BURNS CITY COUNCIL MEETING

Wednesday, October 28, 2026, at 6:00 p.m.

Burns City Hall
242 S. Broadway
Burns, Oregon 97720

Mayor Jen Hoke

Councilor Susan Lowe	Councilor Bryan Garo
Councilor Shane Brockmann	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 "attendee." 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://us02web.zoom.us/j/9020143459Meeting 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 on the Consent Agenda has been distributed to each member of the council for reading and studying, is routine, and will be enacted or approved by one motion of the council without separate discussion. If a 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 at the request of any council member.

Regular City Council Meeting Minutes September 23, 2026

Recording for September 23, 2026, City Council meeting:

https://zoom.us/rec/share/mCm87xBl9HIL4sET1XAayjEdXSGS2QUyfg9-wzBmqT31F3XXLhHgZOoocL6_eWvv.Vo7tVaaSjtH_bctz?startTime=1790211651000

Passcode: !EL4qn.g

Regular City Council Meeting Minutes October 14, 2026

Recording for October 14, 2026, City Council Special meeting:

https://zoom.us/rec/share/pB4XrCXH4yHAKgXiuMHtfiqP6ojrpy_uHJHtO5sCPWGCptNhyM-9DlB6fsmVtcbV.QGB8iZHEd6CuoGES?startTime=1792027828000

Passcode: 3B$5%xd=

VII. New Business (Discussion/Action)

1. Heco Engineers – Jesse Christensen
2. Patty Hodge with Questions for Council
3. Richard Roy – Warranty Deed - Pocket Park
4. Discussion on Re-authorizing annual Water Rate Increases

VIII. Old Business (Discussion/Action)

1. Clint Whitney – Property Issue

X. Resolution/Ordinances (Discussion/Action)

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

X. Committee Reports (*Discussion*)

1. Cemetery Committee – Councilor Lowe
2. Safety Committee – Councilor Roy
3. Airport Committee – Quartey Update by Fire Chief Scott Williamson
4. R3 – Councilor Gahley
5. URA – Councilor Garo
6. Waterways Committee – Councilor Hoke

XI. Councilor Comments (*Discussion/Action*)

XII. 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 in 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.

Updated Agenda Posted: October 23, 2026, at Burns City Hall, Burns Post Office, Harney County Courthouse, City of Burns Website, and City of Burns Facebook Page.

BURNS CITY COUNCIL
September 23, 2026

The Burns City Council met in regular session on September 23, 2026, at 6:00 p.m. Members present were as follows:

Mayor:	Jen Hoke
Councilor President:	
Councilors:	Susan Lowe
	Shane Brockmann
	Bryan Garo
	Chase Patterson – Excused
	Andrew Roy
	Tod Gahley

Also, in attendance were City Manager Brenda Engebretson, Public Works Director Ty Richardson, Police Chief Robby Tiller, Fire Chief Scott Williamson, and City Clerk Tiffany Leffler.

SUMMARY

The Burns City Council meeting covered several key topics including public comments, department head reports, and URA (Urban Renewal Agency) training. The meeting began with the Pledge of Allegiance and establishment of a quorum, followed by public comments from residents including concerns about public records requests and URA operations. Department head reports were presented by Fire Chief Scott Williamson, with Williamson reporting 167 calls for service year-to-date including 49 EMS calls and training events totaling 962 hours. He also gave an update on airport maintenance, vegetation control, and upcoming equipment projects including a new 40x50 equipment building. The main portion of the meeting focused on URA training presented by Councilor Gahley, covering the agency's purpose, funding mechanisms, and current projects including Miller Springs Phase 1 with 30 new homes and a proposed boundary amendment adding 45 acres with 77 residential and 24 industrial lots to the URA. City Manager Brenda Engebretson provided updates on water project progress with Steel receiving EPA funding and 90% completion expected by end of October and reported on RIF grant submission and upcoming one-stop meeting for wastewater project. Public Works Director Ty Richardson reported critical failure of hydro excavation equipment requiring $300,000-$500,000 replacement. The meeting concluded with councilor comments including discussions of financial procedures and public records requests.

PUBLIC COMMENT

Kim Rollins, 831 Riverside Drive, raised concerns about public records requests and council actions, promising to file formal complaints.

Harney County Judge Bill Hart requested to discuss URA matters during the URA training portion of the meeting.

DEPARTMENT HEAD REPORT

Fire Chief Scott Williamson presented the fire department report, highlighting that Burns Fire Department has responded to 167 calls year-to-date, including 49 EMS calls, 13 structure fires, 49 motor

vehicle accidents, and 17 wildland fires. The department has conducted 41 training events totaling 962 hours of training, including state-certified classes, and has implemented a car removal program and new ladder truck equipment. He also discussed the High Debt Partnership Intern Program, which involves working with high school students on wildland fire prevention, though noted the program's limited potential for recruiting new volunteer firefighters due to participants' college plans.

Fire Chief Scott Williamson also provided an update on airport maintenance activities, including ongoing light replacements, wind indicator repairs, and fuel system checks. He reported significant progress on vegetation control with 70 hours of mowing completed this year and discussed two grants: one for replacing the field system and another for a snowplow truck that has been delivered for outfitting. The new equipment building construction is expected to begin soon pending a final permit for artifact monitoring, and a card system issue at the fuel pumps has been addressed with new signage and will be resolved with a new user-friendly system.

Fire Chief Scott Williamson also mentioned the next safety committee meeting was scheduled for the second Tuesday in October at 9:00 a.m.

AGENDA APPROVAL AND ADDED ITEMS

Mayor Hoke postponed the Public Hearing on Development Code Amendments and Ordinance No. 26-909 from ordinance/resolutions until October 14, 2026, City Council meeting. Mayor Hoke then added Resolution No. 26- 830 regarding public rights of way vacation to ordinances and resolutions. They also amended the consent agenda to include corrected meeting minutes from June 24th, specifically clarifying CBDG grant language regarding water and sewer funding.

Councilor Garo made a motion to approve the agenda with the changes. Councilor Gahley seconded the motion. All Ayes. (6/0)

CONSENT AGENDA

Regular City Council Meeting Minutes – September 9, 2026 –
Revised City Council Meeting Minutes - June 24, 2026 -

Councilor Garo made a motion to approve the consent agenda with the amendment as presented to June 24, 2026, City Council minutes. Councilor Gahley seconded the motion. All Ayes. (6/0)

NEW BUSINESS

1. Safety Committee Discussion –

   City Manager Brenda Engebretson said the next Safety Committee meeting would be on the second Tuesday in October

2. URA Training (Training Packet Attached) -

   Councilor Gahley expressed his want for getting another URA meeting scheduled and on the books. The council decided to schedule the next URA meeting for September 30, 2026, at 6:00 p.m.

