

# Local

## City Council: Ostrander resigns, Andersen sworn in

### • POLICE UPDATE DANGEROUS DOG ORDINANCE

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Mayor Downing called the meeting to order precisely at 7 p.m. Councilor Abell led the pledge of allegiance and offered a quick reading about hope for her invocation. City Recorder Julie Smith called roll with all Councilors present she quickly moved on to administering the Oath of Office to Arvid Andersen, who was unable to attend the last meeting and swearing in of all other newly elected Councilors.

After Andersen was sworn in, Downing addressed the consent agenda, which consisted of only the minutes from the January 10, 2017 meeting. Councilor Thomas made a motion to accept with no additions or corrections. Councilor Joseph made a second and Council unanimously passed the motion. Downing called for Citizen Participation—with none Council moved forward to the lengthy agenda.

### Appoint City Council Representative To The Parks and Recreation Board

With former Mayor Kim Mosier's term having expired, a replacement Council member needs to be appointed to serve the role as Council liaison. A representative from Council is required as stated in Ordinance #3303. Councilor Joseph spoke up volunteering for the position.

Councilor Thomas made a motion to appoint Joseph with a second heard by Abell. A unanimous vote was cast appointing Joseph to the Parks and Recreation board.

Abell advised Council that a Council representative was also needed to serve on the Northeast Oregon Economic Development District and she would like to serve there.

Thomas moved to appoint Abell to the NEOEDD with a second by Joseph. A unanimous vote was then cast.

### Justice Court Quarterly Update

Court Administrator Michael Finney addressed Council stating that revenue for this quarter had been down. He attributed that to the weather and indicated that while City citations filed with the Court were down, County Citations filed were also down.

He noted that State Police citations remained steady. He updated Council regarding the filing of non-person crimes with the court that was a recent change.

The goal of that change was in effort to help free up the Circuit Court docket. Finney stated that the Circuit Court Trial Court Administrator had indicated to him that so far Circuit Court had not seen a notable decrease in their caseload.

Finney advised Council that the amount of time and resources involved with processing Criminal Cases, that weren't overly profitable to the Court, was significant and if the intended reason for Justice Court taking on those cases was

not achieving the desired results, lightening the load for Circuit Court, the issue may need to be revisited with removing those filings and placing them with Circuit Court again.

He also noted the Court had added one Court clerk within the last month and that they were currently in the training phase with their new employee.

He stated that to his knowledge there were not any significant legislative changes on the horizon but that he would be attending a conference in April and if any issues were coming up he'd learn of them there.

### School Choice Week Proclamation

Downing read and signed a declaration recognizing January 22-28, 2017 as School Choice Week. School Choice week is celebrated across the county by students, parents, educators, schools and organizations to raise awareness for the need of effective educational options.

### Resolution #3783: Interfund Loan and Resolution #3781 Changes to the 2016/2017 Budget

Jeanie Dexter, City Finance Director addressed Council on both matters. First she asked for Council's approval of resolution #3783 allowing an interfund loan between the General Fund and the State and Federal Grants for up to \$500,000.

This is in response to an approved task order for rehabilitation of airport aprons. The project is funded through an FFA grant and a Connect Oregon Grant.

Both grants are payable on a reimbursement basis and although reimbursement is asked for frequently throughout the project a negative cash balance is a possibility. An interfund loan while waiting for reimbursements is necessary to avoid that situation.

Joseph moved to approve the interfund loan with a second made by Thomas. A unanimous vote passed the motion. Dexter then moved on to resolution #3781 changes to the 2016/2017 budget.

Dexter state, "This year has seen unprecedented amounts of snowfall. As of December, the City had used 100% of its budget allocation for snow and ice control." Noting that with nearly two months of Winter remaining, it was staff's recommendation that \$100,000 be transferred from the street fund contingency to the snow and ice control department.

Dexter indicated that further transfers would likely be needed as time progressed as the transfer of \$100,000 would only meet their current costs to the end of the month.

Thomas and Joseph questioned why it was before them to only transfer \$100,000 when clearly that would not be enough to cover the remainder of the snowy season.

