



City Council Business Meeting Minutes
May 10, 2022

Mayor: Robert Duncan, Absent
Council President: Mike Caughey, Present
Councilors Present: Kimberly Downey, 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
Meeting Location: Harrisburg Municipal Center Located at 354 Smith St

CALL TO ORDER AND ROLL CALL by Council President Caughey sitting in for Mayor, Robert Duncan at the hour of 6:31pm

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

THE MATTER OF THE BNSF FRANCHISE AGREEMENT EXTENSION AND APPROVING ORDINANCE NO. 982, "AN ORDINANCE AMENDING ORDINANCE NO. 798, EXTENDING THE LENGTH OF THE FRANCHISE BY 180 DAYS AND DECLARING AN EMERGENCY"

STAFF REPORT: Eldridge informed Council this is the same ordinance that was presented at our Executive Session with one change, the name of the company. City Attorney, Jim Brewer, provided the correct name for BNSF, **(Addendum 1)** as BNSF Railway Company. Eldridge commented that we will continue negotiating with them during the extension. Keaton asked for Eldridge to explain why this is declared an emergency, and Eldridge explained so it can go into effect immediately.

- Klemm **motioned to approve Ordinance No. 982, "An Ordinance Amending Ordinance No. 798, extending the length of the Franchise by 180 days and declaring an emergency and was seconded by Keaton. The City Council then voted unanimously to approve Ordinance No. 982, "An Ordinance Amending Ordinance No. 798, extending the length of the Franchise by 180 days and declaring an emergency.**

THE MATTER OF A PROCLAIMING MAY 2022 AS MENTAL HEALTH MONTH IN HARRISBURG

STAFF REPORT: Ross stated this was an annual proclamation and pointed out the resource phone numbers on page 145 of the report. Council President Caughey read the proclamation aloud naming May as Mental Health Month in Harrisburg.

THE MATTER OF A DISCUSSION IN RELATION TO THE LAW ENFORCEMENT SERVICES CONTRACTS WITH LCSO AND CITY OF COBURG

STAFF REPORT: Eldridge stated that both LCSO and Coburg PD contracts expire at the end of this fiscal year. Both proposed contracts reflect cost of living increases. LCSO will be giving their employees an 8% COLI increase and Sheriff Duncan didn't want to pass that on to the contracted cities; so she increased the next three fiscal years as shown in Addendum 2. This next fiscal year will reflect a 5% increase followed by 4% for each of the next two fiscal years.

Eldridge stated that last year, Coburg's hourly rate was \$64 for 35 hours plus 10 additional hours for court bailiff. Coburg's initial new rate was \$89 per hour which included administrative costs. Eldridge informed Council that she spoke the Coburg City Administrator, Anne Heath, and it was decided that the new rate would be reduced to \$76.46.

Eldridge pointed out the services that both LCSO and Coburg provide the City. She referred to page 19 which shows a comparison of proposed hours for both agencies and stated that we can split the hours between the two agencies if we choose to. The City Council can approve the hours in table 8 or add/subtract hours as directed.

- Downey commented that both agencies stated previously that they were unsure if they could offer us more hours. Downey stated she was leaning towards maintaining current hours and suggested budgeting for table 8 and to add more hours later if they are available. Keaton agreed with Downey.
- Thomas commented that they shouldn't agree to a contract they can't fulfill it. If we want more hours, we should state we want more or go back to last years contract.
- Eldridge stated that we could have a provision in both contracts, that if they are unable to provide the required hours, the City would reduce the amount paid based on the hours they could provide.
- Council President Caughey stated that over the last three years, LCSO has provided more hours with the exception of one time and made it up the next month. He doesn't think providing us with more hours, will be an issue.
- Boese stated he was leaning towards leaving the hours as is with a contingency to add more later if needed.
 - Thomas asked if we were able to add more hours at a later time or would we need to renegotiate the contract.
 - Eldridge said we could ask for an addendum to be added to the contract requesting more hours.
- Keaton commented that he is leaning towards maintaining the current coverage as well as Boese and Klemm.
- Thomas likes table 8 and well as Downey. Council President Caughey stated he was leaning towards table 8 as well.
- Keaton would be in favor of increasing the Coburg hours instead of LCSO because they typically go over on hours, and they are already providing services. Council President Caughey agreed with Keaton as well as Downey. Keaton proposed increasing Coburg's hours from 35 to 45 per month, an increase of 10 hours and leaving LCSO the same.

