



BURNS CITY COUNCIL MEETING

Wednesday, April 10, 2024, at 6:00 p.m.

**Burns City Hall
242 S. Broadway
Burns, Oregon 97720**

Mayor Jerry Woodfin
Council President Jennifer Hoke
Councilor Jennifer Keady Councilor Heather Smith
Councilor Chase Patterson Councilor Andrew Roy
Councilor Tod Gahley

**COUNCILORS AND CITIZENS ARE WELCOME AND ENCOURAGED TO JOIN THE
REGULAR COUNCIL VIA ZOOM.**

Members of the public and media wishing to address the council during any public comment period will be able to join the webinar as an “attende.” Attendees will be able to view the Webinar on a desktop, laptop or mobile device such as a smartphone or iPad by using the following link:

<https://uso2web.zoom.us/j/9020143459> Meeting ID: 902 014 3459

- I. Call to Order
- II. Pledge of Allegiance
- III. Establish Quorum (*Roll Call*)
- IV. Public Comments

Members of the public desiring to address the Mayor and Council shall first be recognized by the Presiding Officer and then state their name and address for the record. Unless otherwise designated by the presiding officer, each person shall have up to three minutes to present their comments. City Councilors normally should not directly respond to a public comment during the public comment period. Councilor comments should be held until the Councilor comment period.



V. Agenda Approval and Added Agenda Items (*Discussion/Action*)

Any matters added to the agenda at this time will be discussed during the “New Business” portion of this Agenda or such other time selected by the council.

VI. Consent Agenda (*Discussion/Action*)

Information concerning matters listed in the Consent Agenda has been distributed to each member of the council for reading and study, is routine, and will be enacted or approved by one motion of the council without separate discussion. If separate discussion is desired, concerning a particular matter listed in the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any council member.

1. Regular Meeting Minutes March 27, 2024

VII. Department Head Report – Burns Police Station – Chief of Police Steve Macartney

VIII. New Business

1. C&B Sanitary Service Application for Rate Increase (*Discussion/Action*)

IX. Old Business

X. Resolutions/Ordinances (*Discussion/Action*)

1. **Resolution 24-779-** A Resolution of the City of Burns, Oregon, accepting certain identified and unanticipated revenues from Oregon Department of Forestry for a VFA Grant in the amount of \$9,695.00.

2. **Resolution No. 24-780** – A Resolution of the City of Burns authorizing the High Desert Park & Recreation to apply for a local government grant from the Oregon Parks & Recreation Department for Tennis Court Resurfacing/ADA Compliance at Anderson Park and delegating authority to the City of Burns Council to sign the application.

XI. City Manager Report (*Discussion/Action*)

XII. Committee Reports (*Discussion*)



XIII. Councilor Comments (*Discussion/Action*)

1. Cemetery
2. Safety
3. Airport
4. R3
5. URA
6. Event Committee
7. Planning

XIV. Adjourn

The Burns City Council meetings are available via Zoom and in accordance with ORS 192.610 to 192.690, these meetings conform to guidelines set forth on public meeting law. In accordance with the Americans with Disabilities Act, this meeting location is accessible to persons with disabilities. This institution is an equal opportunity provider. Discrimination is prohibited by Federal law. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Recorder Tiffany Leffler (541) 573-5255 or use the TTY Relay Service at 1-800-735-2900 for appropriate assistance. If a request is made, the city will make a reasonable attempt to honor the request.

Posted: April 8, 2024, at Burns City Hall, Burns Post Office, Harney County Courthouse, City of Burns Website, and City of Burns Facebook Page.

**BURNS CITY COUNCIL
MARCH 27, 2024**

The Burns City Council met in regular session on March 27, 2024, at 6:00 p.m. Members present were as follows:

Mayor: Jerry Woodfin
Councilors: Jen Keady
Jen Hoke
Heather Smith
Chase Patterson
Andrew Roy
Tod Gahley

Also, in attendance were City Manager Judy Erwin, Fire Chief Scott Williamson, Police Chief Steve Macartney, and Public Works Director Ty Richardson.

PUBLIC COMMENT

There was no public comment given.