Dexter attributed that to not seeing final numbers until payroll went through, which was that day, and therefore information had already gone to Council. She did explain that if it was the Councils wish the amount could be amended to include an additional monies and that it was likely future monies would come from the street fund and would likely delay

certain projects.

Michelle Owen spoke to Council about the possibility of transferring 10% of her street sweeping budget since the streets were not in need of being swept currently therefore she was seeing savings there that could be utilized.

Andersen expressed concern over ice jams in the river as thawing occurs, Owen stated she had been working with Baker County Emergency Management on that issue and assured Anderse, "We are as ready as we can be."

Joseph moved to approve the resolution as written, not transferring any extra monies at present. A second to that motion was heard by Thomas. A unanimous vote passed the resolution.

### Mutual Agreement and Order Negotiation with DEQ

Owen addressed Council that DEQ has agreed to an MAO with the City over concerns with wastewater. In recent months the City was issued a violation for exceeding the allowable BOD( Biological Oxygen Demand) limits in water that was discharged into the powder river.

In an effort to resolve the issue Council agreed to enter into negotiations with the DEQ to modify permits. That MAO also includes completing a wastewater facilities plan by the end of 2017, City submission of plans and construction schedule of proposed improvements within 12 months of the approval by DEQ of the facilities plan, and construction of improvements within 27 months of approval of plans.

Owen reminded Council if they chose to agree to this they are understanding that the project can cost anywhere from 3-5 million dollars. Owen said it was her opinion that DEQ can often delay things that was the reason for a general timeline that would need to be adhered to, but not a harden fast timeline however it would all need to happen in approximately four to five years.

She spoke briefly about where funds might come from including a water rate hike. She indicated that they have been saving \$2 per customer already to benefit this project but that she sees another rate hike on the horizon. Mayor Downing asked Owen, "If we fail to meet a deadline, then what? Do we get fined daily?"

Owen's facial expression indicated that might be the case but she diplomatically said, "The DEQ wants us to be successful, they see no value in fining us daily. They want us out of river." Owen indicated they would continue to explore land application as a good and possibly lower cost option.

Joseph made a motion to approve the MAO. With a second from Abell Council unanimously approved the motion.

### YMCA Contract Update

City Manager Warner advised Council that they had before them a new contract between the City and the YMCA regarding Sam-O-Swim.

The contract was to run February 28, 2017 through June 30 2018. The new contract called for the City to assume the responsibili-

ties of all janitorial services, pool testing chemicals and internet.

The new boiler that was installed in late 2016 requires it to be internet connected. The City, at the time, simply purchased a router in order to operate that machinery.

After some debate about the internet and public accessibility to that internet including a motion made by Joseph to approve the contract before them without assuming the responsibility of internet Heidi Dalton, Baker County YMCA CEO, addressed Council advising that currently at the fitness center the internet band with is spilt so that office internet and public use internet are separate securing office internet.

She believed that to be the case at the pool as well, ensuring the security of the pool administration as well as the security of the boiler. The idea of extending the contract for two years was also tossed into the discussion with Councilors, Dalton and Warner all agreeing that was a good idea. Councilor Joseph withdrew his motion and restated his motion accepting the contract but extending it to expire June 30, 2019 and beginning February 28, 2017. Councilor Thomas made the second on that motion unanimous vote was then cast.

### Dangerous Dog Ordinance Amendment Ordinance #3352 Truancy Ordinance Amendment Ordinance #3353

Chief Wyn Lohner addressed Council regarding the need to amend the current dangerous dog ordinance #3327. Lohner stated that in requesting the amendment to the ordinance he was declaring it to be an emergency in order to push it through more quickly. There are two proposed amendments.

The first will allow the Hearing Officer more flexibility in decisions. As the ordinance stands now each of the sanctions must be applied rather than the Hearing Officer being able to require only some of the sanctions.

The current Hearing Officer is Paula Sawyer.

Lohner said, "In her words, if the Council were to allow more flexibility she would be able to provide a better service to our community and the dogs that live here, while encouraging responsible dog ownership."

