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**CITY OF MILTON-FREEWATER GOVERNING BODY**

Verl Pressnall At Large, Position 1  
Steve Irving At Large, Position 2  
Edwin E. Chesnut (CL President) At Large, Position 3

Lewis S. Key Mayor  
Vacant Ward 1  
Bradley J. Humbert Ward 2  
Jose Garcia Ward 3

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**CITY OF MILTON-FREEWATER  
CITY COUNCIL MINUTES****February 10, 2020**

The Council of the City of Milton-Freewater met Monday, February 10, 2020 at 7:00 p.m. in the Albee Room of the Library, 8 SW 8<sup>th</sup> Avenue, Milton-Freewater, Oregon.

The following City Council members were present: Mayor Lewis Key, Councilors Brad Humbert, Steve Irving, Verl Pressnall and Ed Chesnut.

Councilor Jose Garcia was absent.

Ward 1 council seat is vacant.

Staff members present were: City Manager Linda Hall, City Recorder Leanne Steadman, Public Works Superintendent Brian Steadman, Electric Superintendent Mike Watkins, Building Specialist Pat Didion, Engineering Technician Ryan Westman and Public Works Supervisor Nathan Lyon.

Citizens and Guests present were: Dan Dorran, Mark Gomes, Elizabeth Lawrence, Kandy Pressnall, Tillie MakePeace, John Lyon, John Raozilma, Jonathan Lopez and Yesenia Tryillo.

Representing the news media was Sherrie Widmer of the Valley Herald.

**CONSENT CALENDAR ITEMS:**

The consent calendar items consisted of:

- Council Minutes from January 13, 2020
- Accounts payables from January 7, 2020 through January 21, 2020
- Accounts payables from January 22, 2020 through February 4, 2020

Councilor Humbert motioned to adopt the consent calendar items. Councilor Irving seconded the motion which passed unanimously.

**BUSINESS ITEMS:****CONSIDERATION OF APPOINTMENT OF CITY COUNCIL CANDIDATE TO WARD 1  
VACANCY**

City Manager Linda Hall introduced applicant John Lyon. She stated Mr. Lyon met the criteria of being a city councilor. He has lived in this area his entire life.

Mr. Lyon stated he has lived in Milton-Freewater for fifty (50) years in the Ward 1 boundary.

Manager Hall stated he comes from a long line of representation on the council. There has been a "Lyon" on the council since 1964.

Councilor Chesnut stated he was thrilled that someone is ready to step up and fill the role. He stated he felt strongly to see all the council seats full so they can make the best decisions possible for the whole community and having a representative in Ward 1 for all his life was an asset.

There were no further questions or comments.

Councilor Humbert motioned to appoint John Lyon to fill the unexpired portion of Orrin Lyon's term as the representative for Ward 1 City Councilor for the City of Milton-Freewater. Councilor Chesnut seconded the motion which passed unanimously.

**REQUEST – GUNS AND HOSES FUNDRAISING REPRESENTATIVE ASKING FOR AN EXEMPTION TO CITY CODE 8-2-19 TO ALLOW ALCOHOL IN YANTIS PARK FOR THEIR FUNDRAISING EVENT THIS SUMMER**

Mark Gomes stated that Guns and Hoses is a fundraising group made up of local law enforcement and firefighters. They are raising funds for the benefit of the Milton-Freewater Summer Youth program ran by the Walla Walla YMCA for local children. He said this was their seventh year of fundraising. They are planning to do the same as they did last year which was an evening in Yantis Park scheduled for June 20, 2020 from 3:00 p.m. to 11:00 p.m. They have bands line up and they would like to have a beer and wine garden again which they have Dragon's Gate Brewery, Watermill Winery and Blue Mountain Hard Cider on board to serve again if they are allowed the exemption from the City Council to allow alcohol in the park. He explained the entire beer and wine garden area will be fenced off and a license check will be required to enter the area. The area would be monitored and controlled.

Councilor Chesnut stated it was important to note that there would also be food vendors and vendors selling merchandise there also.

Councilor Chesnut motioned to allow the Guns and Hoses request for an exemption to City Code 8-2-19, allowing them to lawfully sell and consume alcohol in Yantis Park for their 7<sup>th</sup> Annual Fundraising Event. Councilor Humbert seconded the motion which passed by majority with Councilor Pressnall being the sole dissenting vote.

