

# Local

## City Council

CONTINUED FROM PAGE 7

There is a large amount of sludge that needs removed. “Quite frankly that the largest cost of the improvements that need to happen out there,” Moore said. The sludge is taking up valuable space needed for water that is required to be treated for a certain amount of time. Moore says the best way to dredge the ponds is to dry them out first. He estimates the cost to be around \$3-4 million if the ponds are wet Dredged. Drying them out first will save almost half the cost. In the plans for improvements are plans for additional ponds to store the water while the original 1960’s era ponds are dried and dredged.

The final piece was the disposal system. Moore told council that they had looked at three separate options. “One is to continue dumping into the river, with the changing regulations we asked, ‘Can we continue dumping into the river?’”

Moore said that the City can, they do have a permit to do that, but that water must be cleansed to such a high level that a brand-new treatment plant would need to be built, which would incur a hefty price tag.

Moore said it was “not cost-effective to do that.” Citing chemical costs as one major factor. He also noted constantly changing rules and permits need to be renewed every five years. Wetland discharge was another option explored but regulations pertaining to that option could not be overcome to make it a viable, cost effective solution. Finally, land application came about as the most viable, cost effective solution to the problem. Moore said that when using this option crops, those crops, for the first years, can be grown for human consumption but have proven to grow hay and alfalfa exceptionally well. As time passes the crops grown can be for Human consumption and have proved to flourish exceptionally well. Moore noted that another factor with choosing to go the land application route was that the City would only have to deal with the state regarding regulations and the permits were good for 10 years instead of only five. Overall, Moore and his firm recommended the plan be approved and forwarded to the DEQ.

### City Council Meeting

Mayor Downing convened the regular City Council meeting at 7:00. Downing called for Citizen participation.

Robert Muller stepped forward saying, “It was my understanding from the last Council meeting the work session tonight was going to include information regarding the Chronic Property Ordinance. It was not discussed.”

City Manager Fred Warner apologized to Muller and told him Council had tabled that discussion because the Wastewater Facility Plan needed to be addressed right away.

Muller said that in his opinion that made the City look bad.

Next, Ryc Reinks spoke. He cited an article that

was run after the Nov. 28th Council meeting by *The Baker County Press*, which quoted City Manager Fred Warner telling Council that they didn’t need to be aware of the budget, that was his job and he would let Council know of budget situations as needed.

Reinks implored Council to not sit idle and wait for a problem before they were aware of the City’s financials. Downing then moved forward with the agenda.

### Public Arts Commission

Mary Miller, Chairman of the Public Arts Commission addressed Council. She began by telling Council that the Little Big Show held in August was a success and that 3 of the art pieces displayed had been purchased and donated to the City.

She presented Council with those three pieces. She also talked about the Art on Loan project the Commission oversees—a piece created by Don Herman located in Central Park reached the end of the one-year loan period in October.

Miller said a group of citizens had approached her about keeping the piece as it was loved by many in the community \$1,320 to purchase the piece from Herman and Miller, on their behalf officially donated the piece to the City. She also noted that Herman had donated the money received back into the community by giving \$660 to the Hands to Heart program at the Crossroads Art Center, that program ensures children are given the opportunity to experience the joy of art by providing all materials free of charge.

\$660 was also donated to Jim Tomlinson’s reading program that helps to improve children’s reading ability. Miller then advised Council that the Art on Loan project has been very successful thus far with a second piece having just been installed in Central Park, the piece was created by Corinne Vegter and was titled Blazing Shadows.

A third piece by Scott and Tori Whiting was expected to be installed in the Spring and they were working with U.S. Bank for that installation. She also told Council that the Commissions budget was in good shape to cover what was already been done and what was planned.

She did advise that the commission had discussed fundraising and pursuing grants to further their efforts for sharing art in our community.

### Wastewater Facility Plan

Public Works Director, Michelle Owen spoke to Council telling them that the information they had heard earlier in the work session needed to be officially approved by Council before it could be forwarded to the DEQ as required by the Dec. 31, 2017 deadline.

The City, if they failed to comply would be fined \$1,600 per day. DEQ then has 60-90 days to review and approve or reject the plan. Once approved, the plan can be set into motion and the City can begin assessing cost.

That cost will be passed onto consumers through a rate increase that could potentially raise the current rate of \$20.75 to as high as \$35. Owen stressed that there was no way to know how much that

rate increase would be until construction costs were determined. Owen also clarified that any rate increases were not happening now, they would be later down the road. She also advised that unlike the work session now would be the time to hear public comment if there was any.

