

MINUTES
STANFIELD CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 19, 2017
STANFIELD COUNCIL CHAMBERS
150 WEST COE AVENUE

CALL TO ORDER

The regular meeting of the Stanfield City Council was called to order at 7:00 p.m. by Mayor Tom McCann at the Stanfield City Council Chambers, located at 150 West Coe Avenue, Stanfield, Oregon.

ROLL CALL

Members present were Mayor McCann, and Councilors Pam McSpadden, Don Tyrrell, Susan Whelan, Del Manley, Jason Sperr, and Jack Huxoll. City Staff present were City Manager Blair Larsen, Public Works Director Scott Morris, Librarian Cecili Longhorn and Police Chief Bryon Zumwalt.

FLAG SALUTE

Mayor McCann led the audience and members of the Council in the Pledge of Allegiance.

APPROVAL OF MINUTES FROM SEPTEMBER 5, 2017

Mayor McCann approved the minutes for the September 5, 2017 council meeting as corrected.

DISCUSSION REGARDING POTENTIAL REGULATION OF MOBILE FOOD VENDORS

Councilor Sperr said that the Administrative Committee met the previous Friday, and this topic had come up because a local business had declared its intention to operate a mobile food truck, and the City has no regulations on that matter. He said that the City Manager was tasked with drafting an ordinance, and the committee wanted to discuss the draft. Councilor McSpadden said she liked the ordinance. Councilor Whelan said that the ordinance doesn't allow shade canopies. She asked if it was necessary to ban shade structures. Councilor Huxoll asked why you would want to prevent people from sitting in a building after buying their food. Councilor Sperr said that if the business owns or leases the property, that should be allowed. Councilor McSpadden said that is not what mobile vending is. Councilor Sperr said that he wanted to modify or remove some parts of the ordinance. He said that he thought paving was unnecessary, and gravel should be enough if the site looks nice. Mayor McCann said that there was a mobile vendor that operated in the past that had canopies that they set up, but they were temporary and were packed up every night. The Council discussed the proposed business and the ordinance, and sent the ordinance back to the committee for further review.

ORDINANCE NO. 421-2017: AN ORDINANCE REPEALING ORDINANCE NO. 389-2010, AMENDING CHAPTER 8.08.160 OF THE STANFIELD MUNICIPAL CODE TO ADJUST THE PENALTIES AND FINES OF THE NUISANCE REGULATIONS; ALLOWING FOR NEGOTIATED NUISANCE ABATEMENTS; PROVIDING GENERAL PENALTIES; DEFINING, IDENTIFYING EVIDENCE OF, PROVIDING FOR THE ABATEMENT OF ODORIFEROUS NUISANCES; AND DEFINING, IDENTIFYING EVIDENCE OF, AND PROHIBITING EXCESSIVE NOISE

Councilor Sperr said that this does not negate the existing agreement with 3D Idapro, so any use of this ordinance in that situation would not happen until after the end of November. Councilor Whelan asked why the hurry to pass this with an emergency clause if it won't be used against 3D Idapro. Councilor Sperr said that in the past it was clear that people wanted it adopted as soon as possible. Councilor Whelan said that she had not read the portion of the ordinance dealing with excessive noise, so she was going to vote against it tonight.

Councilors McSpadden and Manley moved and seconded to accept the ordinance. Ayes: McSpadden, Tyrrell, Manley, Sperr and Huxoll. Nays: Whelan. Motion carried.

Councilors Sperr and Manley moved and seconded to adopt the ordinance. Ayes: McSpadden, Tyrrell, Manley, Sperr and Huxoll. Nays: Whelan. Motion carried.

UPDATE ON ODOR ISSUES AT 405 N. HOOSIER LANE

Mayor McCann said that he appreciates 3D Idapro's attempts to keep the public informed. He said he found out this week that this odor is prevalent west of the City, and it is not coming from this plant, but from a holding plant in Hermiston, and Lamb Weston in Boardman. Councilor McSpadden said that Hermiston is working on enforcing an ordinance against the facility in Hermiston.

Resident Carlos Chavez said that you don't have to drive far to know where the smell is coming from.

Mayor McCann said that soon no material would be exposed to the elements, and that should abate the problem. The Council and staff discussed the odor. Mayor McCann said that mint silage is ten times worse, and that was stored behind the Moose lodge, and that was abated.

Mr. Larsen said that he had not learned anything more on the situation. Mayor McCann said that the company is doing the best they can.

COMMENTS FROM THE AUDIENCE

Cecili Longhorn said she appreciates that the Council and Mr. Larsen have taken a beating over the last few months, and she appreciates the sign in sheet, and thinks it will help. She said that she likes food trucks, but food trucks never have seating. She also questioned regulating colors, and said that lots of great food trucks have crazy colors. She said they should be allowed, perhaps with special approval. She said that restaurants have more costs, including bathrooms, and food trucks should be limited to food truck standard, not a restaurant standard. She said they should be allowed to be open later than 8 pm. She said that the grounds of the proposed site are not paved, and the business should have to tear stuff out and put in gravel. She said that they should be a food truck, not a restaurant.

Jack Bell asked about ordinances regulating people selling stuff door to door. He said that someone came by his house on Sunday. He said he asked him for a business card, or permission from the City, and he didn't have either. Mayor McCann said they have to go to City Hall and get a permit before going door to door. Chief Zumwalt said that he got a call from Mrs. Hunter about solicitors, and he educated her on the rules, and tracked down the solicitor who was not following the ordinance. He said residents should call dispatch if they come by. Mayor McCann suggested that the next newsletter include instructions to residents on the rules regarding solicitors, and how to report violations.