**RESOLUTION NO. 2410, AUTHORIZING SIGNATURE TO A MEMORANDUM OF UNDERSTANDING WITH THE MILTON-FREEWATER MINISTERIAL ASSOCIATION FOR THE UTILITY BILL ASSISTANCE PROGRAM**

Public Works Superintendent Mike Watkins stated in 2002 the City started an Energy Assistance Program to help customers in crises to pay their utility bill. Salvation Army has acted as the City's agent to qualify customers for eligibility for the program. The program is funded by customer donations, fund raising by the Community Bank and for the past two years, a "Walk for Warmth" fundraiser sponsored by the Key Club at McLoughlin High School. All funds collected are matched dollar for dollar by the Electric Department. All donations are used only for customers of the City for utility bill assistance. This program has served customers very well over the years but staff believes it can be much more effective. Changing agents from the Salvation Army, located in Walla Walla, to the Milton-Freewater Ministerial Association will make it easier for city utility customers to access local financial help. Along with the new agent, the maximum dollar amount customers may qualify would increase from \$150 to \$250. If approved, the program would begin with the Milton-Freewater Ministerial Association March 1<sup>st</sup>.

Mayor Key asked how much was in the utility billing assistance account currently.

Building Specialist Pat Didion stated there was approximately \$18,000.

Councilor Chesnut asked how much was paid out annually.

Mr. Didion stated between \$7,000 and \$10,000.

Councilor Chesnut stated he was pleased to see that citizens in need would be able to make a local contact for help.

Councilor Chesnut motioned to adopt Resolution No. 2410, Resolution Authorizing Signature to Memorandum of Agreement with the Milton-Freewater Ministerial Association. Councilor Humbert seconded the motion which passed unanimously.

Manager Hall thanked Tillie MakePeace and the Ministerial Association, Mr. Watkins, Mr. Didion, Electric Assistant/Project Aid Barbara Chadek, Finance Director Dave Richmond and Accounting Supervisor Luke Billings for all their work on this program. She stated that for a city our size we have a generous community.

**RESOLUTION NO. 2411, AUTHORIZING SIGNATURE TO CITY'S BANKING ACCOUNTS AND ADDING A UTILITY BILLING ASSISTANCE ACCOUNT**

City Recorder Leanne Steadman stated with the proposal just presented and approved by the council to enter into a Memorandum of Agreement with the Milton-Freewater Ministerial Association to oversee the City's Utility Assistance Program, it was staff's recommendation to establish a separate banking account at a local bank to keep the accounting of the program funds separate. Therefore, the City's Banking Accounts resolution needed to be updated to reflect the addition of the Utility Bill Assistance Account.

Councilor Humbert motioned to adopt Resolution No. 2411, Resolution Authorizing Signatures to the City's Banking and Investment Accounts. Councilor Irving seconded the motion which passed unanimously.

**RESOLUTION NO. 2412, CALLING AN ELECTION FOR THE PURPOSE OF APPROVING A FIVE YEAR LOCAL OPTION TAX MEASURE UNDER THE AUTHORITY OF ORS 280.060 TO SUPPORT PUBLIC TRANSPORTATION SERVICES**

Manager Hall reported that the City of Milton-Freewater had been providing senior and disabled transportation by way of taxi service since April 1971. She stated that the program was the brain child of her mother, Patsy Buroker when she worked for the city. She explained the tax measure was levied for \$60,000 per year for a total of five years. She recommended the local option tax measure be placed on the May 19, 2020 ballot to avoid any lapse in the funding for the very vital transportation programs. The tax measure would maintain the current tax rate of 37 cents per \$1,000 of assessed value. Manager Hall said it would cost a home assessed at \$75,000 total market value, \$27.75 per year. She compared this to less than it costs to fill an average sized car's fuel tank one time. She stated the current cost of the total transportation program is over \$310,000 per year. The local option tax brings in less than 19% of the total fund. The rest is made up of additional successful grants. She said that for every \$1.00 in tax monies, the City has matched this with over \$5.00 in grant monies. Manager Hall said the buses came in handy when there was a mandatory evacuation that affected three different nursing homes, the busses were used to help relocate residences, many of whom were in a wheel chair, to a facility in Walla Walla during the high water and potential flooding event.