Councilor Gahley then presented an overview of the Urban Renewal Agency (URA) in Burns, explaining its purpose, funding mechanisms, and current projects. Key points discussed included the proposed boundary amendment to add 45+ acres (77 residential and 24 industrial lots) to the URA, which would allow the city to transfer approximately $600,000 in debt to the URA at 0% interest.

The council also discussed the need for more regular URA board meetings and proper filing of required documents with the Secretary of State.

Harney County Judge Bill Hart shared that over the past 4 years and estimated 2026, approximately $385,000 has been distributed to the URA from various taxing districts. He discussed URA financial details, explaining that estimated amounts for a 26-year period total around $385,000, with approximately $127,000 not yet distributed. He noted that about 80-85% of lots in the B Street Extension Area Expansion are currently exempt properties, meaning limited revenue would be generated until these properties are sold.

Kim Rollins, 831 Riverside Drive, expressed concerns about the URA board's financial management and requested a suspension of new business except for contractual obligations of already approved projects, warning against potential debt issues similar to those experienced in John Day.

The next URA meeting will be on September 30, 2026.

OLD BUSINESS

There was no old business.

RESOLUTIONS/ORDINANCES

Resolution No. 26-830 – A resolution of the City of Burns pertaining to the vacation of certain public right-of-way approved by the city through ordinance No. 26-908.

Councilor Garo made a motion to read Resolution No. 26-829 by title only. Councilor Gahley seconded the motion. All Ayes. (6/0)

Councilor Gahley made a motion to approve Resolution No. 26-829. Councilor Garo seconded the motion. All Ayes. (6/0)

ADDITIONAL INFORAMTION

The council discussed the implementation of security cameras in the lobby, with Fire Chief Scott Williamson providing an update that cables have been run, and it's now a matter of setting up an account with the camera company.

City Manager Brenda Engebretson provided updates on several infrastructure projects and administrative matters. The water project received its first EPA payment on September 14th of $660,989.12, with work progressing on multiple streets and expected to reach 90% completion by end of October. She reported submitting grants for Regional Infrastructure Fund and Community Development Block Grant projects.

She also announced a one-stop meeting scheduled for September 30th with funders and engineers to discuss the wastewater project. The audit process is ongoing, with 2023-24 audits not expected to be completed until after April 15th, 2027, while progress continues with more recent years' audits. She informed the council that they were also wrapping up Police Union negotiations and reminded them of the Council training on October 14 at 5:00 p.m., noting that it would be an hour and a half long.

Public works Director Ty Richardson reported that the city's hydro excavation truck is at a critical failure point and requires expensive repairs totaling $60,000-$80,000, with an additional $20,000 needed for tank repairs. The truck's water pump, chassis, and other components need replacement. They have continued to try and repair the equipment but at this point they are unable to keep it up, and the city will need to budget $300,000-$500,000 for a replacement truck. This truck is Public Works' most important piece of equipment, and the city could be in a bad place without it.

The Cemetery Committee reported on new member Shana Withee and discussed plans for planting evergreens and red maples at Jim Withee's grave, with the family requesting to set their own tombstone. The committee also noted that equipment worth approximately $4,000 was stolen from the cemetery last year and may require an insurance claim.

Councilor Gailey provided updates on R3 projects, including housing developments in Baker City and ongoing work in Miller Springs, including a new recreation area with trails planned for spring. He also announced that R3 received approximately $3 million in lottery funds that will arrive next spring, though there are stipulations about property ownership that need to be addressed.

The council further discussed financial procedures with Councilor Lowe making a motion made to add a discussion about taxpayer bills and dual-check signing requirements to the next council meeting agenda. Councilor Gahley seconded the motion. All Ayes (6/0)

Councilor Brockmann submitted a request for fire department response records, which led to a discussion about proper procedures for council information requests. It was noted that some of these things would be addressed in the training on October 14th.

NEXT STEPS

1. City: Schedule and hold the URA meeting on September 30th at 6:00 PM.

2. City Staff: Add the discussion of financials to the agenda for the next council meeting.

3. City Manager Brenda Engebretson: Retrieve and provide the time for the "one-stop" wastewater project meeting scheduled for September 30th.

4. City Manager Brenda Engebretson: Submit the final documents for the CDBG grant for the second phase of the water project.

5. City Manager Brenda Engebretson: Continue to load financial documents for FY24, FY25, and FY26 audits.

6. City Council: Attend the City Council training on October 14th at 5:00 PM.

7. Public Works Director Ty Richardson: Research and find a replacement for the hydro excavation equipment, with a budget estimate of $300,000 to $500,000.

8. City Manager Brenda Engebretson: Work on creating a monthly financial package for the council, including the AP run.

ADJOURN

Mayor Hoke adjourned the meeting at 7:45 p.m.

Recording for September 23, 2026, City Council meeting:

https://zoom.us/rec/share/KSAsooTVTeIRKhJQU-u1LvAxOBisYg3qpf6oOoVNPOtcAofUCVTqTQp9EvHoo2Mn.3833PmWUjjj4uqtf?startTime=1790211651000

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Tiffany Leffler, City Clerk

Jen Hoke, Mayor

BURNS CITY COUNCIL
October 14, 2026

The Burns City Council met in regular session on October 14, 2026, at 6:30 p.m. Members present were as follows:

Mayor:	Jen Hoke
Councilor President:	
Councilors:	Susan Lowe
	Shane Brockmann
	Bryan Garo
	Chase Patterson
	Andrew Roy
	Tod Gahley

Also, in attendance were City Manager Brenda Engebretson, Public Works Director Ty Richardson, Police Chief Robby Tiller, and Fire Chief Scott Williamson. Also present Via Zoon was Sharlene Walker a property owner of 433/441 North Broadway Ave.

SUMMARY

The City Council meeting opened with the Pledge of Allegiance and roll call, followed by public comments from Lindsay Wilcox (517 North Fairview Ave.), the new Interim Executive Director of the Chamber of Commerce, and Kim Rollins (831 Riverside Drive), who raised concerns about the deficiency of recorded minutes. The Council approved the agenda with amendments as well as the special meeting minutes from September 29th with a date correction. A public hearing was held on development code amendments, which included tiered parking and landscaping requirements and provisions to lot size requirements, which would make easier for dividing existing buildings in the downtown core; the Council approved these amendments and Ordinance 26-909. Jim Pex provided a water project update, stating the project was approximately 82% complete and tracking slightly under budget, while addressing concerns about trench patching and paving. The Council discussed the burden of preparing minutes and reached a consensus for Tiffany to trial a simplified format. A motion was passed to direct staff to prepare and present monthly financial reports to the Council. The meeting also included a City Manager report covering the SRE building progress, wastewater improvement funding scenarios. There was also a detailed presentation on the URA's financial health and its role in funding projects like the B Street extension. The conversation ended with brief committee reports and a discussion on the November meeting schedule.