- Boese believes the new speed signs in town are being effective and hasn't heard of any complaints. He wanted to know why we are adding more hours and if they would go towards traffic.
- Downey stated that at the crime forum meetings, residents want more police presence, and more presence means less crime.
- Boese asked what hours Coburg is in town and Council President Caughey replied they are here all hours, day, and night.
 - Eldridge stated that Coburg is working with LCSO to stagger their shifts, so they aren't in Harrisburg at the same time.
- Nelson clarified with Council, that she was budgeting 540 hours annually with Coburg at 45 hours per month and it to leave the extra funding in contingency.
- Eldridge clarified that the base hours for LCSO would stay the same and she would have language in the contract addressing if they were not able to fulfil their monthly hours.
- Thomas asked Eldridge if there was anything we would want to change in the contract with Coburg?
 - Eldridge stated she would like for it to mention something about communication with staff and for citations to be delivered in timely manner.
 - Council President Caughey would like reporting to improve by having actual location and not intersections listed.
- **Keaton motioned to direct staff to enter negotiations with the City of Coburg to increase total hours up to 540 annually and maintain the current service levels with LCSO and return to a future meeting with a draft agreement after being approved by both City Attorney's and was seconded by Klemm. The City Council then voted unanimously direct staff to enter negotiations with the City of Coburg to increase total hours up to 540 annually and maintain the current service levels with LCSO and return to a future meeting with a draft agreement after being approved by both City Attorney's.**

THE MATTER OF REVIEWING AND APPROVING RECOMMENDATIONS OF THE 2ND BID FOR THE NEW NORTH AND SOUTH WATER TREATMENT FACILITIES

STAFF REPORT: Scholz reminded Council that the first bid for the water treatment facility went out last July. After reviewing that bid for the amount of \$7 million, Council decided to wait and rebid at a later date. In January, it appeared that the prices were dropping so it went out bid again. The second bid came it at \$8 million which is double from our estimates from 3 ½ years ago . Scholz read the options as listed in Exhibit A and said there are plus and minuses for each.

- Downey asked Scholz what option he thought was the best. Scholz replied that delaying it means it's not getting done, but he doesn't think splitting the project up into pieces is a good governance of the resident's money. Scholz stated that the unofficial direction he has received is that we further delay the project.
- Thomas commented that we are on a delay due to inflation and feels that the residents will understand.
- Klemm feels people are getting impatient, however, when residents find out the reasoning, he thinks they'll be sympathetic. He feels that going forward now, would be a mistake.
- Downey asked Nelson if we were earning any interest on the funds and Nelson replied that we are currently at an interest rate of .75% and every month it has been going up.
- Keaton was concerned that if inflation continues, how far out will this project get pushed. He is leaning towards option one.

- Boese stated he is saddened, and he really wants to do this for the residents. Boese asked about the bond funds and if we are paying it back yet? Nelson responded that we are already in the process of repaying. Boese asked about having another bond.
 - Eldridge stated that it would have to be advocated to the residents.
 - Thomas believes that this bond would pass at this time.
- Scholz stated that if we did move forward with the project and material costs continue to rise, the contractor can come after the City for the difference, which we don't have.
- Eldridge informed Council that in the HRA Budget there is \$2.1 million in infrastructure construction, due to saving on the last two public improvement projects and tax revenues increasing by \$700,000. Eldridge spoke with City Attorney, David Coulombe about the possibility of using those funds and he suggested contacting Bond Counsel. She was informed there would be no conflict from Bond Counsel for the HRA to loan the City those funds. The City would have to hire Elaine Howard and have her look at statues and see if that is an option for the City. At this point, we don't know if we can use this money for this project and it can take several months to find out. It was agreed by Council that this was worth looking into, and the consensus was for Eldridge to go forward with Elaine Howard and bring back to Council.

Downey started to make a motion, then retracted the motion, due to reading the incorrect motion.

- Downey **motioned to reject all bids and delay project due to lack of funds and was seconded** by Keaton. **The City Council then voted unanimously to reject all bids and delay project due to lack of funds.**

THE MATTER OF APPROVING A PARADE PERMIT FOR THE HARRISBURG OLD-FASHIONED 4TH OF JULY PARADE

STAFF REPORT: Eldridge stated the parade is the same route as last year and this year's theme is "Follow your American Dreams."

