

# Local

## City Council: Kee to retire, new council member begins

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### Citizen Participation

Jodi Tool, Transportation Options Coordinator with Community Connection spoke to Council about the vanpool project she is working on with an employer in La Grande in an effort to get employees from Baker County to Union County for job opportunities.

Mayor Mosier stated she had heard input that the agenda be changed to allow for appointment of the vacant Council seat at the beginning rather than later in the meeting.

Acknowledging the importance of this she also suggested that the matter be moved but be done after the discussion of the graffiti ordinance due to the fact that contracted legal representation Drew Martin was present for that discussion and Mosier felt since he was being paid for his time at the meeting it would be more fiscally responsible to get to that discussion and have him dismissed rather than pay him to sit through the pomp and circumstance of appointing a new councilor first.

With agreement amongst the council they moved on to the discussion first.

### Discussion Of Graffiti Ordinance

City Manager Mike Kee advised Council that in June of this year it was brought to the attention of the City Police Department that graffiti was on the backside of the Eltrym Theater.

After speaking with the building owners to make them aware of the graffiti as per the City's graffiti ordinance, 14 days were given for the graffiti to be removed.

The owners removed the majority of the graffiti but chose to keep what is now referred to as the "Movie Mouse or Movie Rat."

The owners notified the Police Department that they had removed all of the graffiti aside from that which they had chosen to keep, and refused to remove the rest.

Due to specifics of the ordinance the building owners were issued a citation for not removing all of the graffiti as required. No similar issues concerning the ordinance have arisen since the ordinance was put into place in 2009.

The Baker County Juvenile Department has in the past helped with removal of graffiti at no additional cost the building owners.

Kee said, "There has been some criticism in the community about a lack of flexibility with this ... This is an unusual case due to the content of the graffiti and the fact that the owner of the building likes having it on the building. There has also been further criticism because there is graffiti around the city that has not been addressed by the Police Department and other times as soon as graffiti shows up they are right on it. In talking with the Police Department about this, I was advised they handle graffiti on a complaint basis."

The ordinance clearly says that if "art" is added onto a building with prior

authorization it is deemed okay, but without it, is considered graffiti even if a building owner likes it.

The matter was brought before the City Council in an effort to clarify the ordinance.

Councilor Thomas asked, "Is there any chance that the owner of the place could paint over it and then have the artist come back with authorization and repaint it?"

Kee replied, "It is my understanding they don't know where to find this guy."

Mosier said, "I understand where Councilor Thomas was going with that and I had the same thought. Then after thinking about it for a while and talking with people in the community it seemed just a ludicrous result that we would ask that. I'd like to see us make an ordinance that will work better for our community."

City Attorney Drew Martin addressed Council with ideas of how the ordinance could be changed so that it worked better. One of the suggestions was to change wording to address graffiti as, "Anything that is unauthorized by the land owner or otherwise considered nuisance by the City."

Mosier asked Martin to give his impression of a possible alternate to the graffiti ordinance.

Martin suggested specific wording like prior authorization be removed and changed simply to authorization that way if a building owner wishes to keep something as long as it is not a nuisance, they can.

Mosier questioned who would be responsible for determining what was a nuisance. The question was not really answered and left to interpretation yet implied that maybe if there became an issue the matter would be brought to City Council to decide.

It was agreed that there also needed to be some type of appeal to the City Council before any formal enforcement of the ordinance.

Other suggestions included adding wording that required the complaint to come directly from a citizen of Baker City not an out of town person or a member of law enforcement.

Brian Vegter of the Public Arts Commission spoke to Council about concerns of vindictiveness about the complaint-based system. He asked the council to consider that as a possibility and that the issue be addressed and planned for as far as a review in place for such situations.

He stated that the Public Arts Commission members have all agreed that they would be willing to help advise in such a situation. He gave some insight as to what may have gone into the design and application of the "Movie Mouse" even going so far as to name the person that was assumed to have done the work.

He also noted that everyone's taste in art is different and he respects that. He went on to say while he believes the members of the Public Arts Commission really understand art and what goes

into making it they do not advocate people randomly putting things on buildings without permission. In this particular case if asked, the Eltrym would definitely ask for it to be placed on the building.

Council agreed rewording the ordinance was the best solution and requested staff work with the assistance of the city attorney to bring a revised ordinance before the council.

