
CITY OF PILOT ROCK

Council Meeting
May 17, 2022, 6:00 PM

A. Called to Order

Having a quorum, the Regular Council meeting was called to order by **Mayor Randy Gawith** at 6:00 PM. Council members present were **Councilor Derek Turner, Councilor Tegan Kaneaster, Councilor Vern Sandy, Councilor Paula Evoniuk, and Councilor Aliina Kirby.** Department Heads present were **Public Works Director Steve Draper, Chief William Caldera, and City Recorder Teri Bacus.** Citizens present were **Ray Bacus, Lyndle Basye, Blaze Basye, Jay Barlett, Tiffany Schademan, Lillie Holman, Nakayla Myrland, Melinda Wachter, Tom Fitzgerald, Kerry Fitzgerald, Kenzie Hoeft, Derek Hoeft, Lisa Collin, Ali Smith Ronald King, Presley Cartwell, Mckenna Bray, Maggie Taylor, Jimmy Doherty, Steve Haddock, Ronald Reagan King, and Don Siler. Officer Daniel Badal also attended.**

B. INVOCATION

Pastor Harley Jeffers gave the invocation

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS

Unidentified Citizen addresses City Council and states that there is a feral cat problem. The cats are spraying on her car and her yard has become a litter box. She states that she has neighbors that feed them on a regular basis. She is requesting to have them removed. She has contacted the Police Department and understands that legally she cannot do anything. She also contacted “Cat Utopia” and they can loan her humane traps, but they require a \$10 fee to haul to animal shelter. She does not know what to do and requests assistance from City Council. Councilor Evoniuk has contacted a local veterinary for assistance in spaying and neutering. They will provide more information later and Councilor Evoniuk will continue to pursue. City ordinance on feral cats was also discussed.

E. PRESENTATIONS

F. ACTION ITEMS

F-1 Resolution #684 – Renew Contract with Eastern Oregon Waste Management, LLC (EOWM) – City Recorder presents resolution #684 to renew contract with EOWM. Ordinance #579 was passed in July 2017 which requires the contract to be reviewed annually on or before July 1st. EOWM has reviewed and accepts the terms of the agreement. The franchise fee will remain \$1,000 annually. The only changes to the contract are for section 5 which is rates to be charged to customers. Owner Jimmy Doherty is requesting to increase the rates approximately six percent. The new rates will take effect on July 1, 2022 and all other terms remain the same. Jimmy Doherty provides an update on how efficient the new truck is with a new route completing pickup in one day. He also spoke about employees and will be looking for a driver sometime this year. Rates have been increased due to the rising costs of operation especially fuel. For the average customer, the increase is just over six percent. Operating costs were discussed and Jimmy

CITY OF PILOT ROCK

provided a briefing on community cleanup day. **Councilor Turner made a motion to approve resolution #684 and Councilor Kirby seconded. Councilor Sandy voted yes, Councilor Evoniuk voted yes, and Councilor Kaneaster voted yes. Motion carried: 5 Yes – 0 No**

F-2 Partition Request – City Recorder presented a request from James Hatley for a partition on a property that he owns. The property is zoned R-2, and the public hearing is to inform the public of the intention to partition and to hear public opinion. City Recorder states that the plat complies with applicable policies within the comprehensive plan and zoning requirements. The partition is intended to be sold for the sole purpose to build residential homes. Specifically, Jim Hatley already has a buyer who will place a manufactured home on the lot. Surveyor Steve Haddock explains that the tentative plan is a further division of the same parcel that was already partitioned last year. No easements were required, and the power line is already in place. The final map will be ready for the City’s signature at the end of the year. He also explains that the county statute only allows one partition per calendar year. This is to ensure that subdivisions are completed in the proper manner. **Councilor Sandy made a motion to approve the partition and Councilor Turner seconded. Roads in the vicinity were discussed. Councilor Kaneaster voted yes, Councilor Kirby voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

F-3 Occupancy of Recreational Vehicles (RV) – City Recorder presented the fifth draft of Ordinance #592, Residential Occupancy of RVs. She provided a brief history and explained that at the last meeting each item was voted on and there were two items remaining. Item number one had the word “movable” added to read “The recreational vehicle is a moveable motor home, fifth-wheel recreational vehicle, travel trailer, or camper”. **Councilor Turner made a motion to approve adding the word “movable” and Councilor Kirby seconded. Councilor Kaneaster voted yes, Councilor Sandy voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