- Thomas **motioned to approve the Parade Permit for the Harrisburg 2022 Old-Fashioned 4th of July Parade and was seconded** by Klemm. **The City Council then voted unanimously to approve the Parade Permit for the Harrisburg 2022 Old-Fashioned 4th of July Parade.**

THE MATTER OF APPROVING THE CONSENT LIST

- Thomas **motioned to approve the Consent List and was seconded** by Downey. **The City Council then voted unanimously to approve the Consent List. The items approved by this action were as follows:**
 - **Harrisburg City Council Minutes for February 8 and**
 - **February 22, 2022**
 - **The Payment Approval Report for April 2022**

CITY ADMINISTRATORS VERBAL REPORT

1. **Status of Franchises:** Eldridge stated that we have two franchises that we are currently working on. The first is MCI. The City Attorney is currently reviewing, and it should be back to Council soon. She noted that the locational map is incorrect and needs to be corrected. Comcast, which expired in August, is the second agreement. Although we are still receiving franchise revenue, she is

having difficulties with getting a response. The contract will be another 10-year extension.

2. **Or-Cal:** Eldridge stated Or-Cal is working on a site plan for an extension for manufacturing and storage. They produce snail bait which contains metaldehyde. Fire Chief Bart Griffith had some concerns with the product, but they have the proper permitting and DEQ will be regulating. It should be going to Planning Commission next week.
3. **LOC Luncheon:** Eldridge reminded Council of the LOC Luncheon at 11am this Friday at the Municipal Center.

OTHER ITEMS

- Thomas asked about Petra Automotive. Scholz responded they are closed because they lost their mechanic.
- Council President Caughey commented about the new business in town, Ogden Auto Care, stating that he did a great job on his vehicle.

ADJOURN: The City Council adjourned the meeting at the hour of 8:22pm

Mayor

City Recorder

ORDINANCE NO. 982

AN ORDINANCE AMENDING ORDINANCE NO. 798 AND EXTENDING THE LENGTH OF THE FRANCHISE BY 180 DAYS

WHEREAS, at its regular meeting of June 26, 2002, the City Council of the City of Harrisburg enacted Ordinance No. 798 and granted the BNSF Railway Company a franchise for the placement of railway facilities within the City of Harrisburg, and

WHEREAS, the franchise granted by Ordinance No. 798 will expire June 30, 2022; and

WHEREAS, the City informed the BNSF Railway Company that the City is not willing to enter into a new franchise because of the deteriorating condition of the right of way along Fourth Street; and

WHEREAS, the City and the BNSF Railway Company have met twice and are currently negotiating a resolution that requires information about design, engineering, and cost assessment; and

WHEREAS, the time to produce the information necessary for a successful resolution to this issue is 180 days.

NOW, THEREFORE, The City Council of the City of Harrisburg does hereby ordain as follows:

Section 1. Section 7.6 of Ordinance No. 798 is amended to read as follows:

7.6 Effective Date. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Harrisburg, Oregon, an emergency is hereby declared to exist and this ordinance and Franchise shall be in full force and effective as of July 1, 2002, pursuant to the provisions of applicable law. This Franchise shall expire on December 30, 2022, unless extended by the mutual agreement of the parties.

PASSED BY THE COUNCIL: _____

APPROVED BY THE MAYOR: _____

EFFECTIVE DATE: _____

Mayor Robert C. Duncan

ATTEST:

Lori Ross, City Recorder



LINN COUNTY SHERIFF'S OFFICE

Michelle Duncan, Sheriff

1115 Jackson Street SE, Albany, OR 97322

Phone: 541-967-3950

www.linnsheriff.org

MEMORANDUM

To: Michele Eldridge, City Administrator
City of Harrisburg

From: Sheriff Michelle Duncan

Date: April 25, 2022

Re: Law Enforcement Services Contract Projections

The County has settled the contract negotiations with the Deputy Sheriff Association. Based on the terms of the contract, we have updated our projected rates for the Law Enforcement Services Contract for the following three years.

If you have any questions about these projections, please, as always, reach out to me immediately.

Budgetary Projection for Law Enforcement Services Contract:

<u>Hrs Contracted</u>	<u>FY22/23 Rate per Hour</u>	<u>FY22/23 Total</u>
3300	\$79.29	\$261,657

<u>Hrs Contracted</u>	<u>FY23/24 Rate per Hour</u>	<u>FY23/24 Total</u>
3300	\$82.46	\$272,118

<u>Hrs Contracted</u>	<u>FY24/25 Rate per Hour</u>	<u>FY24/25 Total</u>
3300	\$85.76	\$283,008