AGENDA APPROVAL AND ADDED ITEMS

Councilor Keady made a motion to approve the agenda. Councilor Hoke seconded the motion. All ayes.

CONSENT AGENDA

1. Regular Meeting Minutes – March 13, 2024

Councilor Keady made a motion to approve the Consent Agenda. Councilor Smith seconded the motion. All ayes.

NEW BUSINESS

- 1. Amended R3 Intergovernmental Agreement** – Councilor Smith gave a brief update and said the original IGA for R3 had some amendments made when John Day joined R3. She said John Day has since removed from participation in R3, so the IGA required some additional amendments. She said it was language changes relating to the voting requiring a super majority, with only the 3 voting members, that was no longer possible.

Councilor Smith made a motion to approve the updated R3 IGA.

Councilor Gahley said it was hard to approve something they hadn't seen.

Councilor smith retracted her motion.

- 2. Dumpsters for Community Clean-up Day** – City Manager Judy Erwin said they have changed it from what it used to be, where they put out a few dumpsters around town to an actual event now where they put the dumpsters down at the Burns High School and there are joint efforts to clean up. She then asked if the city would like to contribute to the purchase of the dumpsters for the clean-up day.

Police Chief Steve Macartney said they have several dumpsters that are sponsored by community members and they would like to continue to purchase additional dumpsters, so there can be an effective community clean-up. What they ended up doing was far out stripping the number of dumpsters they had last year, and they would like the authority to go and purchase extra dumpsters. He said in addition they were working with BLM Forrest Service to have a chipper there for wood debris that they then could take the chips away for beautification. It

would be an exchange; they would bring in their wood debris and they would take the chips away. He said it was still in the planning stages but that was their hope. They wanted to make sure they had enough capacity for trash and debris, that way they have a truly effective clean-up.

Councilor Keady asked what day the clean-up would be.

Police Chief Steve Macartney said they were shooting for the 3rd week in May, which was the weekend before Memorial Day.

Councilor Keady asked if they knew how many extra dumpsters they needed.

Chief of Police Steve Macartney said last year they did 8 dumpsters with dumping them 4 times, so he was really unsure at this time. He thought they could do maybe 10-12 dumpsters, but they may have to bring in other dumpsters.

Mayor Woodfin said he was 100% in favor of it. He said he watched it last year go by his house and there was a massive amount of debris that was taken from the city to be put up on the hill. He believes the city should be able to help with the bill a little bit.

Councilor Keady asked if the City of Hines would also be doing it that day, because if so, they might be able to help with that cost as well.

City Manager Judy Erwin said she believed they were doing it the same day and it was a joint effort.

Police Chief Steve Macartney said that was correct and it was a joint effort for the cities to get prolonged issues taken care of. They will be going out before and identifying properties and giving them the information. He said this is also a chance for service groups to go out and help neighborly clean-ups as well.

City Manager Judy Erwin said the joint efforts with Hines will stop the Hines residents from dumping in Burns dumpsters and vice versa.

Councilor Keady asked if she would coordinate with the Hines City Manager and see how many extra dumpsters are needed and then split that cost.

City Manager Judy Erwin said she would do that.

Police Chief Steve Macartney said there was a council meeting prior to the clean-up so he would get all the details worked out and talk with Hines, he will come back to them with a number. Then they are not agreeing without an amount, they would have an actual number to vote on. He said he would try and get that to them by first Council Session in May.

OLD BUSINESS

There was no old business.

RESOLUTIONS/ORDINANCES

There were no new Resolution/Ordinances.

CITY MANAGER REPORT/DEPARTMENT REPORT

City Manager Judy Erwin reported the following:

- She said they were working on franchise payments currently. She had received a letter from C&B Sanitary about increasing their fees and they wanted them to take effect on June 1st. She sent it to the attorney along with the proposed Ordinance and she will get back to them with the information he gives on how to go about

this process. She said she would have more information for them on that at the next meeting. There are also several other companies they are working on franchise fees with as well.

Councilor Gahley said he was just looking for clarification. He said they were asking for a 15% increase and wondered how the franchise agreement worked in cost, whether it was a percentage or what it was.