City Recorder explains that once all the items have been voted on, it will be forwarded to an Attorney for review. After the review, it will be presented to City Council for final review which will be followed by the first reading. She reads number six which states “The city will charge the full base rate if the recreational vehicle is hooked up to a sewer line. If there is no sewer connection, the base rate for water will be charged. The property owner shall be responsible for the payment of any outstanding debts for all utility service charges”. Citizen Don Siler asks, “so there’s going to be an additional base rate fee”? City Recorder states that it was discussed at the April 19, 2022, meeting and Council requested it to be added. She further explains that if the RV is hooked up to sewer, the full rate will be charged but if the RV is only hooked up to water, then the base rate for water will apply. Citizen Ray Bacus states that he thinks this is wrong and cannot be enforced. There was further discussion on the enforcement of the fees. **Councilor Turner made a motion to accept the item as written and Councilor Sandy seconded. Councilor Kirby voted yes, Councilor Kaneaster voted yes, and Councilor Evoniuk voted no. Motion carried: 4 Yes – 1 No**

F-4 Resolution #686 Enterprise Zone Suspending Employment Requirements – City Recorder presents resolution # 686 and explains that the Pendleton/Pilot Rock enterprise zone was renewed in July 2019. In 2021, the Oregon legislature enacted HB 2343 which allows local jurisdictions to waive employment requirements for
May 17, 2022

CITY OF PILOT ROCK

businesses impacted by COVID-19 and unable to meet the hiring requirements of their Enterprise Zone Agreements. The local zone sponsor may then waive these requirements through adoption of a resolution. The bill authorizes governing body of an enterprise zone sponsor to adopt resolution suspending enterprise zone employment requirements otherwise imposed on authorized business firms for either or both of property tax years beginning on July 1, 2021, and July 1, 2022. It authorizes refunds without interest of all or any part of payments collected with respect to disqualification in certain circumstances and based on property taxes that would otherwise have been due for property tax assessment years beginning on July 1, 2021, or July 1, 2022, January 1, 2020, or January 1, 2021. She further explains that based on workforce unavailability, this resolution would benefit local employers who participate in the local Enterprise Zone tax abatement program. It will have no fiscal impacts beyond what was already planned to occur through the Standard Enterprise Zone Tax Abatement Program, which allows relocating or expanding companies to receive three years of tax abatement on their investments in plant and equipment. **Councilor Turner made a motion to approve resolution #686 and Councilor Evoniuk seconded. Councilor Kaneaster voted yes, Councilor Sandy voted yes, and Councilor Kirby voted yes. Motion carried: 5 Yes - 0 No**

F-5 Skate Park Proposal – City Recorder received a request to present City Council a proposal for a skate park. The location would be at the city park near the elementary school. She received two written comments from two citizens in favor of constructing the skate park. She reads both letters in their entirety out loud. The initial cost to be paid by the city is \$8,125.00 for the development plans, cost breakdown and a 3D model. The cost for construction is approximately \$45 a square foot. Councilor Turner explains that he would like the skate park to be in the middle of the city park and PW Steve Draper disagrees stating that there are large gatherings there from time to time. Councilor Turner explains that the company that designs and construct the skate park is out of Lincoln City, and they have built all over the United States. He states that they last 20 plus years with no maintenance costs. They would be building in a flood zone, but they have built many others in a flood zone meeting all the requirements. He thinks that this would be a good activity for the kids in the city. A list of funding opportunities was provided which contained grant prospects. One of the major grant donors will require at least 30% funding but will offer a grant up to \$300,000. Councilor Evoniuk offers another resource for grants. He states that the city would only be paying the upfront fee and the remaining would be funded by other resources. Chief Caldera states that lighting is very important to reduce criminal activity and asks if the costs include lighting. Councilor Turner replies that it would be in the plans as well. The company plans everything including sending a surveyor. He would like to create a board from the community to make decisions as the project progresses and lighting would be including. He proposes the skate park to be 6100 - 6200 square feet. Sizes of skate parks in other cities in eastern Oregon was discussed including the levels of difficulty. Mayor Gawith states that in our town of 1500 people it would be great to have a skate park for the kids, but do we really need one that large? If the size was reduced, it would fit in the city park and still have enough area for large gatherings. He suggests a compromise. PW Steve Draper states that he would like to be involved with the location. Grant resources were discussed for the initial cost of \$8,125.00. Mayor Gawith likes the idea but would like to make sure it's feasible. Steve Haddock compares the size of the skate park with most of the residential lots in the city and the skate park would be larger. The city owned commercial lots on Main Street and the posting of rules were discussed. Councilor Turner states that it will be another item that will be considered at the community board. Recreational immunity rule for insurance was mentioned. Councilor Sandy states that he thinks it's a