The second will allow the Hearings Officer or The Municipal Court Judge the authority to order the euthanization of a vicious dog. Since its enactment in January 2014, 30 dangerous dog hearings have been held with 13 being declared dangerous dogs and one dog owner being deemed a problem owner.

Currently, one dog is being held in impound after being deemed a dangerous dog, waiting for a vicious dog evaluation. While impounded that dog has bitten one Veterinary technician.

Lohner said, "A different vet tech told me this is the most dangerous dog she's been around."

Lohner went on to say, "The owner of this dog has not complied with the ordinance and has not kept the



Gina K. Swartz / The Baker County Press  
Arvid Andersen was sworn in Tuesday as the newest member of the Baker City Council.

dog secured. The owner now wants to move the dog out of the city limits." Passing the amendment of the ordinance would allow the animal to be euthanized rather than continue to pose a threat.

Lohner read the ordinance aloud with changes and Council voted unanimously to accept the reading and then to have a second reading which they again unanimously voted to accept. The third and final reading will be at the next regularly scheduled Council meeting. The public is invited to attend that meeting should they want to speak regarding the matter.

Lieutenant Newman also addressed Council concerning amendments to the Truancy Ordinance #2976. With 30 truancy letter sent so far this 2016-2017 school year it seems necessary to amend the current ordinance that has been in place since 1988.

The ordinance does not allow Baker City Police Officers or the School Resource Officer to get involved in truancy issues until letters go to parents and meetings are had, which can often take months. Changes will allow police and the SRO to act more swiftly. Currently it can take weeks for a meeting between parents, the student and school officials to address the problem. Newman's amendments also call for more student accountability, whereas before it was all parental based. It will also expose juvenile offenders to the Baker County Juvenile Department.

As Newman said there are a lot of different reasons why truancy occurs and moving faster on the topic to discover underlying issues will assist with getting those that need it back on track. Newman also put this amendment to be in emergency.

The Ordinance was read in full and accepted by unanimous vote as was a second reading. A third reading will also be had at the next Council meeting and again the public is invited to attend and comment on the matter.

### Disaster Declaration

A last-minute addition to the agenda had Council hearing and voting on whether the City should declare a disaster due of the incredible amount of snow and cold temperatures we have had this season. By declaring a local disaster, the City would be eligible for any future funding that may be allocated because of the winter conditions.

Warner clarified that at this time he was unaware of any funding and that de-

claring a disaster was not a guarantee that any funding would be made available. Upon a motion by Councilor Joseph and a second by Councilor Abell Council unanimously passed the declaration.

Before City Manager Comments Council allowed Adam Nilsson, a candidate for appointment to a Council seat vacated at the last Council meeting by Daniel Lowe to speak. Mr. Nilsson gave some background about himself and expressed how much he wished to be a part of this City government.

Council thanked him for introducing himself.

Warner reminded Council that there was a Council orientation scheduled for Jan. 31st and offered the option of inviting all three of the candidates, Nilsson, Dan McQuisten, and Daniel Buck to that Orientation and give each a chance to allow Council to get to know them a bit before an appointment is made most likely that night.

In his City Manager comments, Warner advised Council that he had heard from the County Commissioners and that they were asking for a dual meeting in which the 911 contract would be a main talking point. It was agreed that a joint meeting was probably most easily scheduled when a Commission meeting was already scheduled, that way Commissioner Mark Bennett, who lives out in the Unity area, was sure to be available. Warner also informed Council that he would like to send out an RFP (request for proposal) for legal services.

Chief Lohner added that his department had earlier that day received training and were now each carrying Narcon (generic Naloxone), a drug used to help prevent death by overdose of opiates. Lohner cited two widely unknown drugs, Fentanyl and Carfentanil, a powerful elephant tranquilizer, are often laced in heroin. Those drugs are posing a threat to law enforcement.

According to Lohner, officers exposed to either drug can suffer immediate respiratory distress and were trained to self-administer the Narcon if necessary.

As the Council moved to Council comments newly elected Jamie Ostrander turned in his resignation effective at the end of the meeting. Ostrander did not give details as to the reason for his departure, only that he was very sorry and had felt honored to be part of Council although it very short lived. With nothing further Mayor Downing adjourned the meeting.