### Appoint New City Council Member

A vacancy that was left by the departure of Ben Merrill was filled Tuesday evening.

At the September 22 Council meeting it was agreed that applications and letters of interest would be accepted with the selection of a new member to be made at this Council meeting.

Four candidates filed: Margaret "Sandy" Lewis, Dawn Buckelew, Randy Dougherty, and Michael Meyer.

Councilors were able to review applications and letters before the meeting.

Councilors cast their votes as follows: A total of three votes were cast for Sandy Lewis by Councilors Abell, Downing and Mayor Mosier. Two votes were cast for Randy Dougherty by Councilors Langrell and Thomas, and one vote was cast for Michael Meyer by Councilor Augenfeld. No votes were cast for Buckelew.

Lewis was immediately sworn in and took a seat with her fellow councilors next to Mayor Mosier for the remainder of the meeting.

### Grant Update

Kat Davis, the contracted Grant writer for the City gave an update to Council on a couple of open projects that she is seeking grant funding for.

The first is for the Sam-O Swim heating system upgrades.

"This seems to have been in the process for a very long time," Davis said.

Davis supplied council with a printout of fund sources, amount requested, amount received and the status of those funds.

With the budgeted amount from the city and grants that have already been awarded of \$103,000 there is still a gap of \$87,000.

A grant request from the Ford Family Foundation in the amount of \$60,000 has been made and the City was notified of receipt of the request. "We will then go on from there once we know how much Ford Family Foundation will grant us, we are trying to come in right on the money," said Davis. She explained that this has been a large grant writing project and how difficult it was to fund municipal projects.

She then spoke of Vibrant Baker City Experience concept.

Davis said, "The idea behind this is to market Baker City as an open, welcoming, vibrant, creative based community to attract a younger population base, a 25-45 age demographic that tends to be entrepreneurial. Creative class workers, writers, artists, software developers,

anything that is a creative based endeavor."

Davis went on to explain it was a small grant amount that she is looking for but is not very far along in the process. Her goal is for the grant to pay for a coordinator that can bring the elements together.

### Sam-O Swim Pool Resurfacing Bid Award

Michelle Owen addressed Council regarding the bid that the Sam-O committee has put forth for recommendation. Mid America Pool Renovation was the bid selected at a cost of \$69,250. The original amount budgeted for the project was \$60,000 however the Committee chose to utilize \$10,000 allocated for shower replacement allowing for \$70,000 toward the pool resurfacing project. Owen told Council she had checked references of Mid America Pool Renovations all with very favorable comments in regards to professionalism and quality of work. She also noted that Mid America's bid was the lowest mainly due to much less expensive costs for tile. She noted when asked about this she was informed that the company lowers that cost in an effort to secure jobs and keep their employees working rather than laying them off in the slower season. Owens expressed that practice as very impressive to her. Councilor Downing motioned that this bid be accepted with a second by Councilor Thomas. The Council voted unanimously to accept the bid.



Gina K. Swartz / The Baker County Press

Sandy Lewis was sworn in as the new council member immediately after she received three of the six votes, filling Ben Merrill's vacated position.

Owens indicated that Mid America will be available for this project in November with the installation of the already approved and ordered sand filters occurring at the end of the pool resurfacing project, so that with the Councils approval this was expected to happen quickly.

### Ordinance #3345 Prohibited Park Activities: Third Reading

Owens read this ordinance by title only for the third time. She advised signs had been ordered and would be posted as soon as the ordinance was passed. There is an emergency clause in the ordinance that will allow it to take immediate effect.

Newly appointed Councilwoman Lewis asked if there was any specific wording in the ordinance allowing wheelchairs, both electric and manual to be utilized differently than say an electric scooter.

A discussion among council, Michelle Owen

and Mike Kee ensued with a final decision being that due to ADA requirements wheelchairs both electric and manual were excluded from requirements in this ordinance because of those requirements and the fact that they cannot be discriminated against.

Those needing those devices for mobility was a different matter than just blatant disrespect for City Park property. Downing made a motion to approve the third reading of the ordinance with a second by Councilor Thomas seconding the Council approved the Ordinance.

### Resolution #3760 Adopting Anthony Silvers Street Tree Grant Program Allocations

A substantial amount of money was left to the city specifically for the benefit of Street Trees in Baker City.