Councilor Humbert motioned to adopt Resolution No. 2412, Resolution Calling an Election for the Purpose of Approving a Five Year Local Option Tax Measure under the Authority of ORS 280.060 to Support Public Transportation Services. Councilor Irving seconded the motion which passed unanimously.

**AWARD OF PROPOSAL FROM DOYLE ELECTRIC FOR WELL #1 ELECTRICAL UPGRADES**

Public Works Superintendent Brian Steadman stated he was looking for approval of a proposal from Doyle Electric for Well #1 electrical upgrades. He stated that there was \$100,000 budgeted to do upgrades on well #1 and well #3, but will be doing one well at a time.

Mayor Key asked where well #1 was located.

Mr. Steadman stated it was by the South Fire Station.

A brief discussion ensued regarding the voltage and wire component of well #1 and the proposal from Doyle Electric.

Councilor Chesnut motioned to award proposal for the removal of the old existing gear, furnishing and installation of the new motor drive in Well #1 to Doyle Electric of Walla Walla, Washington for a total of \$35,227.88. Councilor Pressnall seconded the motion which passed unanimously.

**UPDATE OF HOUSE BILL 2017 STREET AND PEDESTRIAN IMPROVEMENT PROJECTS AND RESOLUTION NO. 2413 AUTHORIZING SIGNATURE TO AGREEMENT FOR PROFESSIONAL SERVICES FOR HOUSE BILL 2017 PEDESTRIAN AND ROAD IMPROVMENTS PROJECT WITH ANDERSON PERRY & ASSOCIATES, INC.**

Mr. Steadman gave an update on House Bill 2017 (HB2017). The City was awarded \$3 million dollars for pedestrian and road improvements and the bill states that no construction work could begin until after January 1, 2020. He stated the number one priority will be south and north main from Fry's Hardware to city limits which is 1.7 miles. There are approximately 94 ADA ramps within that stretch of roadway and with the new federal rules and if the city were to do a complete overlay of that section, it would be close to a million dollars just to update the ramps. Staff has met several times with Umatilla County and their chip sealing crew, it's believed that the best maintenance procedure for the money is to chip seal that section. The City will contract with the County to do the work when it fits into their schedule hopefully by summer if not the following year. The estimate for the chip seal project is \$100,000. The next four major streets that are planned to be overlay is Walnut Street, Chestnut Street, SW 8<sup>th</sup> which will include a sidewalk at the top of the hill and North Elizabeth. These are the streets that staff is proposing Anderson Perry & Associates do the engineering work on. They will have until this time next year to get all the engineering done then the projects can be bid and the work can be done next summer. There are eight more streets that could be chip sealed if there are funds left after these projects. All projects must be complete by August 2022. If there are funds left and time then some work on Powell Road and Powell Road Bridge could be done. Staff's recommendation was to contract with Anderson Perry & Associates for the engineering services on the four roads as mentioned earlier.

A discussion ensued regarding the federal requirements for ADA ramps and what caused the new rules to go into effect.

Councilor Irving motioned to adopt Resolution No. 2413, a Resolution Authorizing Signature to the Agreement for Professional Services for House Bill 2017 Pedestrian and Road Improvements Project with Anderson Perry & Associates, Inc. not to exceed \$130,000. Councilor Chesnut seconded the motion which passed unanimously.

Manager Hall commended Public Works Superintendent Brian Steadman and Electric Superintendent Mike Watkins for working beside their crews every minute during the unprecedented flooding crises last week, both putting themselves in dangerous situation as did City Councilor Brad Humbert who was wearing his other hat as a Water Control District board member. She said when she says her prayers at night she thanks God for people like this that land in her community and she cannot underestimate the danger and the hours of tiredness. They never lost their smiles on their faces and they stayed upbeat. She stated she couldn't thank Mike, Brian and both their crews along with Brad enough for all they have done and are still doing to help protect the community.