Robert Muller stepped forward. He told Council that a very pretty picture was being painted and farmers would benefit from this plan. He asked, “But who is going to pay for this?” He noted that the uncertainty of this plan as far as cost and whether the City could obtain grants or loans as cause for concern. He stated that he had spoken to a lot of Baker City residents, many who had been born and raised here, that were considering moving away due to the financial burdens the City was saddling its citizens with such as the recent Public Safety utility fee imposed recently.

He said many citizens were angry and quite simply did not have the money to pay more than they already are. “You’re destroying Baker City,” he added shaking his head.

Nilsson commented saying that he “felt a lot of empathy” for the citizens noting, “Things just keep going up and up and it’s hard to keep up but if we want to live in a healthy environment this is what has to be done for the good of the City.”

Nilsson also acknowledged that a plan had to be submitted to the DEQ by December 31 as required in the MAO to avoid further fines. “This is what we need to do,” he said, then moved to approve the draft plan and submit it to DEQ as required. Abell made a second. Council voted unanimously in favor.

### Resolution #3803 Parade Rules

The tragic death of a seven-year-old boy who fell from a float and was killed during last summer’s Miner’s Jubilee Parade prompted the City to consider some guidelines concerning parades. Warner told Council that there was not currently anything that addresses parades.

With no scheduled upcoming parades until next year, Warner thought it the perfect opportunity to establish a list of guidelines before parade season came around saying, “Parades are a big part of our community.” Warner provided each Councilor with a copy of the proposed guidelines and said, “Most of these are common sense.” He also acknowledged that even though he felt most items addressed were common sense, it was important to be specific in some instances to safeguard against any further incidents.

Councilor Abell spoke up saying that just recently at the Twilight Parade, that was held December 2 she witnessed children running into the street to pick up candy that had been tossed about. She noted what a potentially dangerous situation that practice created “especially when it’s a dark parade.”

The Councilors agreed that was dangerous, Warner added that he thought that instructions had been given to only hand put candy not to throw it. He stated that with approved guidelines, these “rules” would become enforceable. Councilor Thomas had

issue with one of the guidelines referring to the discharging of firearms.

Item #14 of the guidelines states there are to be no firearms discharged without prior approval of Baker City Police Chief Wyn Lohner.

Thomas said, “There should be no firing of them. I don’t care if they’re shooting off blanks. In today’s world,” he paused then added “it just shouldn’t be done.”

Warner responded by saying that he left that wording in there “in case someone wanted to do a 21-gun salute at a Veterans Day event, for example.”

Thomas did not budge on his stance shaking his head in disagreement.

Andersen questioned item # 15 addressing the age of adults entrusted to keep you children safe while on the float. The proposed guidelines state that an adult of at least 18 years of age be present. The question had been raised if 21 years old might be a better requirement.

Robert Muller also came forward again voicing concern perhaps authority figures should walk along throughout any parade to provide additional safety support. He also questioned the age requirement of adults monitoring children. He suggested, “No child under 11 years old” be allowed to ride on floats.

Downing commented that “We are not going to be able to encompass everything. These are just guidelines. We can’t take away the responsibilities of the parents.” (To decide whether or not their child can participate safely.)

Nilsson added he was a bit skeptical about needing “rules” but understood the need. He added, “If someone made a motion to adopt I’d second it but I am not passionate about it.”

Thomas said, “I am passionate about it.” And moved to adopt the guidelines with amendments to item #14, not allowing for any discharge of firearms and item #15 raising the age of adult monitors of floats from 18 to 21. Nilsson seconded that motion. Council voted unanimously in favor.

### City Manager/Director Comments

Warner stated quickly that City Hall would be having a staff Christmas celebration on December 20.

He invited all Councilors to attend. He noted City Hall would be closed for a time that day, so all staff could enjoy the festivities.

Michelle Owen advised Council that some surplus inventory items were ready to be disposed of and they would be auctioned off, she needed a consensus of Council that it was okay to do that before she could officially post them. Council agreed for that to be done.

### Council Comments

Councilor Thomas shared that he had been named Employee of the year for the BLM Vale District. Councilor Abell said that she had been a part of the Baker School District 5J’s advisory committee and the findings of the committee would be made public soon.

She said she learned a lot and did ask for a “kind ear” when findings were presented.

With nothing further Mayor Downing adjourned the meeting.

## Planning commission

CONTINUED FROM PAGE 1

The minutes for the Tuesday, September 12, 2017 work session, and the Tuesday, November 14, 2017 public hearing were approved, with a motion from Van Diepen, and a second from Jones. The election of officers, as well as the affirmation of the Commission’s Bylaws, were postponed until the Tuesday, January 9, 2018 meeting, with a motion from Jones, and a second from Wright.