Jerry Carlson asked about who would enforce any food vendor ordinance. He said someone would have to go down and do it.

Carlos Chavez said that things are run well in the City, and complimented the City Council and staff on it. He said that the smell is really bad, and he can't handle it another summer. The Council said that they didn't like it any more than he did.

OTHER BUSINESS

Mr. Larsen said that the finance report for August, 2017 was in front of them. Mayor McCann suggested that it be included on the agenda at the next meeting.

Mr. Larsen said that he met recently with the city managers of Hermiston and Umatilla about the possibility of an independent parks and recreation district in order to build an indoor aquatic facility, and perhaps more. Councilor Manley asked if there was one in Boardman. Mr. Larsen said that they have a new facility, and he thought that a parks and recreation district was formed to fund it. He said other places have parks and recreation districts, in some they are dedicated to one facility, in others they have districts that cover all parks and recreation activities. He said that all options are on the table, and if the City wants to participate, it's a good time to participate and shape the discussion to something that the City wants. Councilor Manley asked where the

funding would come from. Mr. Larsen said that an independent district would have their own taxing authority, and their funding would come mostly from property taxes. He said the formation of the district is not up to the City Councils, but the voters themselves. He said that the Council is not deciding on approving it or not, but only deciding if they want to be a part of it if approved by the voters. Mayor McCann asked if Echo had been included in the discussion. Mr. Larsen said that he emailed them about it, but had not heard back. He said it is in the very early stages right now. Mayor McCann said that most people don't know how many special districts there are in Oregon—over 900, on all sorts of services. Mr. Larsen said that the one organization that has the most to lose to a parks and recreation district is Hermiston, and they are the ones driving the discussion. Councilor McSpadden said that indoor aquatic facilities are really nice to have and would be good for the community. Mayor McCann said that the City had the opportunity to participate with the Hermiston pool, but there wasn't anything in it for the City, and there wasn't resident pricing for Stanfield Citizens. Mr. Larsen said something like this would charge all residents in all participating cities the same amount. Mayor McCann said that this district would have its own board of directors. Councilor Whelan said that the City should support it, since it needs to go to the voters anyway. Councilor Manley agreed. Councilor Whelan said that if the City participates, he wants to make sure there are benefits to Stanfield residents. Mr. Larsen said that there is a spectrum of possibilities, with one facility on one end of the spectrum, and at the other end, a district that handles all parks and recreation facilities and programs. He asked what the Council was interested in, just one facility, or everything. Mayor McCann said that he thought pushing for everything was best for the City. Mr. Larsen said in that scenario, the City would lose some money to property tax compression, but would save a lot by eliminating parks maintenance expenses.

COMMENTS FROM THE COUNCIL

Councilor Sperr said that there was an item in the Council memo about moving Municipal Court to daytime. He said he thought that sounded beneficial. Mayor McCann said mid to late afternoon sounded good. Mr. Larsen said that afternoons would be better. He said that the City has one of the only Municipal Courts in the area that hold court at night. Mayor McCann said that the Police and Court committee should meet and make a recommendation on the matter.

Councilor Sperr also asked about painting building facades. He said that it would cost \$2,500 for the City to buy the supplies and rent lifts for the project. The Council and Staff discussed the two buildings and the project, and scheduling it for October 14th. Mr. Larsen asked if the Council wanted to support this, and where would the money come from. He recommended taking funding from the money set aside for façade improvement grants.

Councilors McSpadden and Manley moved and seconded to reallocate funding from the façade grant program to this project. Ayes: McSpadden, Tyrrell, Whelan, Manley, Sperr and Huxoll. Nays: None. Motion carried.

Councilor Manley asked if the auction of the Elephant's Trunk had happened yet. Mr. Larsen said it was scheduled for Sunday. He also asked about 170 S. Main. Mr. Larsen said that he hadn't received much response on that property. He said that a builder had given an estimate for the bare minimum to fix up the building at \$20,000. He said that work to get it in good shape would be a minimum of \$100,000. Mr. Larsen said that the lowered ceiling is a problem, as is the sloping floor. He said that he is glad that mold isn't coming over to City Hall from there, but it is an empty shell that needs investment. Mayor McCann asked if the Radio and Data District had said anything about it. Mr. Larsen said he hadn't heard anything. Chief Zumwalt said that the Radio and Data District has a current lease that won't end until 2019 or so.

Councilor Whelan asked why a business license was issued to the owner of the proposed food truck establishment before an ordinance was put in place, and there was displeasure with the looks of it. Mr. Larsen said that the license was given, because they complied with the law that was in place at the time. He said that he could not deny a permit based on intentions or possibilities. Councilor Whelan asked if there was any food truck regulations in place. Mr. Larsen said there was not anything in place, except for ordinances that prevent them from hooking into the City's water and sewer system.

ADJOURNMENT

With no other business to consider, Mayor McCann adjourned the regular meeting of September 19, 2017 at 8:05 p.m. The next meeting was scheduled for October 3, 2017.

Respectfully Submitted,

W. Blair Larsen, City Manager/Recorder

Attest: _____

Date of Approval: _____

Mayor