City Manager Judy Erwin said that the 15% increase was C&B's increase. She said if the C&B customer currently pays \$20.00, they will pay \$23. She said as far as their Franchise Agreement, they haven't arrived there yet, but it has been at 3% since 1995. She believes they will ask for an increase, but they are waiting on the attorney to look it over. C&B hadn't had an increase since 2015, and costs have gone up for everyone on most all things.

- She spoke about the Hood to Coast Run. They have a local group of people that participate in the run called the Plum Crazy Team. They walk from Portland to the Oregon Coast and the walk is to raise money for Can Cancer. The Plum Craxy team was asking the City of Burns for a \$200.00 donation for that run. She said if the council would like to have them there to ask, she can have them at the next meeting.

The council said they would like that.

- She said she has continued to work on the budget, and they are in need of Budget Committee members. She said if anyone was interested or they knew anyone who may be, they could contact City Hall.

Councilor Keady asked if they had set those dates yet.

City Manager Judy Erwin said they had not yet because they were currently in negotiations with the Public Works Union, and they don't have the budget figures yet for that. She informed her that as soon as she had those dates, she would let them know.

- She wanted to remind them that April 3rd, next Wednesday, will be the hearing for the legislative amendment that had previously initiated on the Code Clean-up and on Open Spaces. She also informed them that they need Planning Commissioners as well.
- She had received an email that day from CIS that stated Governor Kotek had signed the SB1576 for restoring Recreational Immunity for improved trails in Oregon. It goes to parks and things such as that. They still need to urge the legislators to pass a permanent fix for that though. Recreational Immunity is the law that applies to if someone goes to a public park and is on a piece of equipment and gets hurt, they can not turn around and sue the city. The reason they can not sue is because they don't charge for the use of those spaces.

Councilor Keady asked if they could get an update on Apptedgy.

City Manager Judy Erwin said Councilor Smith had kind of taken the lead on that because she understands websites a lot better than the rest of the crew. They have recently got their Apple account so hopefully they will get the app that people can download on their phones created soon. She did verify there will be no charge to the customer, the app will be free.

Councilor Smith said there was one more training and they will probably have a couple more meeting before they go live. They currently have a live thread in one of their apps where they are giving them tasks to complete and things to send or upload so they can start creating the website and platform for the app. She said Councilor Keady and herself would be going over the demo of what the website will look like. They had already sent down one. She said they would go through that and compare to what they have and what they want to have. They had to get the App Developer set up and approved so they can create a phone app. Apptedgy will be handling this, but they needed to get all the approvals. She said it's moving right along.

COMMITTEE REPORTS

Cemetery – They will be meeting on April 3rd.

Airport Committee – City Manager Judy Erwin said Councilor Smith and Hailey Walker are going to a conference for drone related activity identification. They are trying to get the drone range stood up out at the Burns Airport. They applied for a grant for infrastructure and things such as that, but because no one knows much about drones, they are going to the conference to learn a little more and make a few contacts so they can do an effective job.

Councilor Smith said Hailey had been working hard on getting more grants and grant reports for the existing grants. She also believes the BLM is getting ready to fill up out there for fire season.

R3- Councilor Smith said R3 had some big updates. They were awarded a grant for 1.5 million dollars for infrastructure for the city's Miller Springs project. They were also awarded somewhere around \$487,080.00 for the Residential Heat Pump program; she wasn't aware of the exact number, but it was somewhere around there. They will be meeting the next morning to discuss and finalize the details of them administering that grant program for Eastern Oregon. They have a meeting with the State and the tribe to see how they can facilitate that. There is separate grant money and qualifications for the tribe. She informed the council that John Day Blue Mountain Hospital applied for and is in the running for \$250,000.00 grant that would make the project they applied for though R3, more realistic and possible.

Safety Committee – They will meet on April 9th.

URA – They will be meeting on April 10th before the first City Council meeting of the month at 5:15 p.m. It was an off time to have a meeting, so she hoped to have them all present. She said one thing they needed to discuss as a council was connect fees versus System Development Charges. She said in the URA Standard Operating Procedures that they would be refunding SDCs but reimbursing connection fees. She said they need to know what the fee schedule looks like.