PUBLIC COMMENT

Lindsey Wilcox (517 North Fairview Ave.) introduced herself and the Interim Executive Director of the Chamber of Commerce. She informed the council and community that the new office hours will be Monday-Friday from 10:00 a.m. to 2:00 p.m.

Kim Rollins (831 Riverside Drive) raised concerns about the city's compliance with ORS192.650 regarding meeting minutes and announced plans to file a complaint about the recorded minutes' inefficiency.

AGENDA APPROVAL AND ADDED ITEMS

Mayor Hoke moved Jim Pex with the water project update to #1 of the new business and postponed the regular meeting minutes for September 23, 2026, until the next meeting. She also removed Richard Roy – Warranty Deed – Pocket Park from new business.

Councilor Gahley made a motion to approve the agenda with the changes. Councilor Garo seconded the motion. All Ayes. (7/0)

CONSENT AGENDA

Regular Meeting Minutes September 23, 2026 – Postponed until the next City Council meeting

City Council Special Meeting Minutes – September 29, 2026 -

Councilor Brockmann identified an error on page 4 of the September 29, 2026, minutes. The censure end date was listed as March 31, 2026, but should have been March 31, 2027.

Councilor Garo made a motion to approve the consent agenda with the changes. Councilor Patterson seconded the motion. All Ayes. (7/0)

PUBLIC HEARING – DEVELOPMENT CODE AMENDMENTS

Mayor Hoke opened the Public Hearing at 6:40 p.m.

Land Use Planner Jay Harland read the admonishment and gave the staff report explaining the changes that were made.

CITY COUNCIL REPORT
Development Code Amendments
Planning File No. LAPF-001-2026

APPLICANT: City of Burns
PLANNING FILE: LAPF-001-2026
NATURE OF APPLICATION: Legislative amendments to the City of Burns Development Code.

BACKGROUND: The City Council adopted an entirely new Development Code on September 27, 2023, through Ordinance No. 887, and subsequent amendments were adopted on May 8, 2024, through Ordinance No. 24-900. The amendments now being proposed would revise the parking lot and landscaping standards, sign regulations, and the minimum lot width standard within the Downtown Commercial Core overlay zone, along with a mix of primarily minor "housekeeping" edits to make corrections and improvements to areas where staff has identified such changes would be beneficial in terms of making the code text clearer. These amendments also stem from errors staff have recognized over time with use, as well as areas of the code that staff has received feedback from multiple applicants on.

The proposed Development Code amendments were presented to the Planning Commission at a public hearing on September 2, 2026, as outlined in the attached Planning Commission Staff Report dated July 29, 2026. At the conclusion of the hearing, the Planning Commission adopted a unanimous motion to recommend that the City Council adopt the proposed amendments. In the time since the Planning Commission hearing, staff has added proposed amendments to the sign regulations as well as a reduced minimum lot width standard that would apply only within the Downtown Commercial Core overlay zone, as recommended by the Planning Commission during

the hearing on September 2, 2026.

FINDINGS & CONCLUSIONS: The criteria that apply to legislative amendments to the Development Code are in Section 18.20.720 of the City of Burns Development Code. The criteria are rendered below in italics, with the findings and conclusions in roman type.

18.20.720 Legislative Amendment Criteria
The City Council may approve legislative amendments to the Comprehensive Plan or Land Use Regulations. Amendments will address the criteria in subsections 1 through 5 below:

1. Appropriateness of the Type V planning process that was undertaken for the planning project in terms of scale, scope, and content.

Findings

The City's Development Code has now been in effect for approximately three years and staff have had multiple opportunities to work with and apply the new regulations to various planning applications. During the processing of these applications, staff received feedback from applicants concerning the existing regulations related to parking, landscaping, signage, and the minimum lot width for commercially zoned properties, specifically those located within the Downtown Commercial Core overlay zone and which have been developed with buildings that occupy all or most of the existing lot. In addition, staff have identified minor typographical errors and omissions in the code text, along with areas where text revisions would enhance clarity and readability. The proposed amendments were presented to the Planning Commission at a public hearing where the Commission voted unanimously to recommend Council approval, and the amendments are now before the Council at a properly noticed public hearing.

Conclusions

The proposed amendments have been processed in accordance with the Type V legislative amendment procedures in Section 18.20.035 of the Development Code, and there has been adequate opportunity for public participation in the process. Therefore, this Criterion 1 is found to be satisfied.

2. Consistency with the balance of the City's Comprehensive Plan and Land Use Regulations.

Findings

The proposed amendments are consistent with the City's Comprehensive Plan and Land Use regulations in the following ways:

Comprehensive Plan Policies

2.2.B The City shall maintain an adequate factual base for its land-use planning processes, and all decisions and actions related to the use of land.

The proposed Development Code amendments will help provide a clear and accurate framework for the City's decisions regarding the use of land within its corporate limits. The regulations in the Development Code constitute the factual and policy basis for decisions and actions by appointed and/or elected decision makers. These amendments also reflect experience gained from, and feedback received on, land use applications and decisions.

Land Use Regulations

The proposed amendments to the Development Code are intended to make minor additions and corrections for clarity and to reduce upfront development costs for smaller projects. Specifically, the amendments allow for reduced parking lots paving and landscaping requirements, provide for monument signs at multi-family residential developments, and reduce the minimum lot width standard within the Downtown Commercial Core overlay district. The city has complied with all applicable procedures for legislative amendments as outlined in Section 18.20.035 (Type V Amendments – Legislative Decisions) of the Development Code, and the procedures for the amendments have been followed by the city as outlined in Section 18.20.035 (Type V Amendments – Legislative Decisions) of the Code.

Conclusions

Based upon the above findings, it can be concluded that the proposed amendments are consistent with the City's Comprehensive Plan and Land Use regulations. As such, this Criterion 2 is met.

3. Advancement of Council goals, objectives, or policies, and/or necessity to comply with Oregon State Law, the Statewide Planning Goals, or Oregon Administrative Rules.

