

**HERMISTON**

# Rules for containers, guest houses unpacked at council meeting

By **JADE MCDOWELL**  
East Oregonian

The Hermiston city council changed its mind mid-meeting on one property issue Monday and decided to ask the public about another before moving forward.

The council first rejected a proposed update to accessory dwelling regulations, then after further discussion gave the planning commission the go-ahead for starting the public hearing process. After hearing mixed reviews on an idea to ban use of metal shipping containers for storage in residential zones, they asked city staff to survey the public about it.

City councilor John Kirwan had commented at a previous meeting that he was seeing an increase of metal shipping containers, often referred to as Conex boxes, being used as a storage shed next to a house. He inquired about regulations for such use, and after finding out there was none, councilors asked city staff to consider drafting some rules.

On Monday during a work session city planner Clint Spencer presented a "first draft" recommendation from the planning commission for feedback. The rules would ban use of the containers in residential zones, leaving an exemption for temporary uses up to 60 days in a year or up to 120 days when connected to a construction project that has been issued a building permit. In commercial and industrial zones one container per lot (in a commercial zone) or per acre (for industrial) could be used, provided it was painted the same color as the primary building, rust-free, logo-free, on a concrete or asphalt slab and has been granted a building permit. In all zones, the regulations would only apply to new containers, not existing ones.

Councilors had mixed feelings about the proposal. Doug Smith said he didn't want to see a lot of the shipping containers popping up in residential neighborhoods, but later during the council's regular meeting said he thought the city should get feedback on what seemed like it could be a polarizing issue.

Mayor David Drotzmann said some shipping containers next to houses were unsightly, but he wouldn't necessarily have a problem with one in someone's back yard, painted a subtle color and mostly out of sight. He said he "understood the visibility issue" but wasn't sure he wanted to see the city take away an affordable storage option for people.

"I'm struggling with it a little bit," he said. "I don't like the way they look, but I don't like the way some of my neighbors' houses look either."

Comments from the public were mixed too. Jackie Linton said she thought shipping containers would look out of place in her Beebe Avenue neighborhood, which looks residential but is actually zoned commercial, but she didn't have a problem with them in more rural neighborhoods with larger lots. Rhonda Saltee and Randy Smith questioned why the city needed such an ordinance at all.



Staff photo by Daniel Wattenburger

City planner Clint Spencer said this metal shipping container used for storage at the Chevron station on the corner of Highway 395 and Gladys Avenue would comply with the proposed ordinance regulating such containers.

## Hermiston passes 2018-2019 budget

By **JADE MCDOWELL**  
East Oregonian

The Hermiston City Council adopted the city's 2018-2019 budget on Monday night.

At \$54.94 million, it is about \$4.7 million smaller than the current year, due mostly to capital projects such as the Harkenrider Center wrapping up.

"(The budget) includes a number of the city council's goals," City Manager Byron Smith said, referencing livability, housing and workforce development.

The budget includes a 3 percent raise for city staff and includes some new personnel, including a parks foreman to handle day-to-day operation of parks. That will free up the parks and recreation director to focus on long-term projects, including a feasibility study for a new indoor aquatic center or wellness center and a parks master plan. A storm water manager and part-time clerical positions at the Hermiston Community Center and Harkenrider Center were also added.

The most expensive capital project the city plans to tackle in the coming fiscal year is a new one-million-gallon water tower on the corner of Punkin Center and Northeast 10th Street, accom-

panied by upgrades to water infrastructure in the area. The \$4.5 million project is expected to cut down on the cost for housing development in the northeast part of town.

The city also plans to build the West Highland Trail Extension this fall, connecting Riverfront Park and Southwest 11th Street via a pedestrian trail running parallel to Highland Avenue. The council awarded the bid for that project Monday to Humbert Asphalt, which was the low bid at \$343,225.

On Monday the council also amended its employee handbook, and passed a resolution changing the language of its code pertaining to telecommunications companies using the public right of way.

Assistant City Manager Mark Morgan said the city had changed its code last fall to require companies to pay franchise fees on revenue from cable internet service, but Charter Communications had been unhappy with the wording and had been negotiating with the city on clarifications that would help limit the precedence-setting for other jurisdictions outside the state. The company has not been paying those fees during negotiations but has promised to start now that the matter is resolved.

cial, but she didn't have a problem with them in more rural neighborhoods with larger lots. Rhonda Saltee and Randy Smith questioned why the city needed such an ordinance at all.

Councilors directed city staff to survey Hermiston residents and bring the feedback to a future council meeting.

### Guest house rules

The council also discussed another set of recommendations from the planning commission Monday, for accessory dwelling units. Spencer said those could include guest houses, basement apartments, apartments over garages and other "mother-in-law" apartments.

"If you're a fan of Happy Days, where Fonzi lived was an ADU," he said.

Spencer said the state legislature passed new laws for ADUs that take effect July 1, including a requirement that new ADUs have permits. Spencer said Hermiston has always allowed accessory dwelling units only if no rent was charged for them, but the new law forces the city to allow people to charge rent for guest houses, basement apartments and other ADUs on their property. He said it was "frustrating" that the state had arbitrarily changed the character of Hermiston's

zoning code by turning all of its single-family residential zones into multi-family residential areas.

To address the changes, the planning commission spent three months crafting amendments to the city's code. The new requirements state that accessory dwelling units must meet all building codes, include a bathroom and kitchen, be accessible from a separate entrance than the main dwelling and come with one to two additional paved offstreet parking spaces depending on the number of bedrooms. The dwellings will be subject to a permit and permit fee, and will be charged the utility rate for multi-family dwellings.

