

CITY COUNCIL

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equipment; and curfew. If the property is a rental unit the owner of the rental must pay to have the renters relocated to another home. The city can also put a lien on the property for any costs imposed in the enforcement of the ordinance. The ordinance can even be used if the nuisance occurs "on or within 400 feet of a property." The ordinance also says the person causing the nuisance does not have to actually live at the home but only has "entered, patronized, visited, or attempted to enter, patronize or visit, or waited to enter, patronize or visit" the property. The ordinance applies not only to residential property but to any "business or residence, parking area, loading area, landscaping, building or structure" in the city of Heppner.

When discussing the ordinance deputy sheriff John Bowles, who sits on the council, said if adopted the ordinance "will let absent home owners pay attention to whom they are renting to."

Mayor Skip Matthews said he felt that "for the little town of Heppner this may be a little heavy handed."

However, the council voted unanimously to move forward with the process of adopting the ordinance.

Marijuana sales banned in Heppner

In other action the council voted to ban the distribution or manufacture of all marijuana, medical or recreational, within the city limits of Heppner.

The city is allowed to enact the ban since it voted over 55 percent against the legalization of marijuana in the recent state-wide election. Also under the law, however, it will not share in the taxes generated through the sales of the drug.

Only one member of the public was on hand to speak at the public hearing on the proposed ban. Cody High of Heppner spoke against the ban.

"I don't think we need a ban. There is no difference between alcohol and marijuana. I don't see how you can make this a dry town. Let people who want to sell in town do so," he urged the

council. He said if nobody supported a business selling marijuana then the business would close and move away. "Oregon voted to allow this and Heppner is part of the state of Oregon," he said.

He pointed out that the Oregon Liquor Control Commission controls the sales of marijuana, it is not allowed to be sold to people under 21 and it is against the law to drive under the influence.

Council member Adam Doherty also urged against the ban.

"In the first week of legalized sales the state of Oregon collected over \$11 million," he said. "Oregon's number one cash crop is not blackberries, not wheat, not roses," he told the council. "It is marijuana."

He said he lives down by the mini mart in Heppner and hears visitors coming through saying there is no place in Eastern Oregon to buy marijuana. He said he did not know an exact amount, but the city of Heppner was going to lose quite a bit of money for not allowing the sales.

At this point the state law stipulates that a community that does not have a marijuana distribution store cannot share in the tax revenue collected by the state, but that is expected to change when the legislature next meets and changes the law. Doherty also felt there was no difference between alcohol and marijuana.

City Attorney Bill Kuhn said that the city could rescind the ban later but, if it did not pass the ban now, it could not do so at a later date.

Councilmember Dale Bates spoke in favor of the ban saying the city did not need another outlet for substances for people to get high.

The council voted four to one in favor of the ban.

Attorney says water rate structure valid and legal

In other business the council heard from Heppner landlord and former mayor Joe Perry, who felt he was being over-charged on his water bills. (See Oct. 21 Gazette-Times.) Perry had been to the council pre-

viously saying that, when the city charges him a \$53 base charge per month for every one of his 11 units in the Baltimore Apartments, even though there is only one water meter, it is illegal and not fair.

Perry says because of this discriminatory pricing the city has overcharged him for water.

"All I want is fairness," Perry says. He points out that the RV parks and the Assisted Living Center are not billed this way and says he has been overcharged \$4,748.85 so far this year. He also says neither Boardman nor Irrigon bills their apartments this way.

The council received an opinion from Kuhn, who said in part "The current rate structure for the City is non-discriminatory and fully legitimate. The City has the legal ability to set the current rate structure. The City is charging its basic water fees to those that are city residents. Apartment dwellers are legitimately considered city residents. The code gives the City the ability to allow an apartment building to have one connection with separate services to each tenant. Spreading the water usage equally to the various tenants is an appropriate method of allocating the water usage. Mr. Perry could make arrangements to install separate meters for each tenant, but that would be an expensive proposition."

"In his October 12, 2015 council presentation

and in the October 21, 2015 Heppner Gazette Times newspaper, Mr. Perry does not recite any law which he sees Heppner violating. It is the City Attorney's opinion that the current City water rate structure is legally valid."

The city utility commission, at its Oct. 15 meeting, also spent time discussing Perry's request to restructure his apartment building's water rates, and moved at that time to take no action on his request.