Findings

The proposed amendments to the Development Code are intended to improve code clarity and reduce upfront development costs, particularly for smaller developers, in order to lower barriers to entry and encourage additional investment and development within the City. Reducing minimum lot width requirements in the Downtown Commercial Core will further support this objective by making it more feasible to divide existing buildings into legal units of land that can be sold individually, thereby promoting more efficient use of existing structures, and increasing the likelihood of economic activity in the downtown area. The proposed amendments also allow for monument signs at multi-family residential developments, and the minor text corrections and clarifications resolve inconsistencies and improve the readability and enforceability of the Development Code without changing its substantive intent.

Conclusions

The proposed Development Code amendments advance City Council goals related to economic development, downtown revitalization, the efficient use of existing urban infrastructure, and the facilitation of housing and commercial development in a manner consistent with Oregon's Statewide Planning Goals and applicable administrative rules. Given the totality of the above findings, it is concluded that this Criterion 3 is met.

4. Public facility planning implications of the proposed amendments.

Findings

The proposed amendments do not carry implications for the planning of public facilities, although the modifications to parking lot paving and landscaping standards would potentially result in cost savings when such facilities are constructed for public use.

Conclusions

Based on the above findings, the public facility planning implications are expected to be minimal and, if triggered, would result in cost savings for the City if and when parking lots for public use are constructed. Accordingly, this Criterion 4 is found to have been met.

5. Consistency with Oregon State Law, the Oregon Statewide Planning Goals and all applicable Oregon Administrative Rules.

Findings

The proposed Development Code amendments are consistent with the following applicable Statewide Planning Goals:

Goal 1: Citizen Involvement. The proposed amendments have been publicly noticed and have been reviewed and discussed at public hearings, thereby providing opportunity for citizen involvement in the process.

Goal 2: Land Use Planning. The proposed amendments will update the adopted Development Code to help ensure that the City's land use regulations are accurate, consistent, promote development, and are able to be implemented.

Conclusions

Based upon the foregoing findings, the proposed amendments are found to be consistent with Oregon State Law, the Oregon Statewide Planning Goals, and all applicable Oregon Administrative Rules. Accordingly, this Criterion 5 is met.

RECOMMENDATION: The Planning Commission and staff recommend approval of the proposed amendments to the City of Burns Development Code based upon the findings and conclusions included in the City Council Report dated September 16, 2026, including the attached Exhibits A through E.

CITY OF BURNS PLANNING & ZONING DEPARTMENT
By: Jay Harland
Contract City Planner
Date: September 16, 2026

Exhibits
A. Planning Commission Recommendation for LAPF-001-2026
B. Planning Commission Staff Report dated July 29, 2026, including Exhibits
C. Updated Development Code Amendment Text
D. Copies of Required Notice Materials

The council discussed proposed code amendments for parking lot standards, signage in multifamily zones, and lot divisions in the downtown core area.

Land Use Planner Jay Harland explained that the amendments were initiated to address economic burdens from required off-street parking and included a tiered system for parking and landscaping requirements based on the number of spaces needed.

The public hearing discussed parking requirements for downtown businesses, with City Councilor Lowe expressing concerns about businesses like the Palace and Central Hotel lacking off-street parking, which affects nearby businesses during events.

Land Use Planner Jay Harland explained that the current commercial overlay code does not require off-street parking for downtown developments, noting this was clarified in the code about three years ago to reduce barriers for smaller projects. He informed the council that the Planning Commission supported these changes.

Sharlene Walker, property owner of 433/441 North Broadway Ave., spoke as well as provided the council with printouts (attached) of a report she created giving some background on the property and explaining what she wanted to do with her lot. She wanted to let them know she was in favor of the changes and explained how they would help her accomplish what she was wanting to do.

There were no further public comments.

Mayor Hoke closed the hearing at 7:01 p.m.

Councilor Garo announced he would recuse himself from the upcoming vote since they had already approved the measures being a Planning Commissioner.

The City Council unanimously approved the amendments to the Burns Development Code, which included parking lot provisions, provisions for monument signs in multifamily developments, and special lot division rules for existing buildings in the downtown area.

Councilor Gahley made a motion to approve the amendments to the Burns Development Code. Councilor Roy seconded the motion. All Ayes. (7/0)

NEW BUSINESS

1. Jim Pex – Water Project Update –

   Jim Pex, the Principal in charge of the water project, provided an update on the water project, reporting it is 70-82% complete and tracking slightly under budget, with contractors working to complete mainline construction by the end of October and finish all work by November 7th. The council discussed concerns about potential paving delays due to weather, with Pex clarifying that while there is some risk, the contractor has financial incentives to complete the work, and maintenance plans are in place if needed.

2. Discussion on Minutes –

   The council discussed simplifying the minute-taking process for City Clerk Tiffany Leffler, who handles minutes for multiple meetings including a variety of City Council meetings, URA, Planning Commission, and Cemetery as well as many other duties in the city. They explored using YouTube to upload recordings and leverage AI transcription to reduce workload, while ensuring compliance with Oregon state statutes that allow digital recordings as long as motions, seconds, and votes are clearly attributed. The council came to a consensus to try a trial run of simplified minutes focusing on key information like agenda items and motions, with City Clerk Tiffany Leffler to test this approach and share examples with council members before the next meeting.

3. Discussion on bill Reports for the Council –

   The City Council discussed plans to implement financial reporting at council meetings and proposed adding a requirement for council member signatures on checks, though this proposal was met with mixed reactions from other council members. The discussion revealed concerns about financial

oversight and accountability, with some council members expressing that current processes lack proper checks and balances. The conversation highlighted tensions between the need for financial oversight and maintaining operational efficiency, with the council agreeing to explore implementing regular financial reports in the consent agenda as a starting point for improved transparency.

The council agreed on implementing monthly financial reports to provide oversight without requiring council members to sign checks.

Councilor Garo made a motion to direct staff to prepare monthly financial reports for presentation to the council. Councilor Gahley seconded the motion. All Ayes. (7/0)

4. Richard Roy -Warranty Deed - Pocket Park – Removed from new business per Richard Roy's request.

OLD BUSINESS

There was no old business.

RESOLUTIONS/ORDINANCES

Ordinance No. 26-909 – An Ordinance approving amendments to the City of Burns Development Code.

Councilor Garo made a motion to read Ordinance No. 26-909 by title only. Councilor Gahley seconded the motion. All Ayes. (7/0)

Councilor Gahley made a motion to approve Resolution No. 26-829. Councilor Patterson seconded the motion. All Ayes. (7/0)

ADDITIONAL INFORAMTION

City Manager Brenda Engebretson presented a city management report covering several key updates. The Great Basin Smoke Jumpers expressed gratitude for support during the 2026 fire season, and Steel Earthworks received EPA payment number 2 in the amount of $1,017,030.98. A wastewater improvements meeting was held on September 30th where six different funding scenarios were presented for Phase 1 projects totaling $7,377,800, with council members needing to provide input on scenarios before voting. The URA meeting scheduled for next Wednesday at 6 p.m. will focus on deciding between raising water and sewer rates or moving B Street Extension into the URA to be paid for with county money, with a decision needed by November 15th.