CITY OF PILOT ROCK

fantastic idea, but he would like to table the topic until more information is gathered. Citizen Ronald Reagan King made a statement in favor of the skate park. He grew up in Pilot Rock, works with the local youth and in the school district. He says that the skate park would be good for the kids in the community. It would give the opportunity for kids to learn a new skill and it would be a valuable resource. There was further discussion on the what the community board's responsibilities would be. **Councilor Sandy made a motion to table the skate park awaiting further information such as size, location, and cost.** The cost to the city and the current playground equipment was reviewed. **Councilor Kaneaster seconded the motion. Councilor Kirby voted yes, Councilor Turner voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

F-6 Employee Vacation Request - City Recorder presented two vacation requests. The first request is for City Recorder vacation from June 13-21, 2022. **Councilor Evoniuk made a motion to approve the vacation and Councilor Kirby seconded. Councilor Kaneaster voted yes, Councilor Turner voted yes, and Councilor Sandy voted yes. Motion carried: 5 Yes – 0 No**

The second request is for Chief Caldera's vacation from May 25-28, 2022. **Councilor Turner made a motion to approve the vacation and Councilor Kirby seconded. Councilor Kaneaster voted yes, Councilor Sandy voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

G-1 Department Head Report – Chief Caldera provides an update on selling the old vehicles. He also informs Council that the police officer position is being advertised again. He will close accepting applications on June 15, 2022, which will be followed by an interview board in July.

City Hall:

1. Completed April 19, 2022, City Council meeting minutes
2. Prepared Council packets
3. Routine updates on websites
4. Dept Heads budget meetings
5. Attended online training towards next certification
6. Continued prep on FY23 budget
7. Processed payroll
8. Processed payroll liabilities
9. Reviewed and updated franchise agreement for Eastern Oregon Waste Managements
10. Submitted request to Department of Environmental Quality for permits
11. Submitted required Census payroll report
12. Submitted required Project & Expenditure report to Dept of Treasury for Coronavirus Relief Funds
13. Processed check for Police Department purchase of vehicles
14. Received titles for police vehicles
15. Ordered computers for library

Police Department: May 3, 2022

1. Fulfilled a report request for OSP on a subject who was arrested in 2020.
2. Completed a background request form for the fire department.

CITY OF PILOT ROCK

3. Expunged a juvenile record at the request of the juvenile department.
4. Conducting a speed survey on Douglas St.
5. Did a welfare check on an elderly man who hadn't been seen for two days.
6. Assisted the fire department with a brush fire.
7. Assisted DHS on a possible sex abuse of a four-year-old child.
8. A local felon was arrested on numerous warrants and lodged in jail.
9. Officer assisted a citizen in getting into their locked vehicle.
10. Graffiti was found on the walk bridge at the Elementary School.
11. Report of a suspicious male watching a local business with a camera.
12. Investigated a crash where a vehicle side-swiped a parked car.
13. Assisted UCSO on a welfare check of a county employee.
14. Assisted UCSO on an attempt to locate of an overdue motorist.
15. Handled a civil matter regarding the return of property.
16. Took a report of a 14-year-old boy that had ran away from home, he later returned.
17. Reviewed a purchase agreement drafted by the county for acquiring two of their used patrol cars.
18. Ofc. Badal assisted ODOT with a presentation on the dangers of texting and driving to high school students.
19. Officer assisted the sheriff's department with the investigation of a stolen vehicle and gun.
20. Officer investigated a suicidal threat made by a 16-year-old student.
21. Officer assisted the sheriff's department in looking for a suicidal male.

