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# CITY OF PILOT ROCK

Council Meeting  
March 21, 2023, 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 Raymond Doherty, Councilor Tegan Kaneaster, Councilor Rhonda Lazinka, Councilor Derek Turner and Councilor Tiffany Schademan. Councilor Vern Sandy attended via phone conferencing.** Department Heads present were **City Recorder Teri Bacus, Public Works Director Steve Draper, and Chief of Police William Caldera. Tim Britain from the Public Works Department and Corporal Daniel Badal attended. Citizens that attended were Debra White and Ashley Staggs.**

## B. INVOCATION

Pastor Harley Jeffers gave the invocation.

## C. PLEDGE OF ALLEGIANCE

## D. APPEARANCE OF INTERESTED CITIZENS

## E. PRESENTATIONS

Property owner Debra White would like to place a single wide manufactured home on her vacant lot. However, city code requires the size to be a double wide or larger. She would like to request a variance to this code and is requesting feedback from city council. She explained her financial situation and the purchase of a double wide is substantially more expensive than a single wide. The dimensions of the lot and square footage of the home were discussed. The lots in the surrounding area were also discussed. A garage or carport will be required to be placed when the home is placed. Council had no objections to a new single wide manufactured home being placed on the lot as long as all other requirements are met. No motion was made.

## F. ACTION ITEMS

**F-1 Second Reading of Ordinance No. 595 Granting Franchise to Windwave Technologies Inc –** City Recorder presented Ordinance No. 595 which grants a franchise to Windwave Technologies, Inc. Windwave Technologies Inc. has been installing fiber optics cables in eastern Oregon and requires a franchise agreement to run the cable in the City of Pilot Rock. Per the agreement, the City will receive 7% of the revenues derived annually from the provision of the service within the City. The Oregon Public Utilities Commission (PUC) sets the maximum rate, and the agreement allows the city to increase if the PUC increases it. The agreement term is two, five-year terms. City Recorder read the ordinance in title only. **Councilor Turner made a motion to approve the second reading of Ordinance No. 595 and Councilor Schademan seconded. Councilor Lazinka voted yes, Councilor Kaneaster voted yes, Councilor Doherty voted yes, and Councilor Sandy voted yes.**  
**Motion carried: 6 Yes – 0 No**

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### **F-2 Second Reading of Ordinance No. 596 Granting Franchise to Inland Development Corporation –**

City Recorder presented Ordinance No. 596 which grants a franchise to Inland Development Corporation. This company is also installing fiber optics cable in eastern Oregon, and they also require an agreement for a franchise. Per the agreement, the City will receive 7% of the revenues derived annually from the provision of the service within the City. The Oregon Public Utilities Commission (PUC) sets the maximum rate, and the agreement allows the city to increase if the PUC increases it. The agreement term is two, five-year terms.

City Recorder read the ordinance in title only. **Councilor Turner made a motion to approve the second reading of Ordinance No. 696 and Councilor Schademan seconded. Councilor Lazinka voted yes, Councilor Kaneaster voted yes, Councilor Doherty voted yes, and Councilor Sandy voted yes.**

**Motion carried: 6 Yes – 0 No**

**F-3 American Tower Lease Agreement** – Public Works Director presented a lease agreement for American Tower. The company has requested to re-negotiate the current agreement. The city has had an agreement with American Tower since 2011. This is the third amendment and rent will be reduced approximately \$500 monthly to avoid cancellation of the entire contract. There will be a 2% increase annually until the final expiration date of April 27, 2066. Any new connections to the tower will provide the city 50% of the revenue.