City Council also discussed the expired authorization for annual water and sewer utility rate increases and proposed prioritizing language to reauthorize them at the next City Council meeting to stay ahead of inflation. Some council members expressed concerns about frequent rate increases and their impact on the community, particularly given high poverty rates and other financial pressures. The discussion also covered potential solutions including collecting missed revenue from short-term rentals like Airbnb and hotels, and exploring alternatives to the current URA upgrade options presented.

Councilor Gahley provided graphs of URA cumulative growth over 15 and 30 years (attached) and presented a detailed comparison between John Day's URA (Urban Renewal Agency) program and Burns' URA, explaining how John Day's financial struggles stem from halted development after Nick Green's tenure as City Manager from 2016 to 2022. He then highlighted that Burns' URA has a more stable revenue stream due to covering developed properties and receiving 3% of frozen base tax revenue annually, while John Day's program was riskier as it focused almost exclusively on undeveloped land. He

expressed his concern about the decisions on URA-related loans needing to be made before November 15th to meet the timeline requirements.

NEXT STEPS

1. City Manager Brenda Engebretson: Prepare and present a monthly financial report to the City Council starting at the next meeting.
2. City Council: Decide at the next URA meeting (10/21/26) whether to include B Street in the URA or to raise water/sewer rates to secure the loan for the wastewater project.
3. City Council: Schedule the November City Council meeting for November 11th (Veterans Day) to meet the loan application timeline.
4. City Council: Announce themselves before speaking at future meetings to facilitate accurate transcription.
5. City Staff: Research and consider setting up a YouTube channel for City Council meetings and reach out to the county for guidance.
6. City Staff: Explore options for improving Council Chambers' acoustics and camera setup to better capture all members.
7. Cemetery Committee: Develop a 5-year and 15-year plan for the cemetery, including plotting the new section and resetting headstones.
8. Safety Committee: Ensure an agenda is sent out for future safety meetings.

ADJOURN

Mayor Hoke adjourned the meeting at 8:11 p.m.

Recording for October 14, 2026, City Council meeting:

https://zoom.us/rec/share/r_gqw7g8eXlWs_szqTtGn_gfHqaJREtKoT-wSz1S2OrM5XXvzk_mcdbLQPXB7qBa.-Rd_k8s9YDHQLKko?startTime=1792027828000

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Tiffany Leffler, City Clerk

Jen Hoke, Mayor

September 2, 2026

TO: City of Burns
Planning
Committee
Planning and
Zoning Department
Burns Oregon
97720

FR: Sharlene Ann (Felt) Walker, Trustee,
Walker Family Revocable Living Trust
1857 Mousebird Ave. NW
Salem, OR 9704
*Harney County Tax Lot: 485; Plat 10200

RE: General Commercial (GC) Zone Code change or variance for Tax Lot: 485; Plat 10200 Plat Partition Application approval for "Legacy" commercial buildings located at 433 & 441 N Broadway

Planning Commission:

My family has owned the two commercial buildings located at 433 and 441 N Broadway Ave., Burns, OR 97720 since 1945. They currently are one tax lot property. In July 2026 I submitted a Plat Partition Application to Tiffany Leffler at the City of Burns for approval to separate the two stores into 2 independent tax lots and with separate dated properties.

That application was denied for approval citing two reasons:

1. "...the General Commercial (GC) zone has a 50-foot minimum lot width requirement. Splitting your current 50-foot lot into two lots would create non-conforming properties."

2. "There is also an issue with the proposed property line running directly through the building, which could complicate matters regarding building code." (State of Oregon Fire Code)

I would like the committee to consider granting a code variance or a code change for both factors and allow each store to have an individual tax lot and be separate deed in documents at the County Clerk's Office.

BACKGROUND

The stores at 433 & 441 N Broadway Ave were built during the 1930's when joisted mortar common wall construction was used for commercial buildings. Because of the age and construction method, I will be referring to these as "Legacy" buildings.

In 1945 my father, Chester A Felt, and my mom, Helen (Smith) Felt, bought the property that had both 443 & 441 N Broadway Ave buildings, and they have been in my family since. My parents had a family Jewelry business for many years. After my father passed away, my mother and I have continued to own and rent them to other business. The businesses in these stores have been retail fixtures in downtown Burns for many years. We have always considered Harney County home.

We have been lucky to have long term tenants like Ribbons and Roses, who has been there for 24-years and the book parlor since 2010 until this year.

CURRENT STATUS

With the June vacancy in the 443 building, I was forced to look at options for the properties during these tough economic times. I learned that both buildings were on one Tax lot and that they could not be sold separately without a Plat Partition granted by the City of Burns.

Having each business aligned with it's own tax lot provides more opportunities for local ownership, higher occupancy downtown and benefits the city with higher tax revenue as well.

I made the decision to pursue a Plat Partition and requested approval from the city, but was denied.

ECONOMIC FACTORS AND LEGACY COMMERCIAL BUILDINGS IN BURNS

a. Internet buying is shifting how people shop. Less people shop in Brick-and-Mortar businesses.

b. The economic effects from Covid in 2020 have changed the downtown business environment and forcing store owners and retailers to look at new business models such as fewer open days, joint ventures in single spaces, retail/residential redesign of buildings, etc.

c. Vacant sites exist all along N Broadway.

d. Real estate brokers, bankers in three Burns banks, contractors, and others have indicated economic factors may not improve for some time.

e. Legacy buildings joined with common wall construction on N Broadway are more difficult to sell. A buyer must buy two (2) buildings, and either be a joint retailer or landlord for two (2) sites instead of being able to buy one (1) building.

f. Capital investment, risk, monetary reward are major considerations for buying a property or starting a retail business in Burns.

g. Multiple inquiries since July 1, 2026, have indicated interest in the purchase of 433 N Broadway for a venture, but buying both building sites in a non-starter.

REQUEST FOR VARIANCE \ CHANGE:

As stated above I am requesting a variance for the lot width and from the Oregon State Fire Marshal on the common wall legacy construction to allow for the plat patrician approval.

