

Heppner council discusses homeless ordinance



Sidewalk tent camps in Northeast Portland. -Contributed photo

By Andrea Di Salvo

Heppner City Council discussions ranged from homeless camping to sidewalk repairs at the council's regular meeting in Heppner last week.

Homelessness and Code Enforcement

High on the agenda July 10 was the city's response to Oregon House Bill 3115. The bill, which went into effect July 1, requires every city to enact an "objectively reasonable" resolution to regulate homeless camping on public property.

The City of Heppner took as a guide a recent ordinance adopted by the City of Boardman. The ordinance prohibits camping overnight on public properties such as parks, sidewalks, rights of way or other city facilities.

At the same time, the city must have an alternative available in the form of shelters or alternate camping sites for those experiencing homelessness. At last week's meeting, Heppner Interim City Manager Tom Wolff implied the city would pursue a partnership with an organization such as Stepping Stones Alliance in Hermiston to accomplish that.

The city conducted the first reading of the ordinance at last week's meeting, with a second reading and adoption planned for the council's August meeting.

Heppner residents Doug and Kelly Holland were at the meeting with their own concerns about illegal camping within Heppner. They said an individual living in an RV on a nearby property was violating an existing ordinance, but nothing had yet been done about it.

Heppner mayor Corey Sweeney told them that was both a code and civil case. The individual had been issued a 30-day warning, which expired on July 9, and could now be trespassed from the property. That requires action by the property owner, but there are also penalties in place for the property owner if they don't comply with city requirements, Sweeney said. Once he has been trespassed, law enforcement can be called if the individual goes on the property again.

"The time is up now, and they have to abide by the code enforcement that was set in place," said Sweeney.

Kelly Holland expressed concern about whether that would actually happen.

"It just sounds like it's a paper tiger," said Holland, adding that city ordinances do no good if there are no repercussions. "It's something that has no teeth anymore, just like the policies won't have any teeth. I think that's why he's still here."

Sweeney responded that the city had worked to make sure the ordinance did have teeth and codes could be enforced. Heppner City Councilor Cody High added that it seemed like there was no enforcement because nothing had been done to that point, but steps were now being taken to correct the problem.

"There should be field action before the next council meeting," said High. "There will be action."

"You're not the only neighbors. There've been numerous neighbors that have complained," added Sweeney. "So we are trying and committed to take care of this problem for the city."

Sidewalk Subsidies
Also at the meeting, the city council voted not to help property owner Tom Logan fund a sidewalk project in front of his building.

Wolff said that he had received a call from Tom Logan, who owns the old forest service building in Heppner. Logan says he received a verbal promise from Kraig Cutsforth that the city would help pay for sidewalk repairs in front of the building to the tune of around \$4,900, and he had contracted to have the work done with that understanding.

Per city ordinance, sidewalks are the responsibility of the adjoining property owner. The council had previously referred the issue to the utilities commission, which recommended not to subsidize the sidewalk repair, Wolff said.

Wolff said Logan had taken the news well but requested the council reconsider since he had been acting on good faith when he contracted for the work. "The discussion was, it would set a precedent for other people in town wanting to do their sidewalk," Sweeney said of the utility commission's decision. "And it's a rental, so he's getting money off that property, and he could afford to take care of that sidewalk."

"That was the reasoning for the utilities committee," he added, "but Tom did his due diligence and brought it up as the landowner asked. So now it is on your plate once again."

Wolff said there had been some question whether the sidewalk broke because of city-installed lines that weren't properly back-filled, but it was more likely that the ground hadn't been properly compacted after the removal of gas tanks that used to be on that property.

However, he also said he defended Cutsforth's alleged promise for the funds. He said the city had been on Cutsforth for several years to close out the remaining money in the street fund, and this year Cutsforth had found a home for it.

"We've now discovered what that potential home was going to be," said Wolff.

"I cannot recommend, though, that the city subsidize that sidewalk improvement," he added. "It would undermine our policy and our ordinance that sidewalks are the responsibility of the landowner."

