

HERMISTON CITY COUNCIL

Regular Meeting

January 13, 2020

Mayor Drotzmann called the regular meeting to order at 7:00pm. Present were Councilors Myers, Barron, Smith, Davis, Primmer, Gutierrez, and Hardin. Councilor Kirwan was excused. In attendance was Judge Creasing, as well as City staff to include: City Manager Byron Smith, City Attorney Gary Luisi, Assistant City Manager Mark Morgan, Chief Edmiston, Clint Spencer, Mark Krawczyk, Mollie Croisan, and Lilly Alarcon-Strong. Media present were Jade McDowell of the East Oregonian and Michael Kane from NE Oregon Now. The pledge of allegiance was given.

Citizen Input on Non-Agenda items

Jesus Rome gave information and encouraged all to participate in the Martin Luther King March and event on Monday, January 20th from 11:00am to 1:00pm at First United Methodist Church (flyer attached). Mr. Rome stated this would also be a good time to consider building a new City Hall.

Consent Agenda Items

Councilor Hardin moved and Councilor Primmer seconded to approve Consent Agenda items A-F, with the correction to item B "0/14/2020" to "01/14/2020" to include:

- A. 2018-19 Urban Renewal Agency Annual Report
- B. Confirmation to the Eastern Oregon Trade and Event Center Advisory Committee: Positions #7, Ryan Barnes, term from 0/14/2020 to 06/30/2020
- C. Recommendation to the Recreation Projects Fund Advisory Committee: Position #1, Lydia Raath, term from 01/28/2020 to 12/31/2022
- D. Minutes of the November 25, 2019 Public Infrastructure Meeting
- E. Initiate Annexation 4N2802BA Tax Lot 400- 498 E Punkin Center Road
- F. Minutes of the December 9, 2019, City Council work session and regular meeting

Motion carried unanimously.

Public Hearing- Continuation of Local Improvement District (LID) 322 to March 23, 2020.

Mayor Drotzmann stated at the August 12, 2019 City Council meeting, this hearing was opened and continued to October 28, 2019. At the October 28th meeting, the hearing was then again continued to January 13, 2020 and asked for a staff update.

Assistant City Manager Mark Morgan stated the City has moved on to the next stage for federal grant approval, which is good news; however, this does not mean we have been approved. The City does not plan to form this LID unless the grant is approved. The City is asking that the Council consider continuing this hearing for another 90 days, until March 23, 2020 by which point, hopefully the City will have more information.

Councilor Myers moved and Councilor Primmer seconded to continue the public hearing to March 23, 2020. Motion carried unanimously.

Resolution No. 2141- Solid Waste Rate Increase

Assistant City Manager Mark Morgan stated the City has a franchise agreement with Sanitary Disposal to provide garbage collection services to the City of Hermiston. Sanitary Disposal is requesting a rate increase of \$1.55 per month effective February 1, 2020 due to cost pressures, increases of fuel, employment wages and other operating costs. Even with the proposed increase, Hermiston has some of the lowest garbage rates in the region. The last rate increase was in July 2016. The Solid Waste Advisory Committee met on

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December 23rd and unanimously recommended that the City approve the increase requested by Sanitary Disposal. Mr. Morgan mentioned water and sewer rates would increase 1.8% effective March 1st, 2020, due to inflation results as set in last years resolution.

Mike Jewett, owner of Sanitary Disposal, stated the increase is also due to materials being more difficult to recycle. Other service areas have also approved similar increases as well.

Councilor Gutierrez moved and Councilor Davis seconded to adopt Resolution No. 2141 and lay upon the record. Motion carried unanimously.

Mayor Drotzmann thanked the Jewett's and Sanitary Disposal for providing great service along with low rates.

Final Decision - Eastern Oregon Development Rezone Request

City Planner Clint Spencer reviewed information regarding Ordinance No. 2284 which would have rezoned 5.45 acres north of the Hermiston Drain and west of NE 4th Street. Originally, the Planning Commission had recommended that the City Council approve the findings of fact to deny the rezone request. However, the City Council moved in favor of the rezone and directed staff to bring forward an ordinance and supporting documents at the following meeting. At that meeting, the ordinance and finding of fact in support of the rezone failed to pass by the City Council. The State of Oregon rules for land use actions states that the City Council must make a final decision to adopt the findings for denial as the ordinance failed. Also, in discussing the procedural issues with land use counsel, it was recommended that all councilors affirm that they reviewed the record prior to voting on Ordinance No. 2284 as two Councilors were not present during the evidentiary hearing on October 28, 2019.