1. 50-Foot Frontage Variance \ Change: GENERAL COMMERCIAL (GC) ZONING OF 50 FEET MINIMUM LOT FRONTAGE WIDTH AND COMMON WALL CONSTRUCTION CODES

a. 50-foot frontage width may be very appropriate for new commercial business code.

b. 50-foot frontage width is very problematic for many, if not all, legacy commercial buildings on N Broadway that have common mortar walls.

c. 433 and 441 N Broadway fit that description in the middle of the block sandwiched between other buildings of similar construction.

d. **Deed**: The North 49 feet of Lot Three (3) and all of Lot Six (6) in Block Five (5) of the Original Town of Burns, Harney County, Oregon *433 has 22 feet of store frontage (Harney County Tax Assessor) but has 2,208 square feet of retail space with a store depth of 95+ feet. 441 has 26 feet of store frontage with 2,592 square feet of retail space with a store depth of 95+ feet. Both building sizes are **totally adequate** for most retail ventures in Burns.

e. On behalf of the Felt family and other owners of "Legacy" common wall business owners in Burns we request the Planning Committee to consider a variance \ change to the 50-foot minimum lot width frontage requirement by considering the square footage of commercial sites as appropriate for these commercial buildings on N Broadway AND,

2. Variance \ Change for non-conforming property:

a. If the State of Oregon Fire Marshal approves the actual construction of the common wall as sufficient for division of properties, remove or change common wall construction from being non-conforming properties for a Plat Partition in City of Burns code for our buildings.

b. If the Oregon State Fire Marshal approves my request for approval my 1930's joisted mortar wall construction—14 inches mortar wall with 16 inch overall including plaster interior wall finish—as adequate for Plat Partition perhaps that would be sufficient for City of Burns Plat Partition code compliance. (Tiffany Leffler is assisting me with OR State Fire Marshal Randy Felton review)

c. The OR State Fire Marshal common wall email from me stipulates no structural wall changes will be made because of potential loss of wall integrity as is in building codes below

d. A "No Party Wall Agreement" would be included in any future sales. This would ensure both buildings comply with a OR State Fire Marshal approval of the common wall construction for the Legacy common wall Plat Partition.

3. The legacy common wall agreement would remain after a sale. The Harney County Building Department further indicated that no building permits would be approved for modification of building walls because it could lead to compromised building integrity of mortar walls.

4. The Harney County Building Department Brett Thomas' staff reviewed 443 and 441 for building code requirements include separate front entrances, separate utility access and metering, and no interior access between buildings. Both 433 & 441 meet all requirements. No OR State action is needed.

ADVANTAGES OF PLAT PARTITION CODE CHANGES OR VARIENCES FOR BUILDINGS IN THE CITY OF BURNS

a. There would be tax increases for both city and county if legacy common wall structures are separate tax lots instead of one tax lot with two businesses.

b. Potential for less business vacancies

c. More robust and successful downtown

d. A single store building is easier to transact allowing more business opportunities for the community.

e. Separate buildings give current owners more options for success.

f. Code changes would support Harvey County and City of Burns economic initiatives.

I am hopeful that the request for variance \ code can be granted.

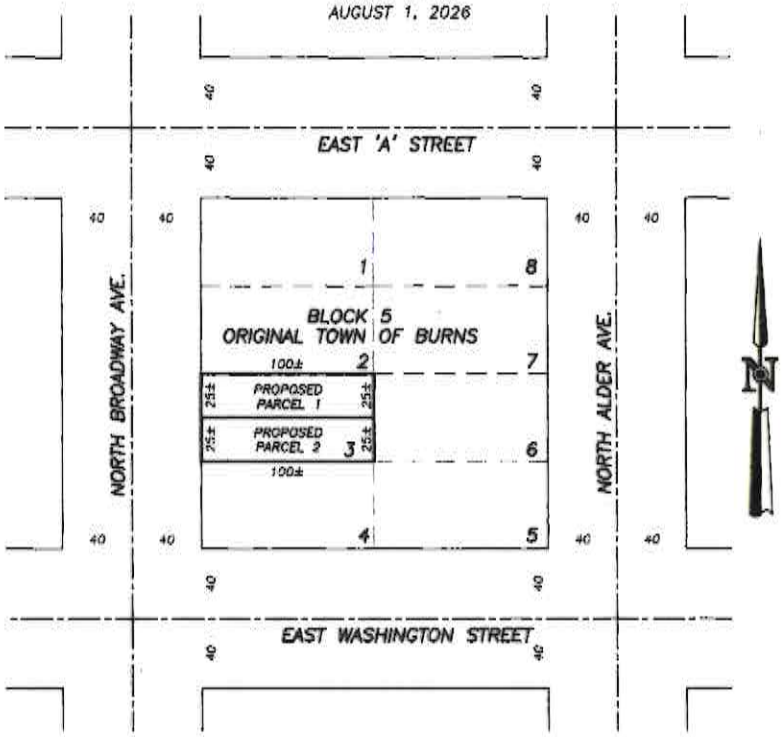
I want to thank all the individuals who gave me so much of their time. They have been extremely helpful and endlessly patient. To name a few: Darrin (Dag) Robinson, HC Clerk; Corey Hill and Melinda Maupin, HC Tax Assessor's Office; Tiffany Leffler, City of Burns; Brett Thomas and staff, HC Planning Department; Mike Springer, surveyor.

Thanks,

Sharlene Ann (Felt) Walker

PRELIMINARY MAP

FOR A PROPOSED PARTITION
OF LOT 3, BLOCK 5 OF THE ORIGINAL TOWN OF BURNS
SITUATED IN THE NE1/4SW1/4 SECTION 7, T.23S., R.31E., W.M.,
CITY OF BURNS, HARNEY COUNTY, OREGON
SCALE: 1"=60'
AUGUST 1, 2026



LEGAL DESCRIPTION: LOT 3 OF BLOCK 5 OF THE ORIGINAL TOWN OF BURNS

FLOOD ZONE: THE SUBJECT PROPERTY IS OUTSIDE A REGULATED FLOOD ZONE

APPROXIMATE SITE ELEVATION: 4155 FT.