Police Department – May 17, 2022

1. Took a report of a driving complaints between two drivers. Both drivers requested to sign citations against one another.
2. Received a report of a fourteen-year-old being bullied by another student.
3. Responded to a disturbance call at a downtown business. The suspect was told to leave the property.
4. Held the Drug Take Back Day where over 7lbs of unused medications were collected.
5. Assisted UCSO with a driving complaint that took place north of town.
6. Officer checked the welfare of an elderly woman who had not been heard from for several days.
7. Assisted high school administration with a student who was damaging school property.
8. Officer assisted high school staff by looking into a complaint of prostitution.
9. Officer investigated a civil dispute between a landlord and a tenant.
10. Several code violation notices were issued for tall weeds and grass.
11. Assisted school staff on a juvenile complaint.
12. Officer contacted several juveniles who were playing next to the creek at the elementary school. The creek was at a high level.
13. Chief did a background check for the fire department on a volunteer applicant.
14. Report of a civil matter between members of the same family.
15. Investigated a child abuse that had been occurring since 2010 and was never reported.
16. Cited a high school student for possessing a vape pen.
17. Assisted Pendleton PD in attempting contact of a local resident for a harassment that was happening in Pendleton.
18. Two used patrol cars were purchased from Umatilla County and have been put in service. New decals were put on and many compliments have been received from the public.

CITY OF PILOT ROCK

19. Did a welfare check on a female who hadn't been seen for a few days; she was found to be ok.
20. Received reports of a suicidal female who threatened to harm herself two days in a row. She was transported to the hospital for a mental health evaluation.
21. Ofc. assisted OSP on a possible drunk driver.
22. Assisted medical personnel in giving CPR to a patient.
23. Received a complaint about feral cats.
24. Report of a mentally disabled person who reported someone was taking over the possession of her phone service accounts; the female was assisted.
25. Took a report of the theft of some power tools.
26. Talked to two juvenile brothers who got into a physical altercation at their house.
27. Assisted PPD on a vehicle investigation involving a car from Pilot Rock.
28. Report of a car battery being stolen.
29. Received a driving complaint on four juveniles who were speeding in a residential area.

Public Works

1. Continued monitoring of sewer project
2. Continued work on FY23 budget
3. Exercising water valves and flushing fire hydrants
4. Mowing and weed spraying
5. Working on permits for creek work and old sewer lagoons
6. Warranty work will begin for the new lagoons
7. Reading meters this month

G-2 Water Master Plan Requirements – Councilor Doherty asked about the water master plan at the budget committee meeting. City Recorder provides Oregon Administrative Rule 333-061-0060 (5) states: A master plan is required for every community water system with 300 or more service connections or serving more than 1,000 people and shall be maintained by the water supplier for the duration of the period to which the plan applies. Master plans shall be prepared by a professional engineer registered in Oregon and submitted to the Authority for review and approval. (a) Each master plan shall evaluate the needs of the water system for at least a twenty-year period and shall include, but not be limited to (the rule continues describing the required elements). She states that it has been 22 years since the last plan. No motion.

H. CONSENT CALENDAR

Councilor Sandy made a motion to approve the consent calendar and Councilor Turner seconded. Councilor Kaneaster voted yes, Councilor Kirby voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No

Bills \$15,061.00

I. COUNCIL COMMENTS

Councilor Turner states that he will keep the Council informed on the progress of the skate park. He will recruit a diverse group of locals including high school kids. He will start with the location which will determine the size and then the cost will be more defined. Councilor Kirby provides an update on the farmer's market. She would

CITY OF PILOT ROCK

like to place ads in the newsletters and recruit volunteers for the farmer's market. It would be held on Sundays. She states that she would like the City of Pilot Rock to run it instead of a private entity. The formation of a non-profit charity was discussed.

K. EXECUTIVE SESSION - NONE

L. ADJOURNMENT

Councilor Evoniuk made a motion to adjourn, and Councilor Turner seconded. Councilor Kaneaster voted yes, Councilor Sandy voted yes, and Councilor Kirby voted yes. Motion carried: 5 Yes – 0 No

Mayor Randy Gawith adjourned the meeting at 7:29 pm.

APPROVED _____

Randy Gawith, Mayor

ATTEST _____

Teri Bacus, City Recorder