Mayor Drotzmann polled the Council to affirm they had reviewed the record prior to voting on Ordinance No. 2284. All Councilors affirmed they had reviewed the record prior to voting.

Public Comment

Steve Richards, Eastern Oregon Development, stated Hermiston is a great City to grow in and this is why he continues to develop in Hermiston. He was adequately able to show that mini-storage units are needed and over 100 local residents, that live in that area, all signed in support of this development. He is in negotiations to purchase the entire vacant land, and if it goes through, and the Council does not approve the rezone for mini-storages, he will build an attractive RV Park for long-term contractors in the area, which there is also a demand for. If this happens, the City will not be able to develop this area for retail development as is their intentions. However, he is willing to work with the City for this rezone and donate part of this land to build a through street and develop part of this property for retail development so it can be a win-win for him and the City. He asked that the Council keep an open mind about the rezone.

After some discussion, Councilor Smith moved and Councilor Davis seconded to adopt the findings of fact, in support of denial, as presented. Councilors Myers, Hardin, Barron, and Smith voted in favor; Councilors Gutierrez, Primmer and Davis voted against. Motion carried 4-3.

Mayor Drotzmann thanked Mr. Richards for his investment in the City and his willingness to continue to invest in Hermiston.

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Discussion and Possible Action on Food Pod

City Manager Smith stated the Council was presented updates and information regarding the Food Pod Pilot Program and its potential future during the Council's Work Session Meeting, and asked how the Council would like to proceed.

Mayor Drotzmann stated the community is in support of a food pod, and believes it would be best not to invest more money in a temporary site.

Public Comment

Patrick Hunt, Southern Twain BBQ food vendor, stated he understands the City needs to be fiscally responsible and it would be best to wait for a permanent site if this is what the City decides to do.

After some discussion, Councilor Primmer moved and Councilor Barron seconded to continue the food pod as-is at its current location this year while the City looks for a new permanent location that would have utilities and improvements that are needed. Motion carried unanimously.

Update and Possible Action on City Hall Status

City Manager Smith stated the City has received some preliminary estimates of \$100,000.00 to replace the HVAC system, clean, repaint, and replace smoke damaged items caused by last month's fire. The HVAC system cannot be repaired as it was originally installed, in 1965, into concrete, therefore, it would need to be replaced along with new carpeting and paint. However, even with all of these repairs, the building continues to have ADA challenges. There are five different floors, two of which cannot be accessed for those needing ADA accessibility, and another which can only be accessed by going outside of the building and entering through the bottom floor. Although the Council Chambers has a chair lift, it doesn't breed confidence and, therefore, people would prefer not to use it. The dais for Council and Committee members also does not have ADA access, there is not a second exit in case of an emergency, there is not an ADA customer service height counter, and the only ADA accessible restrooms, which do not comply with ADA regulations, are located in the lowest level, and again, is only accessible by going outside. Architects have preliminarily looked at City Hall to remodel for ADA compliance and have found that four out of five floors would need to be demolished to accomplish this task.

City Manager Smith stated he is therefore recommending that the Council consider building a new City Hall where all departments, excluding the Police, Library, and Parks and Recreation Departments would be housed, that is ADA compliant, instead of repairing it, as he was planning on recommending a new City Hall in a couple of years anyways. If this is something the Council would consider, he would recommend the Planning Department temporarily move into the Building Department and the Finance and Administration Departments temporarily move into the lower level of the Library. Prior to this move, the lower level of the Library would be remodeled to not only accommodate the temporary use of City Hall, but to also add more usable and customer friendly space to that area, as it is not being used, as-is, to its fullest potential. If approved, the New City Hall could be built in the same location in about 18 months, if we rush the architects and start demolition sooner rather than later.

Councilor Gutierrez stated it would be in the best interest of the City to build a new City Hall where all City services are located in the same building and, to prevent an ADA lawsuit.

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Councilor Myers stated many years ago, the City did what it could to make it somewhat ADA accessible, however, the architect at that time, said the same thing, it cannot be completely brought to ADA compliance as it is where it is.