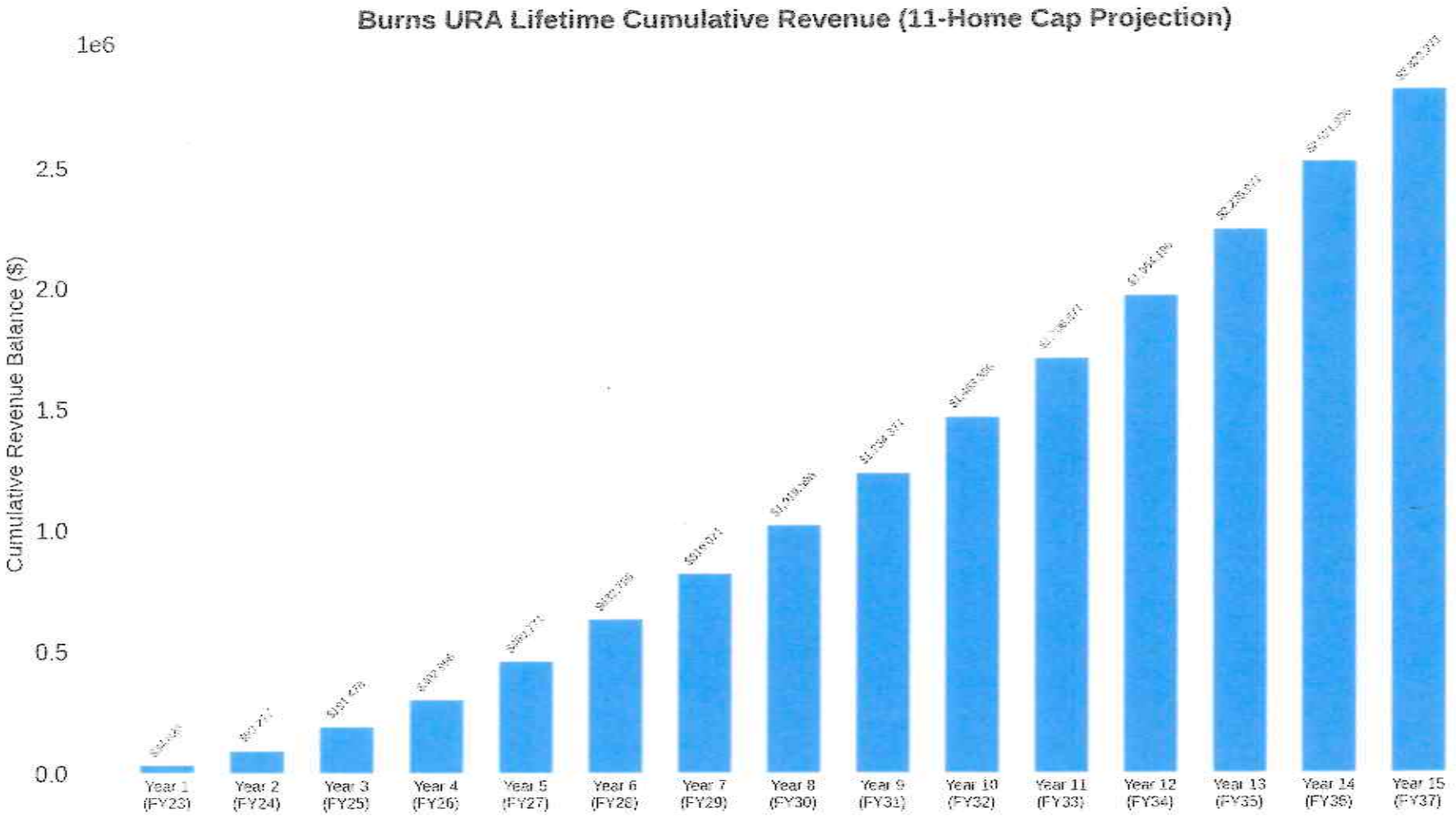
PREPARED FOR: SHARLENE WALKER FAMILY REVOCABLE LIVING TRUST
1857 MOUSEBIRD AVE. NW
SALEM, OR 97304
(541) 910-7125

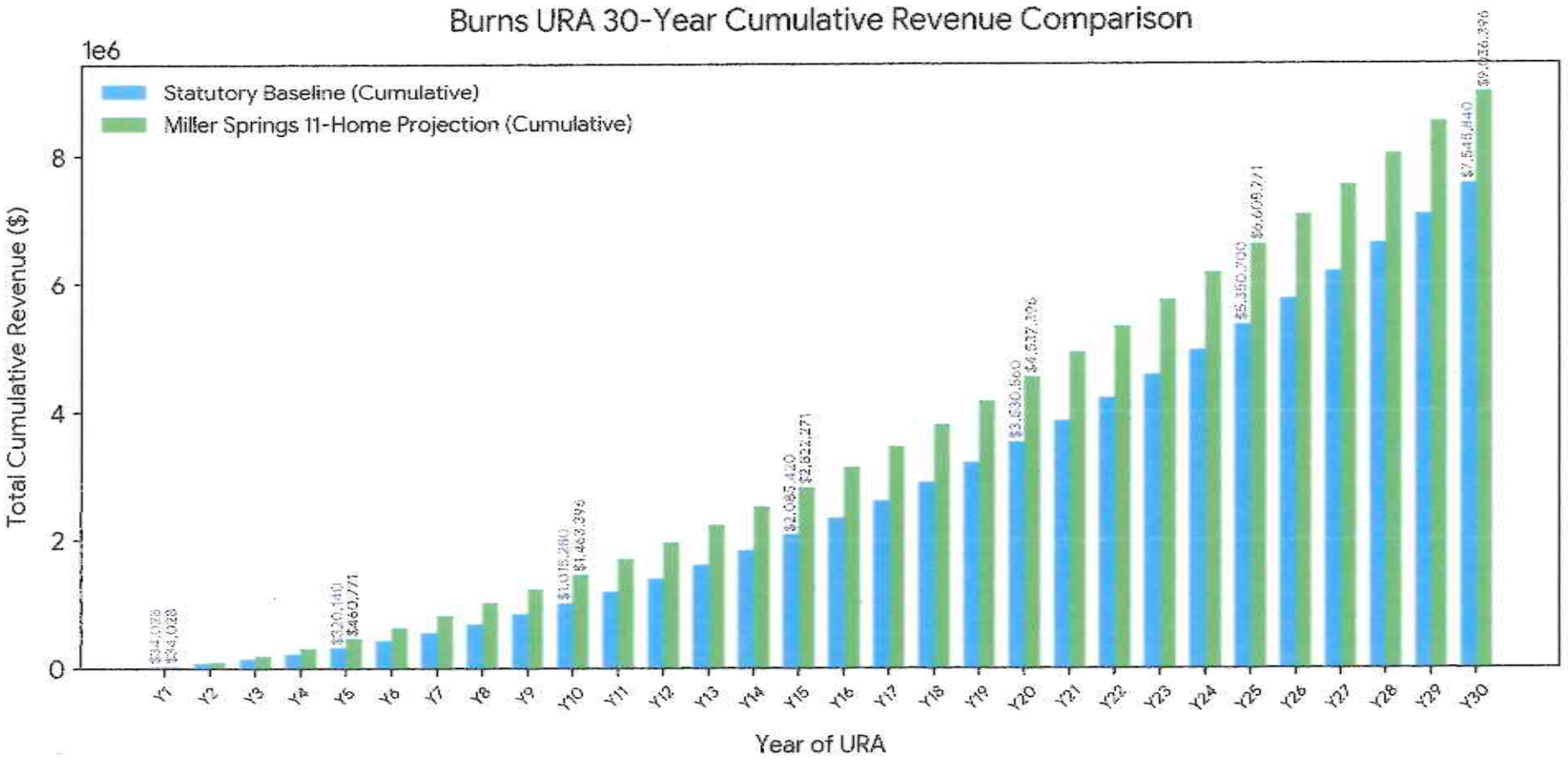
PREPARED BY: BENCHMARK LAND SURVEYING, INC.
217 N. CANYON BLVD.
JOHN DAY, OR 97845
(541) 620-0676