City Manager said she had hoped to have the SDC Ordinance the next City Council meeting. She said it was roughly \$7500.00 for the water and sewer SDCs. Right now, in city limits it is around \$2600.00 for connection fees. She thinks they need to adjust that to actual cost for hooking up the water and sewer. She said the URA needs to decide if they are going to reimburse the connection fee and SDCs or just the SDCs.

Councilor Keady said that up to this point they don't have SDCs, they have connections charges, so anything done up to this point wouldn't qualify for the reimbursement because the URA said that SDCs would be what was reimbursed.

She said the city had believed that those were SDCs and not just connection charges so they may have given the impression to customers that those were SDCs that would be reimbursed.

Councilor Keady asked if City Manager Judy Erwin would get a list of any fees that have been paid to this point. She felt this way the URA Board could discuss these and see if they wanted to reimburse these fees or not.

City Manager Judy Erwin said she would get her a list. She also wanted to mention to the Council the Harney County Chamber has agreed to take back over the 4th of July Parade.

Planning Commission – City Manager Judy Erwin said they will be having a hearing on April 3rd for the amendment to the Zoning Ordinance for the dwellings in Open Space and General clean-up. She said they are very busy and have several people a day with new Planning Applications and questions. She met the new Commercial building inspector and he seemed very nice. He has some ideas and wants to create a team atmosphere between the city and the County so she believes it will be a very positive thing.

COUNCILOR COMMENTS

Councilor Keady said based on the C&B letter, she says they would be happy to attend the meeting and she wanted to make sure we got that on the agenda and that they also made sure to invite them.

City Manager Judy Erwin said this all had to go through the attorney first but as soon as she has that information, she will invite them to attend. She felt it may even be a good idea to have a Work Session with them before they finish up the Ordinance.

Councilor Keady said she felt that was a great idea. She then asked regarding the Strategic Plan, if anyone had any additional comments or changes they wanted to make. She also said one thing that they have discussed in the past that kind of continues to be forgotten about is Air B&Bs and having them licensed. Just like any other accommodations or lodging there are also required to pay their Transit Tax.

There were no comments or changes to the Strategic Plan.

Councilor Keady said once they get the airport information on there and she will hopefully have it at the next council meeting to look at. She said there wasn't anything that needed to be approved it was just an availability document that moves forward.

City Manager Judy Erwin believes it is in the Ordinance now that they are supposed to be paying that, but she will double check to make sure, and what the process is if they are not.

Councilor Keady also wanted to discuss putting in some kind of trail that connects Burns and Hines in some big loop. She wants to work with Rodger Hodge at the City of Hines and put together a committee to start talking about that because it is in the city's Strategic Plan and maybe there is some way they can incorporate working with R3 and requesting funding, if that is an option. Anything that may be in the URA, they could maybe start looking into building that out.

City Manager Judy Erwin said she had discussed that with Nick Green. So far with all the projects they have had, they have dug up artifacts. This requires a process to approach the Tribe and negotiate with them on what they will accept for digging up their artifacts. They had thought that maybe they would try to negotiate with them on all the projects they have going on so that they don't have to do these on each individual one. They already know they will find more artifacts and they would like to work with the Tribe to build a walking trail that extends from the Tribal Lands, through Miller Springs, and down going by the school and all along the way having information about the tribe on what used to be on the lands they are walking, why it is important to the tribe, and things of that nature. She hoped it would address the issue of the heritage in the area for them and at the same time satisfying the SHIPA Requirements for the projects.

Councilor Keady said that was a great idea and she would find out when the Tribal Council meets and see if they can have some sort of a co-working opportunity and work with Nick also because he was one of the people that mentioned some different grant opportunities they could be looking at as well as companies that can create that aerial visual so they can figure out where the best route would be.

City Manager Judy Erwin said she may want to check with Nick Green first, because he may have already reached out to the Tribe.

Councilor Smith said she liked the interpretive aspect of it as well.

Councilor Patterson just wanted to say Happy Easter!

Councilor Smith wanted to inform everyone that the Hines Pine Mill House is hosting a Loretta Heinz Day. It has gotten on the historic registry as an annual event moving forward. It will be from 11 am to 1 p.m.