City councilor Jackie Myers wanted to see additional rules about the ADU having to match the primary dwelling and setting aesthetic standards, and other councilors agreed, but Spencer said the advice of legal counsel was that wouldn't hold up as a "reasonable" standard under the law because the city doesn't have rules for what colors people can paint their primary residence, for example.

Myers said she wished the city could tell people that.

When it came time for a vote, only councilors Doug Primmer and Lori Davis voted in favor of having the city start the public hearing and notice process to turn the regulations into law. But afterward Drotzmann expressed the feeling that the regulations were likely as extensive as the planning commission was able to make them, and Spencer confirmed that there wasn't much more the commission could add after legal counsel had directed them to take out multiple design standards that had originally been included. He also said that the state law takes effect on July 1 no matter what the city passes to "put siderails" on the issue, and that it could always be revised later.

That persuaded Myers, Gutierrez, Smith and Hardin, who voted with Primmer and Davis this time after Myers made another motion to once again consider moving forward with the public process to adopt the new standards.

Contact Jade McDowell at [jmcdowell@eastoregonian.com](mailto:jmcdowell@eastoregonian.com) or 541-564-4536.

**MILTON-FREEWATER**

# Soccer coach becomes first Hispanic city councilor

East Oregonian

City Manager Linda Hall shared some warm words about Garcia.

Rather than create a Hispanic advisory council or liaison, the Milton-Freewater City Council appointed its first Latino city councilor at a meeting Monday.

Jose Garcia, a custodian at Free-water Elementary School and a local soccer coach, was the only person to apply for the vacant Ward 3 seat after former Councilor Jeff Anliker resigned in April.

Introducing himself to the council, Garcia said he had originally hoped someone else from the Latino community would step up to join the council. He coaches the McLoughlin High School and Central Middle School boys soccer teams, and also runs soccer activities during the winter and summer.

While soccer is a year-round job for him, Garcia said he wanted to set an example for the children he mentors and found time to dedicate to the council.

"I've lived here my whole life and I'm proud of it," he said.

"If you are not familiar with Mr. Garcia, at least by name, you've evidently been living underneath a rock for the last several years," she said. "He's a renowned soccer coach and a great leader of young men, in my opinion."



Garcia

Despite Hispanics and Latinos comprising nearly half of Milton-Freewater's population, the council was entirely made up of white men prior to Garcia's appointment.

Councilor Steve Irving said Garcia would fill an important role on the council.

"We need that outreach and connection," he said.

The council had made establishing a Hispanic advisory committee or liaison a goal, but with Garcia's appointment, Hall said that goal was now met.

Hall said Garcia would be sworn in at the council's July 9 meeting. His term will run through 2020.

## Ione man tried to withdraw plea in sex crimes case

By **PHIL WRIGHT**  
East Oregonian

Brauer on May 21 denied the request.

Baker's next court appearance was Thursday for sentencing. Brauer fined Baker \$2,000 and gave him three years of probation with an array of conditions, including registering as a sex offender and completing sex offender therapy. Baker also must serve 10 days in the Umatilla County Jail, Pendleton, beginning no later than 3 p.m. on June 20.

Corey Scott Baker of Ione tried to back out of his plea of no contest to an attempted sex crime two weeks after he made it.

The Morrow County District Attorney's Office in March 2017 charged Baker, 41, with one count each of first-degree rape and sexual abuse of a girl younger than 14. He took a deal and on April 26 pleaded no contest to attempted first-degree sexual abuse.

"I called my lawyer a few days after the change of plea and told him it felt wrong and I wanted to withdraw my plea," Baker asserted, according to the motion his attorney filed May 18 to withdraw the plea. "I did not do what I am accused of doing."

Baker in the motion also stated he made the deal out of fear a jury would convict him in spite of his innocence. He claimed he suffers from "stress induced amnesia as a result of a traumatic brain injury I received in Iraq" and "I cannot say that I understood what I was doing when I changed my plea."

Circuit Judge Christopher

**WILDHORSE RESORT & CASINO**

**6/13**

**Cineplex Show Times**

\$5 Classic Movie • 12:00 PM  
A Fistful of Dollars

---

\$5 Children's Classic Movie  
10 AM  
Cloudy with a Chance of Meatballs  
Free Small Popcorn & Small Soda

**OCEANS 8 (PG13)**  
4:40 7:10 9:40

**HEREDITARY (R)**  
4:30 7:20 10:10

**SOLO: A STAR WARS STORY (PG13)**  
4:00 7:00 10:00

**DEADPOOL 2 (R)**  
4:10 6:50 9:30

**LIFE OF THE PARTY (PG13)**  
4:20 6:40 9:50

\* Matinee Pricing  
wildhorseresort.com • 541-966-1850  
Pendleton, OR I-84 - Exit 216

POWDER COATING

COME SEE US FOR ALL YOUR POWDER COATING NEEDS:

- Wheels • Truck Beds • Trailers • ATV'S
- Motorcycles • Fencing • Railing

GIVE US A CALL FOR A FREE ESTIMATE:  
541.567.7171

80496 N. HWY 395 • Hermiston (Behind Oxarc)

## Celebrate Good Grades!

Our Earn While You Learn Program Is Available in June & July Only!

Pays \$1.00 into an open Youth Savings Account for every top grade that our 1st-12th grade students receive on their end-of-the-year report cards. Up to \$50.00 annually. Learn all the details online or stop by your local branch.

Community BANK

www.communitybanknet.com

Member FDIC