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# AUCTION



## MOVING AUCTION

Horse Drawn Vehicles-  
Antiques/ Collectibles-Tools-  
Misc. Shop

Saturday Oct. 17th, 2015

Time: 10:00 A.M. PDT • Sale Located  
at: 73972 Hwy. 82, Elgin, Ore.

**Sale Located at: 73972 Hwy #82. East on Hwy #82 to the intersection of Hwy 82/ Hindman Rd. (mile post 25.6) Terms: Cash or bankable check day of sale. No merchandise removed prior to settlement. 10% buyers premium.**

**Concessions available on site.**

**Auctioneers Note:** Cliff and Judy Tschirgi have been business owners/ranchers in the Grand Rhonde Valley for more than 35 years. With a change in direction, they are downsizing their nice, clean property at auction. Plan on attending this unique auction sale.

**Horse Drawn Vehicles:** late 1800's Surrey w/fringe top; late 1800's Dr.'s buggy w/ new old stock runners included, both have new upholstery and are restored, shaves and tongue available; 4 seat sleigh w/original shaves and original mohair upholstery.

**Carriage Horse:** Good looking registered Morgan Palomino gelding, 14.2H, 900 lbs.(approx) 9 yo. Professionally trained to drive and ride. Point earner is different shows.

**Collectibles:** 3-wood burning stoves, Colonial cook stove (Portland Iron works), Dow-agic stove, Great Western Duplex wood stove; 3- cast iron bath tubs; Stanley # 35 rabbit plane, #6 jack plane; Prairie #2 25 lb. Brass spring scale; vintage logging tongs; nice 24 slot oak letter rack; Maytag wringer washer; one-lunger washing machine engine; antique tools; dual can dispenser 7-up vending machine w/key; 1920's G.E./Hotpoint automatic electric range (very clean); Duncan-Pfiffe table and chairs; nice fainting couch (ready to be re-finished); 7 ft. buffet (probably oak); 1920's bridge lamp; 5 gal. And 2 gal. Weavever cast aluminum stock pots; Ruby Red punch bowl set; 6 pt Elk mount; Black Bear head mount; neat and clean steamer trunk w/ original drawers and hangers; vintage bat wing chaps;

**Saddles and Tack:** 15 1/2" bench made cutting saddle (D. Cunningham-G. Von Dohns maker, Union, Or.), 15 1/2" Herford by Tex Tan

(old style); 3- 13 and 13" saddles, good quality; 3 sawbuck saddles; 1 pr. Ralhide back boxes; 1 pr. Pack bags; 2-Australian stock saddles; 1 pr. Saddlebags; more to find.

**Furniture and Appliances:** White Kenmore 400 washing machine; white Kenmore 18 cu. ft. double door refrigerator; maroon Laz-E-Boy couch w/dual recliners; beige 4' round great chair/couch; Hamilton-Beach convection oven; central vacuum system, new in box; like new NordicTrak Tread Climber exercise machine; wrought iron style patio furniture; wicker furniture; more to find.

**Shop and Misc.:** Bark Buster (P.T.O. Wood splitter); P.T.O post auger w/12" bit; 16 ft. Powder River Classic gate; misc. panels; Lincoln 225 Amp arc welder; a good selection of Craftsman power tools to include, 20 gal., 2hp air compressor; 12" table saw w/extensions; Radial arm saw; 6" joiner; 12" band saw; Shaper; 5 hp single phase pump; John Deere RX75 riding lawn mower; 20+ 4 X 4 X 8 pressure treated posts; approx. 22 7' mid-weight T-posts; partial roll Red Brand barb wire; 134A Freon w/ hoses; Echo PB-1010 leaf blower; McCullough Silver Eagle 3420 chain saw; high wheel lawn mower; Hi-Lift jack; new deep sink; 4 rolls 1 1/2" fire hose; frost free hydrants; broadcast spreader; locust firewood; new Camp Chef 2 burner gas stove; new Coleman 2 burner propane stove; Coleman 2 burner gas stove; Misc. camping and fishing equipment. more to find.

**Partial list only:** As we find more during set up we will post those that warrant advertising on our web site. For pictures go to [www.snakeriverauction.com](http://www.snakeriverauction.com). To arrange advertising or telephonic bidding call Roger at (541)212-5918. Preview Friday Oct. 16th. 12-4:00 p.m.

**Sale Conducted by  
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