Garbage hauler making changes

In other business the council heard from Ryan Miller of Miller and Sons Disposal, who said there would be changes to the type of dumpsters they will be providing. He said the company is replacing the large brown metal dumpsters with smaller plastic ones of either 300 gallons or 450 gallons.

Miller said rates would not change, and added that the reason for the switch is that his company has purchased new garbage trucks which will not handle the old brown metal dumpsters.

He said there would be no change in the residential garbage cans, but the company is going to be more stringent on curbside pickup as the new trucks have a device that extends out from the truck and grabs the garbage cans for dumping. He said around the first of the year they will be implementing curb-side service where the trucks can reach the containers.

WOLVES DELISTED

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in situations of chronic depredation or wolf-related declines of prey populations (deer and elk) is allowed with Commission approval.

The vote was not unanimous. Commissioner Greg Wolley voted not to delist while Commissioner Laura Anderson supported delisting only in the eastern part of the state and voted against the motion.

Other Commissioners also expressed support for delisting in eastern Oregon only. However, they noted that Oregon ESA law does not allow for delisting in only a portion of the state.

Commissioners will be sending a note to the Oregon State Legislature asking that the law be changed so that listing and delisting would be allowed in only a portion of the state for other species in the future. Commissioners also asked that penalties for unlawfully taking a wolf be increased. Currently, the maximum penalty is a \$6,250 fine and a year in jail and that penalty does not change with the delisting of wolves.

The Commission is the policy-making body for fish and wildlife issues in Oregon. Its next meeting is Dec. 4 in Portland.

Two weeks left to apply for multimodal funding

SALEM—Applications are due by 4 p.m. Friday, Nov. 20, for the ConnectOregon VI multimodal transportation funding program, offering up to \$45 million in lottery-bond backed funds for projects in air, bicycle/pedestrian, marine/port, public transit or railroad transportation. ODOT's website has complete details. As a reminder, applicants—both public and private—must complete their tax certification to be eligible.

ConnectOregon VI assists with project funding for private sector applicants, municipalities, cities, counties, governing

organizations, and other transportation-related entities. Criteria for qualified projects include readiness for construction, economic benefit and value in linking transportation modes. ConnectOregon VI projects are eligible for up to 70 percent of project costs for grants. A minimum 30 percent cash match is required from the recipient for all grant-funded projects.

See the complete requirements and application materials online; for specific questions and to submit completed applications, email ConnectOregonApps@odot.state.or.us.

Willow Creek Symphony to perform in Boardman

Boardman—The Willow Creek Symphony, under the direction of conductor R. Lee Friese and associate conductor Ralph Werner, will perform at Riverside High School in Boardman at 4 p.m. this Sunday, Nov. 15.

The program will include "Larghetto from Symphony No. 2, Op. 36" by L. Van Beethoven, "The

Halls of Ivy" arranged by Ralph Matesky, "French Masters Suite" arranged by Philip Gordon, and "Hot Staccato" by Roger Britten.

The performance is free and a reception will follow. **Right: The Willow Creek Symphony, directed by R. Lee Friese and Ralph Werner, at a performance in Ir-rigon. The group will play in Boardman this Sunday. -Contributed photo**



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CO-OP MEETING

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was in the room when the first light bulb was turned on when the co-op went live at the Ralph Potter farm on October 14, 1949.

Columbia Basin Electric has grown from its original membership of roughly 400 to over 3,500 members, and has 18 local employees. The co-op serves residential, commercial, industrial and irrigation customers throughout a service area of approximately 3,000 square miles in five counties.

Also part of the program last week were Dima Anglin and Rylee Kollman,

student representatives for the Columbia Basin Electric Cooperative who made a trip to Washington, D.C. this summer.

Anglin, a junior at Fossil High School, and Kollman, a junior at Heppner High School, were selected to represent the cooperative at this year's youth tour hosted by the National Rural Electric Cooperative Association.

The annual meeting was held in conjunction with the Heppner Chamber of Commerce monthly meeting.

Marriage Licenses

The Morrow County Clerk's office has released the following report of marriage licenses:

November 5: -Brent Daniel Hall, 29, Yakima, WA, and Kayly Elizabeth Abercrombie, 24, Irrigon.

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