**Councilor Turner made a motion to approve the lease and Councilor Doherty seconded. Councilor Sandy voted yes, Councilor Schademan voted yes, Councilor Lazinka voted yes, and Councilor Kaneaster voted yes. Motion Carried: 6 Yes – 0 No**

**F-4 Commercial Lot Lease Agreement** – Public Works Director presents a new lease for a local company to set up a temporary business. **Councilor Doherty declares a conflict of interest and recuses himself from discussion and voting.** They will be renting on a month-to-month basis beginning in April 2023. They will be using the vacant city owned lot on Main Street and will be setting up a garden center/nursery. The lot is zoned commercial and is owned by the city. The monthly fee will be \$100 if electricity is being used or \$50 if no electricity is being used. Water is included in both amounts. Location of access to electricity was discussed. **Councilor Turner made a motion to approve the commercial lot lease and Councilor Lazinka seconded. Councilor Kaneaster voted yes, Councilor Schademan voted yes, and Councilor Sandy voted yes. Councilor Doherty did not vote. Motion carried: 5 – Yes 0 – No 1 - Abstained**

**G-1 Department Head Report** – Police Chief Caldera provided a summary of the recent large drug bust in Pilot Rock. He also states that the City of Pendleton will no longer provide physical testing services for new police officers, and he has contacted the Police Chief in the City of Boardman. They have agreed to allow the Pilot Rock Police Department to use their facilities. He also explains that the new Umatilla County dispatch agreement is currently being negotiated. City Recorder informs Council that online training is available on how to submit the required statement of economic interest to the Oregon Government Ethics Commission. The report is due April 15, 2023.

City Hall:

1. Complete routine updates on reader board
2. Routine updates on city website

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3. Completed March 7, 2023, City Council meeting minutes.
4. Research for cybersecurity policy.
5. Met with Umatilla County for IT services
6. Reviewed American Tower agreements – forwarded to City Attorney
7. Completed Oregon State Treasury public depositor annual verification
8. Returned American Tower agreement for changes recommended by City Attorney
9. Drafted commercial lot lease
10. Drafted grant letter for solar project
11. Processed development permit for shop on industrial property
12. Drafted proposals for Cherry Street and mailed out
13. Drafted proposals for backhoe and mailed out
14. Coordinated and held interview board for Public Works Director position

### Police Department:

1. Assisted the sheriff's department with a theft case.
2. Contacted Chief Stoke of Boardman PD about a testing process for police applicants.
3. Served subpoenas for some upcoming court cases.
4. Contacted a property owner on SW Cedar St. about cleaning up her property. The property owner will be cited if not in compliance by March 15<sup>th</sup>, 2023.
5. Working on property clean up on NE 2<sup>nd</sup> St.
6. Code violation investigation commencing on a SW 2nd St. property.
7. Tagged an abandoned vehicle that needs moved or it will be towed on March 15<sup>th</sup>, 2023.
8. Assisted a female who had fallen in the street and hit her head.
9. Report of a suspicious person walking around town late at night.
10. Assisted the fire department by doing two background checks on prospective volunteer firefighters.
11. Report of gunshots being heard on the south end of town.
12. Report of a crash that involved damaging equipment belonging to Charter Communication.
13. Assisted school staff with a student that had received inappropriate text messages from another student.
14. Officer contacted a ten-year-old student about stealing items from her classroom.
15. Received a complaint about feral cats.
16. Responded to a gas theft from a downtown business. The investigation showed that it was a misunderstanding.
17. Report of unruly students attending a youth group at a local church.
18. Report of a loose dog running at large. The owner was located, and the dog was returned.
19. Report of suspicious vehicles and people at a residence that was up for sale.
20. Checked on a 17-year-old male who was threatening to commit suicide.
21. Report of a loose dog at the elementary school.
22. Did a record check for the Department of Defense.
23. Took an initial report for the sheriff's department about two dogs killing chickens and harassing lambs outside the city limits.
24. Participated in an interview panel for the public works director position.
25. Mediated a child custody visitation issue between ex-spouses.
26. Sent out the department's work schedule to Dispatch and school administrative staff.