### **DISCUSSION OF POTENTIAL PROHIBITION OF COMPRESSION BRAKE USE**

Councilor Pressnall stated he has had a couple of people approach him with complaints regarding the noise from compression braking. He said there is city regulation for noise but no regulations that actually apply to compression braking according to the Police Chief. When he spoke to the Police Chief he stated he was told that the current city code didn't have any regulations that apply unless it was on their private property. Councilor Pressnall said the State Statute applies but it's pretty vague on how it's worded. The Police Chief looked up some regulations from other areas and he found one from a city in Texas. Councilor Pressnall said he lives on NW 5<sup>th</sup> Avenue and there are a lot of apple trucks that go by his house and hit their compression brakes and roll clear to the stop sign. He said he lived off of North Elizabeth Street which was close to the stop light coming off of 5<sup>th</sup> and Columbia and trucks would hit their compression brakes and rattle the community. Councilor Pressnall handed out a sheet with proposed wording on what he would like to see implemented.

A discussion ensued regarding the south hill and signs.

Manager Hall stated that Oregon Department of Transportation (ODOT) does not allow prohibition on state highway which would include the main road through Milton-Freewater. She did say it could address NW 5<sup>th</sup>.

Councilor Chesnut stated he supported the concept of the prohibition but asked that the proposed language be run by the city attorney.

A discussion ensued.

Manager Hall stated that there will be more study done and can see what the city attorney would have to say about it.

### **UPDATE/PROGRESS REPORT ON CITY COUNCIL GOALS ADOPTED JANUARY 9, 2017**

Manager Hall gave the council the option to review the goals, of which all members of the council had copies of all the goal updates, or jump right into getting an update on the recent flooding event.

Council consensus was to discuss the flooding event as they all had copies of her updates.

Manager Hall said she felt shocked to say that the City escaped so much damage. Things could have been very different if it weren't for the work of Don Jackson Excavation and crew, Anderson Perry & Associates Engineer John Wells, Corey Thacker of Cd Thacker Excavating and Brad Humbert of the Milton-Freewater Water Control District (MFWCD) along with City of Milton-Freewater crews. She stated there are some flooding damages of property and basements of some houses along the levee. This was not because the levee broke but because there was such a volume of water that the water was seeping out from the levee. She said it's unknown if the levee is compromised even though it's still there but mainly because of the crews working in real time and doing all they could to save the levee and protect the city. Another unknown is the condition of Cemetery Bridge and 15<sup>th</sup> Street Bridge, these are not the city's bridges they are the jurisdiction of Umatilla County but they do affect the City of Milton-Freewater citizens. Both bridges are still there but they will need to be assessed. She reported there were issues with enough water seeping and causing an outage at the Braeburn sewer lift station pump. The alarm went off like it should have so staff was able get it operational so there were no sewer backups. There is considerable damage with the levee being taken out by Marie Dorian Park which is where city well number 8 is located. The water undercut most of the bank and exposed an old abandoned water pipe with the current mainline only being feet away. Mr. Steadman and Mr. Humbert noticed this and had Don Jackson Excavation haul 425 tons of rock and had placed in this area to protect the water resource for the city.

A discussion ensued regarding the location of the water main.

Councilor Humbert gave an update as a board member of the Milton-Freewater Water Control District, he stated that the levee washed out about 700 feet on the east side bank below Couse Creek Bridge. Then the river curved across and compromised the other side of the levee which is where the main water line ran. He stated that on Sunday the Corps of Engineers brought in an Emergency Management Team and they are going to try and expedite the repair of the east and west bank levee below Couse Creek Bridge within the next thirty days at their cost.

Manager Hall stated that she and City of Pendleton have submitted letters of assessed damages and to have this considered a Presidential Declaration the damages must be great than \$6 million dollars for Umatilla County which the total exceeds this amount.

Councilor Humbert said the MFWCD will be addressing the levee seepage with some grading and some small pump stations in those specific areas. He said the district is working with the Corps of Engineers along with John Wells of Anderson Perry & Associates who helped design the levee when it was being recertified. They are also working on assessing the damages and repairs needed.

Manager Hall said she is working Representative Greg Smith's office who is working on getting some funds for the city and the citizens. She said she has a concern with neighbors on the south and north fork of the Walla Walla River Road and that she didn't want them to get overlooked so when she is sending items to legislatures she is including that area as well.

Councilor Humbert stated there is complete devastation on the Walla Walla River Road.