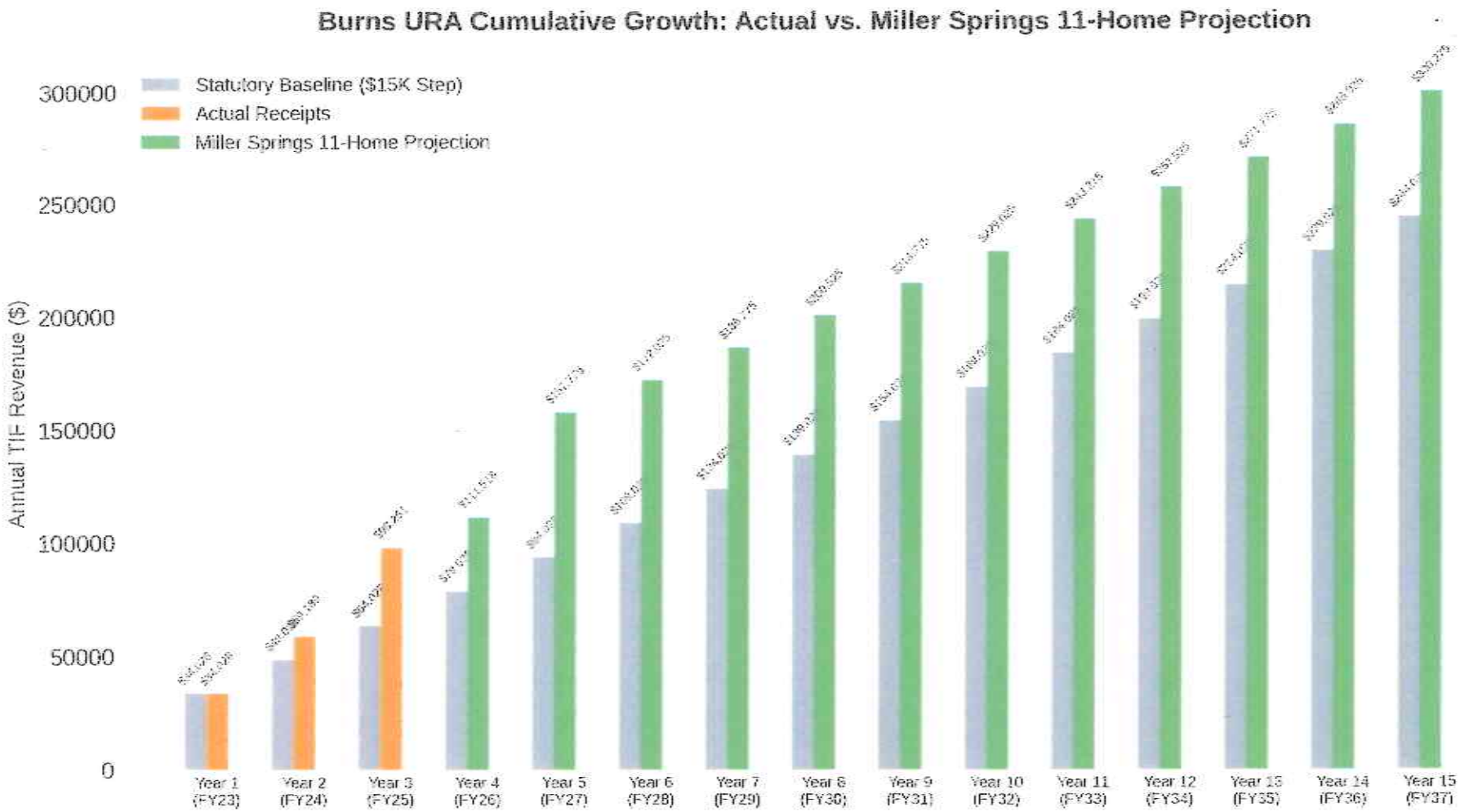
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918

EXPIRES: 6/30/2026


Burns URA Lifetime Cumulative Revenue (11-Home Cap Projection)
1e6
Cumulative Revenue Balance ($)
0.0
0.5
1.0
1.5
2.0
2.5
Year 1 (FY23)
Year 2 (FY24)
Year 3 (FY25)
Year 4 (FY26)
Year 5 (FY27)
Year 6 (FY28)
Year 7 (FY29)
Year 8 (FY30)
Year 9 (FY31)
Year 10 (FY32)
Year 11 (FY33)
Year 12 (FY34)
Year 13 (FY35)
Year 14 (FY36)
Year 15 (FY37)


Burns URA 30-Year Cumulative Revenue Comparison
1e6
Statutory Baseline (Cumulative)
Miller Springs 11-Home Projection (Cumulative)
Total Cumulative Revenue ($)
0
2
4
6
8
Y1
Y2
Y3
Y4
Y5
Y6
Y7
Y8
Y9
Y10
Y11
Y12
Y13
Y14
Y15
Y16
Y17
Y18
Y19
Y20
Y21
Y22
Y23
Y24
Y25
Y26
Y27
Y28
Y29
Y30
Year of URA


Burns URA Cumulative Growth: Actual vs. Miller Springs 11-Home Projection
Statutory Baseline ($15K Step)
Actual Receipts
Miller Springs 11-Home Projection
Annual TIF Revenue ($)
300000
250000
200000
150000
100000
50000
0
Year 1 (FY23)
Year 2 (FY24)
Year 3 (FY25)
Year 4 (FY26)
Year 5 (FY27)
Year 6 (FY28)
Year 7 (FY29)
Year 8 (FY30)
Year 9 (FY31)
Year 10 (FY32)
Year 11 (FY33)
Year 12 (FY34)
Year 13 (FY35)
Year 14 (FY36)
Year 15 (FY37)