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27. Contacted a female walking in the middle of Hwy. 395 in dark clothing.
28. Received a report from DHS – Child Welfare of a mother beating her eight-year-old daughter.
29. Responded to a residence where a woman was being held at knifepoint. The suspect was lodged in jail on a felony warrant.
30. Compiled the police log for the Newsletter.
31. Report of suspicious vehicles showing up late at night at a residence of an elderly lady.
32. Report of falling debris behind city hall.
33. Assisted a citizen in finding government funded housing.
34. Received a harassment complaint that was originating out of Anderson, California.
35. Report of garbage strewn across the front yard of a residence.
36. Report of two suspicious people in front of the Dollar General. They were contacted and they left.
37. Received two reports of barking dogs. The owner was contacted and he will be cited for keeping dogs as a public nuisance.
38. Citation issued for dogs as a public nuisance (barking).
39. Assisted a motorist who hit a dog and sustained damage to his vehicle.
40. Contacted several youth, for shooting a pellet gun in the city park.
41. Report of a suspicious person loading firewood at a closed business.
42. Report of the flashing red lights on a school bus not working.
43. A driver was cited for driving while suspended and arrested on a warrant.
44. Impounded a dog that was found running at large.
45. Attended high school baseball and softball games for security.
46. Report of a person digging through a trash dumpster by the Post Office.
47. Assisted OSP with an injury roll-over crash on Hwy. 395.
48. Report of a trespass at a local residence.
49. Placed the elementary school on secure status because of drug arrests being made nearby. Numerous drugs were confiscated including methamphetamine and fentanyl pills.
50. The police department handled 16 house checks, 8 business checks and did 7 traffic stops

### Public Works

1. Continuing closure on old lagoon. Acreage reduced from 600 to 250
2. Parks closed for winter
3. Repairs on equipment continued
4. Working on design for new senior center
5. Negotiating agreement with Idaho power for 3 year lease to store materials.
6. Awaiting plans for water project phase II.
7. Sent out Request for proposal for paving on Cherry Street
8. Sent out RFP for new backhoe
9. PW Director interview board complete
10. Soil samples for spreading sludge in process
11. Walk through for Cherry Street project conducted on 3/15

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### H. CONSENT CALENDAR

**Councilor Turner made a motion to approve the consent calendar and Councilor Schademan seconded. Councilor Doherty voted yes, Councilor Lazinka voted yes, Councilor Kaneaster voted yes, and Councilor Sandy voted yes. Motion carried: 6 Yes – 0 No**

Bills \$4,865.57

### I. COUNCIL COMMENTS

Councilor Doherty congratulated the police department for their efforts on the drug bust. Councilor Schademan asked about having a rest stop on highway 395 close to the entrance of the city. There was discussion about the city park restrooms. Councilor Turner inquired about Boardman's process for testing new police officer hires. Mayor Gawith reminds council about the First Citizens Banquet on Saturday April 1, 2023.

### K. EXECUTIVE SESSION

At 6:47pm Mayor Gawith called for City Council to go into executive session pursuant to Oregon Revised Statute 192.610 (2) (a) to discuss employing a new Public Works Director. No motions were made. Mayor Gawith ended executive session at 6:58pm and returned to regular session. **Councilor Doherty made a motion to hire Tim Britain as the new Public Works Director and Councilor Turner seconded. Councilor Kaneaster voted yes, Councilor Lazinka voted yes, Councilor Schademan voted yes, and Councilor Sandy voted yes. Motion carried: 6 – Yes 0 - No**

### L. ADJOURNMENT

**Councilor Turner made a motion to adjourn, and Councilor Schademan seconded. Councilor Kaneaster voted yes, Councilor Doherty voted yes, Councilor Lazinka voted yes, and Councilor Sandy voted yes. Motion carried: 6 Yes – 0 No**

Mayor Randy Gawith adjourned the meeting at 7:07 pm.

APPROVED\_\_\_\_\_

Randy Gawith, Mayor

ATTEST\_\_\_\_\_

Teri Bacus, City Recorder