Holly introduced the matter of the compliance case of Crawford, which was originally a complaint to the Baker City Building Department, regarding non-permitted improvements to Crawford’s residence. The case subsequently went before the Baker County Board of Commissioners, which referred the case to the Planning Commission, for its recommendation, as to whether any action should be taken.

Shirtcliff was present as County counsel on the matter, and he said that, while he was not there to dictate procedure, he was open to Commissioners’ suggestions, and he wanted to ensure there would be due process. He recommended a process including statements, a question-and-answer segment, deliberations, and motions.

Jones said, according to the Bylaws, Article 1, Section 4, the Planning Commission shouldn’t even be reviewing the matter, or making a recommendation to the Board of Commissioners, but that the Board of Commissioners should be handling that task itself. Shirtcliff said he wasn’t asked about that specifically, and he understood that Crawford wanted the Planning Commission to review the case. Crawford said, “Absolutely.”

Van Diepen said it wasn’t the Planning Commission’s job to review the matter, and he made a motion to remand the matter back to the Board of Commissioners, with no recommendation, which was seconded by Jones. Grove said it’s “nonsense,” and that he didn’t understand why the matter was before the Commission, and Wright said she agreed with Van Diepen. Crawford said he wouldn’t have an issue with remanding the matter back to the Board of Commissioners, and Kerns said, and Trindle agreed, that the Planning Commission should address it.

Jones called for the question on Van Diepen’s motion, and Trindle asked for a vote. The matter was remanded back to the Board of Commissioners, with no recommendation, with Jones, Grove, Van Diepen, and Wright voting in favor, Trindle and Kerns voting in opposition, and Crawford abstaining. Shirtcliff added that he’ll speak to the Board of Commissioners, and do some more research on the matter.

Trindle opened the public hearing on the matter of PA-17-001, and Henes introduced and provided details of the request, by Parvaim Mining, LLC, for a zone change from Rural Residential (RR-5) to Mineral Extraction (ME), for a 10-acre parcel, located in the Cracker Creek area, north of Sumpter. The property is described as Tax Lot 500 of Township 9 South, Range 37 East, Section 29B Willamette Meridian, Baker County, Oregon (Reference No. 6021).

Trindle asked for testimony from the applicant, who was represented by Jan, the permit writer, and Bliss, a geologist. Jan provided details of the history of Tax Lot 500, as well as intended use, for mining processing, and not extraction. She also said that at least \$1 million has been spent in the County so far by the property owner, Swan Mining Operations, LLC, and that local labor will be used as much as possible, including hiring people who have received training from the Baker Technical Institute (BTI, which operates a heavy equipment training program).

After discussing different details which included dust abatement, air and water quality, environmental impacts on and conflicting uses with the surrounding areas, etc. (there were no significant issues noted, and no testimony provided in opposition for either Tax Lot 500 or Tax Lot 1500), the Commission deliberated. No other testimony was provided, Trindle suggested approval of part of the staff recommendations, and Crawford so moved, with a second from Jones. The motion was approved unanimously.

After a short break and further discussion of economic, social, environmental, and energy (ESEE) impacts (again, no significant issues were noted, and the site was determined to be significant, as far as a mining resource), Crawford moved that the ESEE criteria were met, Jones seconded the motion, and it carried unanimously. Crawford then moved to approved PA-17-001, Wright seconded, and the motion carried unanimously.

Trindle opened the public hearing on PA-17-002, and Henes introduced and provided details for this request, also from Parvaim Mining, LLC (this property would be important to the mining operation), for a zone change from RR-5 to ME, for a 10-acre parcel, located in the Cracker Creek area, north of Sumpter. The property, also owned by Swan Mining Operations, LLC, is described as Tax Lot 1500 of Township 9 South, Range 37 East, Section 20 West Willamette, Baker County, Oregon.

Trindle asked Jan and Bliss to come forward once again to provide testimony, and both provided details for the request, including specifics from Bliss for reclamation, such as ground cover, using ponderosa pine tree needles. Trindle said the Commission needed assurances that protections would be in place to limit any potential impacts on the surrounding areas, and, after noting no further testimony, began deliberations.

After further discussion on the topic of assurances and small operations versus large operations, and further input from Jan and Bliss with the hearing reopened, it was then closed. Crawford moved to accept the staff recommendations, Jones, seconded, and the motion carried.

The following requirements were recommended, as part of the overlay, regarding assurances:

SEE PLANNING COMMISSION PAGE 9