Mayor Key stated there was a house on the Walla Walla River Road that was listed for sale for just under a million dollars and it now has a river running on both sides of the house.

Councilor Humbert stated that the Church of Latter Day Saints is bringing in 100 volunteers for the next three Saturdays to help those that need help.

Manager Hall said that the city will be placing dumpsters for city citizens who have been impacted by the flooding to get rid of material associated with the flood. The State of Oregon brought in an emergency management team that's working with Umatilla County, they will set up a one stop shopping resource center for citizens where there will be FEMA, Red Cross and insurance representatives. She said she didn't have the details just yet on where that will be but guessed it would be in Pendleton. There is also a website being set up where citizens can self-report their damages which will be used in the report for Umatilla County. She said it was also a priority to make sure employees who have been impacted by the floods have help. A public works employee who lives up Mill Creek gets his water from the City of Walla Walla and they have lost 1,300 feet of water main so it will be quite a while before he gets water back to his house. Another employee lives up the Walla Walla River Road and although his house is still there it's not clear whether he will be able to move back into it. Where they had pasture for their horses and animals is now a river and bed rock. She stated that donations can be made specifically for Milton-Freewater citizens through the Blue Mountain Community Foundation.

Councilor Chesnut stated he felt there could be improvement to the city's dissemination of information.

A discussion ensued regarding the city website, Facebook, the reader board in front of city hall, getting information on Channel 3 on the TV.

Manager Hall stated that updates were being posted on Facebook and she was of the understanding that the same information was being posted on the city website. There were people calling into city hall to get updates and information was being put out as it was learned or there needed to be an update. A message did go out on the App "Alert Sense" which people have to sign up for to get messages. She stated that the police department does the initial screening then the volunteer fire department steps in. The City's Emergency Operation Plan was put into place with an incident command center being the Albee Room for multiple agencies to gather. There were three shelters put into place, the Community Building, Mac-Hi Gym and Ferndale School. She reported during all this activity and with some roads being closed, Google maps was redirecting travelers up the Walla Walla River Road, which was not passable and in doing so someone hit a water hydrant on South Main.

Councilor Chesnut asked why the shelters in Milton-Freewater were shut down after one day.

Manager Hall stated that the Emergency Operation Plan calls for the shelter to be at the Community Building and the law states that a shelter must be manned twenty-four hours. The plan also says that members of Red Cross would come and take them over with their workers/volunteers. She stated when she contacted the Red Cross she was told they did not have that many resources and that people could go to the shelter set up in Walla Walla at the Fair Grounds. She reported that there were two people at the Community Building and one family plus another single person at Mac-Hi. When these citizens were told that they could go to the shelter in Walla Walla, and they were offered a ride if they did not have transportation, they said they had friends or family that they were going to go stay with.

A discussion ensued regarding finding church members or volunteers to man the shelters.

Kandi Pressnall stated she spoke to some people that were under the mandatory evacuation and she said she believed that most people had friends or family to go stay with.

Councilor Irving stated he knew of some citizens in the area of the evacuation and offered them to stay at his house. He stated one family did while another went to another family member's house. He stated that there was going to be a ribbon cutting for La Ramada on Saturday, February 15, 2020 from 3:00 – 6:00 p.m.

Mayor Key asked that a proclamation be written thanking all the contractor and Brad Humbert for the work on the levee during the high water, flooding event.

### **MANAGER'S REPORT**

Manager Hall would like to schedule the next Golf Course Committee meeting.

Councilor Chesnut stated he would not be unavailable the first week of March through the 10<sup>th</sup> of March.

Manager Hall stated she would send an email out of some potential dates.

Jonathan Lopez – Hermiston, Oregon, thanked everyone for their help with the flooding. He stated he had received calls from Milton-Freewater and was out helping on the levee as well. He stated there were a lot of Hispanic community members and asked to make information available in their language and comfort zone.

Electric Department Engineering Technician Ryan Westman stated when he was out knocking on doors to help notify people of the evacuation that he felt there was a language barrier.

Manager Hall stated there were approximately 3,000 people evacuated in the city in less than three hours and she was very happy with how that process went.

There being no further business the meeting was adjourned at 8:40 p.m.

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Lewis S. Key, Mayor