Councilor Roy wanted to speak on the trail that Councilor Keady spoke of. He said he had a conversation with someone a few weeks ago that had gone to Boise to a trail they call the Green Belt, that was similar to what she was speaking of. He has spoken to many people who would really enjoy having something like that here as well.

There was no further discussion.

The next meeting will be April 24, 2024, at 6:00 p.m.

ADJOURN

Councilor Smith moved to adjourn at 6:43 p.m. Councilor Hoke seconded the motion. All ayes.

Tiffany Leffler, City Clerk

Jerry Woodfin, Mayor

C&B Sanitary Service, Inc
PO Box 418
Burns, OR 97720
541-573-6441

March 26, 2024

Burns City Council
PO Box 336
Hines, OR 97738

RE: Application for rate increase

Dear Council Members:

As per our Franchise Agreement with the City of Hines we hereby submit our formal application seeking your approval for a rate increase.

As you may or may not know our last rate increase was granted in February 1, 2015. We just completed our 9th year under the current rates. We have the most economical rates in the state of Oregon and are proposing a 15% increase, which is a reasonable amount for the customers. Our connecting counties are still 50% or more higher than our proposed increase.

There is no disputing the fact that all costs have gone up since 2015 and we have done everything in our power to keep our operating costs down, unfortunately we have reached the point that we must seek the approval of the Hines City Council to raise our rates.

If approved, the rates would take effect on June 1, 2024. We have attached a rate chart that shows our current rates and the requested rates. The proposed rate is an 15% increase.

This application is submitted for your approval this 26th day of March 2024. We will be happy to attend your meeting when this matter is be placed on the agenda.

Thank you,
Rodd and Karen L. Dinsmore, owners
C&B Sanitary Service, Inc.

**CITY OF BURNS
RESOLUTION NO. 24-779**

A RESOLUTION OF THE CITY OF BURNS, OREGON, ACCEPTING CERTAIN IDENTIFIED AND UNANTICIPATED REVENUES FROM OREGON DEPARTMENT OF FORESTRY FOR A VFA GRANT IN THE AMOUNT OF \$9,695.00.

Whereas, the City of Burns, (the city) applied to Oregon Department of Forest for grant funds to assist with costs for wildland fire shelters, Wildland fire shirts and pants, and vehicle radio charging units; and

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BURNS, OREGON, THE FOLLOWING BUDGET CHANGES AS FOLLOWS:

ACCEPT:	RFA/VFA FIRE GRANT	101100-4800109	\$9,695.00
EXPEND:	RFA/VFA FIRE GRANT	101406-5202723	\$9,695.00

Approved and adopted by the City of Burns this 10TH day of April 2024.

Attest:

City of Burns:

Tiffany Leffler, City Recorder

Jerry Woodfin, Mayor

RESOLUTION NO. 24-780

A RESOLUTION OF THE CITY OF BURNS AUTHORIZING THE HIGH DESERT PARK & RECREATION TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR TENNIS COURT RESURFACING/ADA COMPLIANCE AT ANDERSON PARK AND DELEGATING AUTHORITY TO THE CITY OF BURNS COUNCIL TO SIGN THE APPLICATION.

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

WHEREAS, the High Desert Park and Recreation desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, City of Burns Council have identified THE TENNIS COURT RESURFACING/ADA COMPLIANCE improvements at Anderson Park as a high priority need in Burns, OR; and

WHEREAS, this project will be a complete tennis court resurfacing, ADA entrance from parking lot meeting ADA requirements, Tree Trimming/potential removal at Anderson Park, Burns Oregon.; and

WHEREAS, the High Desert Park and Recreation has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

WHEREAS, the High Desert Park and Recreation will provide adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BURNS COUNCIL AND THE HIGH DESERT PARK & RECREATION AS FOLLOWS:

- Section 1: The City of Burns Council demonstrates its support for the submittal of a grant application to the Oregon Park and Recreation Department for complete tennis court resurfacing, ADA entrance from parking lot meeting ADA requirements, Tree Trimming/potential removal at Anderson Park.
- Section 2: This Resolution shall be effective following its adoption by the City of Burns Council.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the Burns City Council on this 10th day of April 2024.

Jerry Woodfin, Mayor

ATTEST:

Tiffany Leffler, City Clerk