Mayor Drotzmann stated although this may feel rushed due to the fire, replacing City Hall has been a previous City goal and ADA compliance has been a topic of discussion and concern for many years. The City always promotes how welcoming and inclusive we are, however, this is not the case at City Hall where customers and staff members with mobility restrictions do not have the same access as everyone else. This is frustrating and we must be respectful of everyone's needs.

Councilor Barron stated when he moved to Hermiston in 2015, he was very surprised to find out that building was City Hall and looks at this as an opportunity to for a new efficient identity that give the City pride.

The Council directed City Manager Smith to within the next month, finalize a budget for repairs to the current City Hall, as well as building a new City Hall. This will also give the public an opportunity to comment their views on the subject.

Committee Reports

Parks and Recreation Committee- Councilor Davis stated the Committee reviewed the Parks Plan, Funland Park, and the Health and Wellness Center.

EOTEC Advisory Committee- City Manager Smith stated the Committee is working with architects on the Master Plan.

Hispanic Advisory Committee- Councilor Gutierrez stated the Committee will meet next Tuesday as Monday is MLK Holiday.

Mayor's Report

Mayor Drotzmann spoke regarding:

- New Committee assignments
- Goal Setting Session
- Condolences to the City of Pendleton for the passing of one of their Councilors, Scott Fairley. He was a great person and always worked for the best of his City and the region.
 - City Manager Smith stated his funeral service would be held on Sunday at the Pendleton Convention Center at 2:00pm.

Councilor's Report

Councilor Barron stated he was fascinated to learn, at the Goal Setting Session, that the City has over 83 miles of water mainlines and over 72 miles of sewer mainlines and those numbers continues to grow. There is a huge cost and a lot of work to maintain these lines. Councilor Barron thanked the City for the good job they do keeping these services running as many of us take them for granted.

Manager's Report

City Manager Smith spoke regarding:

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- EOTEC Committee member, Vijay Patel, had resigned. The Tourism Board is searching for a replacement

Adjournment

There was no other business and Mayor Drotzmann adjourned the regular meeting at 8:11pm.

SIGNED:

/s/Dr. Dave Drotzmann

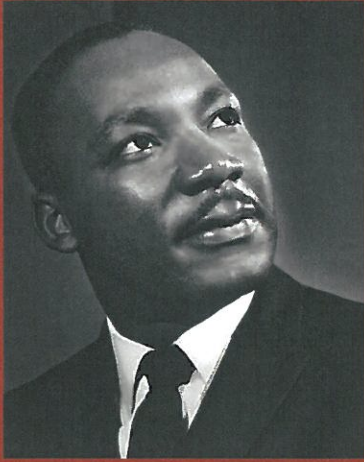
Mayor

ATTEST:

/s/Lilly Alarcon-Strong, CMC

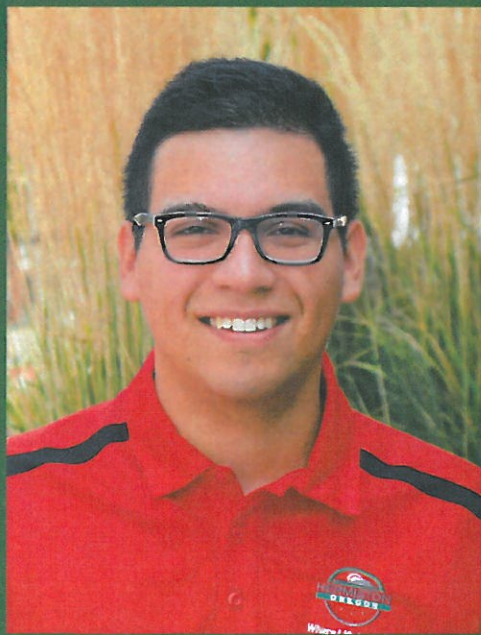
City Recorder

2020 Martin Luther King March



Dr. Martin Luther King, Jr.
1929—1968

Special Guest:
Roy Barron



Date:
Monday, January 20, 2020

Time:
11am—1pm

Location:
Hermiston First United
Methodist Church

"It's a very important time that we need to build a positive community.... We need to make a difference in our community by being involved."—Virginia Rome-Garcia, HCAC Member

"It's important to bring awareness to King's accomplishments and the work that he began years ago." — John Carbage, HCAC President



This event is offered to the community by the Hermiston Cultural Awareness Coalition. We hold meetings on the 2nd Saturday of each month. Contact John Carbage at 541-701-7073 for time and location.