High said he didn't disagree with the policy, but it sounded as if a promise had been made.

"If I was a homeowner prepared to invest lots of money in front of my property with the understanding that the city was a partner in that, I would be unhappy," he said.

The council voted 4-2 not to provide funds for the sidewalk, with High and Heppner City Councilor Sharon Inskip dissenting.

Street Project

On the subject of streets and sidewalks, Wolff told the council that the city is "really, really close" to closing out the street project. He said Michelle Owen came from the La Grande ODOT office to inspect the whole road project, and there was only one small problem that was keeping the city from getting the final ODOT payment.

"The painted crosswalk in front of Allstott Construction's building—they installed it on the wrong side of the intersection," Wolff said.

He said Owen suggested getting in touch with Ferguson Engineering and having them correct it since they were the inspecting engineering firm. He emailed the Ferguson surveyor, only to be told that Ferguson Engineering had disbanded.

"That tells us, in my opinion, a lot of things," Wolff said after reading the surveyor's reply to the council. "First of all, Ferguson Engineering is out of any future pictures. Secondly, we're on our own."

However, he added that Heppner Public Works Director Chad Doherty had said he thought city crews could take care of removing the misplaced crosswalk and put one down in the correct location. If they can get it done and send Owen photos of it in the next couple of weeks, he said, the state will release the rest of the funds.

"So we're this close to being done with Premier," Wolff said.

Other Business

The city council also learned from Wolff that the city would be implementing the MORE-IGA system. MORE-IGA is an acronym for Managing Oregon Resources Efficiently Intergovernmental Agreement. It was designed to

promote the cost-effective and efficient use of public resources between public agencies in Oregon.

The MORE-IGA allows public agencies in Oregon to share resources including equipment, materials, and services for public works, municipal, transportation, engineering, construction, operations, maintenance, emergency management and related activities.

Wolff told the council that MORE allows the city to streamline IGAs for everything from weed spraying to chip sealing. He said the system would be in place soon.

Wolff also reported that he had received a couple of complaints about feral cats. He said one person on Elder St. was feeding about 30 cats in their yard.

"That's going to be code enforcement conversations with the patrol officer in town," he said.

He had also received a report of someone violating the city's burn ban.

In other business: Heppner Assistant Fire Chief Eric Chick provided the Heppner Fire Department report for June. He reported several mutual aid calls for natural vegetation fires in Lexington, Ione, Echo and Hat Rock, as well as vegetation fires in the rural fire protection district

and within the Heppner city limits, and a baler fire on Little Butter Creek. They also responded to four motor vehicle accidents with injuries, one of which was airlifted, as well as a search and rescue operation.

Chick said the fire department is still awaiting the ready to build with options Type 3 engine for the rural fire protection district.

"We've kind of been bit by the economy on that one," he told the council. "The chassis is still not yet available to build the truck on."

"So we're still very up in the air on that, much more than we would like to be," he added.

He also reported that Heppner received a community wildfire risk reduction (CWRR) grant from the Oregon State Fire Marshal's office.

"That can be any myriad of things that makes our community safer in the event of a wildfire," said Chick.

They are also awaiting funds for two CWRR grants for Heppner city protection and Blake Ranch.

Morrow County Sheriff's Office Lt. Nathan Braun reported that deputies Daniel Thomas and Andrew Martin put in 242 hours in Heppner for June, with a department total of 349.75 hours. Braun also said there had been 12 traffic stops with warnings, as well as one citation from a driving complaint. There were two misdemeanor arrests.

Chad Doherty reported that, among other public works duties, the department consulted with Anderson Perry to begin an inventory of the customer-side water service lines. He told the council that the City of Heppner has to have an inventory of every

customer line by October of 2024.

"Oregon Health Authority won't take, 'Oh, yeah, that's what the homeowner said it is,'" Doherty added. "We either have to have a picture or physically see it ourselves."

He said the requirement is because the OHA is looking for lead lines.

"I would probably say Heppner doesn't have any," he added, "but I'm not definite on that."

