIME-STAMPED!**

INSTRUCTIONS: Completely fill out the grant application. Verify that you have included a valid daytime phone number, email, and your current mailing address. Checks will be mailed to the address on file on your business license.

PRIMARY CONTACT AND OWNER INFORMATION	
Full Legal Name of Company or DBA: _____	
Applicant's Name: _____	
Applicant's Position with Company: _____	
Phone: _____	Email: _____
Mailing Address: _____	
Site Address for Company: _____	
Applicant's Signature* _____	Date _____
<p>*As the legal representative of this company, I hereby swear/attest that the business is eligible for compensation under this grant program, as noted on page 3. The funds received from this program will be used ONLY for coronavirus pandemic related revenue losses compared to last year during the periods of April 1, to September 30, 2019.</p> <p>Incomplete/inaccurate applications will not be accepted by the City and will be returned to you for correction.</p>	

ELIGIBILITY REQUIREMENTS

<p>Number of Employees: _____</p> <p>Business is located in the C-1 Commercial Zone inside the City limits of Harrisburg, Oregon: _____</p> <p>Business Site Location: _____</p> <p>My business is current on all City Accounts (Utility Account, Liquor, Bus. Lic./Other)</p> <p style="text-align: center;">_____ (Initial)</p>	<p>How many years has this business been located at this address? _____</p> <p>I have held a valid business license from the City of Harrisburg for more than six months prior to signing this application: _____</p> <p>I hereby attest/swear that the figures shown below are true and correct; and can be confirmed if audited. _____ (Initial)</p>
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Revenue Losses – for April 1 to Sept 30, 2020 in comparison to the same time period in 2019.

<ul style="list-style-type: none"> Business Gross Revenues from April 1, to September 30, 2020 Business Gross Revenues from April 1, to September 30, 2019 <p>Payout may not exceed \$5,000 per business on a first come/first served basis.</p> <p>Program total amount is capped at \$60,000.</p> <p><i>Incorrect/Incomplete applications will not be accepted and will be returned to the applicant. Date and timestamp are based only on the receipt of a complete and accurate application</i></p>	<p>\$ _____</p> <p>\$ _____</p> <p>Amount of Loss: \$ _____</p> <p>25% of Total Loss: \$ _____</p> <p>Payout Requested: \$ _____ *</p> <p>*You may request <u>any amount less</u> than the allowed maximum payout.</p> <p><i>Payment will be mailed to the address on file with your business license.</i></p>
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- SUBMIT:** Your application can be submitted to/at the following locations:
1. By Mail to: The City of Harrisburg, PO Box 378, Harrisburg, OR 97446
 2. Dropped at the overnight utility payment drop box at Harrisburg City Hall @ 120 Smith St., Harrisburg, OR
 3. Emailed to: Michele Eldridge meldridge@ci.harrisburg.or.us
 4. In person, at Harrisburg City Hall, located at 120 Smith St., by appointment with John Hitt or Michele Eldridge. Call 541-995-6655 to schedule an appointment.

Applications must be received by the City prior to 5:00pm on November 2, 2020!