Barb Orwick reported that the Neighborhood Center is still open from 9:30 a.m. to 4:30 p.m. and they had just over 192 volunteer hours in June.

"We're still there, we're still feeding people, we're still taking donations," said Orwick.

High recommended to the council that the city's animal permitting process be streamlined and that the council take another look at the city's dog licensing procedures to help solve some of the dog problems around town.

The next meeting of the Heppner City Council is planned for Aug. 14 at 7 p.m.

DEADLINE: MONDAYS AT 5PM

Ione council meeting

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there was room in the budget for another camera.

Peterson reported that the cameras purchased from Verkada have not yet been installed. The SIM cards the city ordered turned out not to be compatible and had to be sent back. She said, however, that she had found compatible SIM cards through Verizon. The SIM cards are needed because not every camera will have an internet connection for cloud storage.

The Ione council also discussed a man who had been going around town and getting into unlocked cars. Peterson told the council that her car had almost been taken, along with several other unlocked cars that had been accessed.

Ione Public Works Director Matt Dotson had approached the man, who said he "just wants to drive a car." Morrow County Sheriff's Office arrested the man, but Peterson said she was told he would be back in town by the end of the week, so residents are still urged to be on the lookout and lock their cars and houses.

Peterson also reported that there have been numerous complaints about people speeding on Emert. Currently, the front side is posted at 25 miles per hour, while the back side, which is gravel, is 15 mph, but Peterson said people reported almost being hit by speeding cars. Several parents won't let their children walk dogs or ride bikes unattended, she said.

"That's the thing about our little town," said Ione Councilor Sabrina Bailey-Cave. "You're supposed to be able to run around and ride your bike down the street."

The council discussed whether to lower the 25 mph zone to 15 mph, but some councilors weren't sure it would help.

"I don't have a problem posting it at a lower speed," said Benson, "but if they're speeding at 25, they're still going to speed at 15."

"How about enforcing it instead of changing it?" added Ione Councilor Mark Patton. He added that residents could fight a change of speed limit if they wanted, based on state regulations. "No study done, no nothing done. We can't just say that we want this street 10 miles an hour. We don't have that authority."

The council also discussed installing speed bumps on the road, which councilors agreed was a better option. It was also

suggested that the city try to borrow a radar speed sign to remind people to slow down.

"I think we have some decent options here to look into," said Ione Mayor Mike Skow.

Peterson said she would check into radar signs and speed bumps and report back at the next meeting.

Dane Maben of engineering firm Anderson Perry and Associates was on hand at the meeting to update the council on sewer project progress. He said the plans to be submitted to the Department of Environmental Quality would be reviewed by Brad Baird and then submitted.

He also said surveyors were finishing a draft easement for Brian Spivey's property. The existing railroad easement across Hwy. 74 from the lift station to the top of Johnson Grade doesn't look like it follows the project's alignment, Maben said, so they were looking into drafting a new easement for that, as well.

The septic survey is done. "We've been evaluating that. I think it could be worse but it could be better," said Maben. "It's kind of a 50-50 coin flip from house to house whether or not the existing tank is on the same side as our proposed collection system pipe."

He said the biggest concern is the houses between second and third streets. The alley there is crowded, so they had decided not to run a collection system through the alley.

"Unfortunately, it's looking like a lot of the existing services and septic tanks are running out toward the alley," he said. "That's just an obstacle that we're going to have to evaluate and figure out what we're going to do to address it."

Morrow County right-of-way and access permits have been submitted, and Maben said he will meet with Morrow County Public Works Director Eric Imes soon to talk about the proposal. Other permit applications are in the works.

The council also discussed allocating \$49,000 to have Columbia Basin Electric install above-ground power lines for the sewer project up the hill to Johnson Grade. That option would be less expensive than putting the lines underground.

The next scheduled meeting of the Ione City Council is Aug. 8 at 6 p.m. at Ione City Hall.



Conestoga shelters being prepared by Stepping Stones Alliance. -Contributed photo

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