

**CITY OF PILOT ROCK**

**REGULAR COUNCIL MEETING**

**AUGUST 3, 2010**

**7:00 PM**

**A. ROLL**

The regular meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were John Standley, Shawna Kirk, Nancy Lankford, Glen Snively, Dawn Alderman and Michael Baleztena. Also present were City Recorder Jackie Carey, Public Works Supervisor Steve Draper, Chief Darren Richman, Jim Carey, Harley Jeffers, Bob Lazinka, Ray Slabik, Mark Street, John Taylor, Kim Bedard, Buck McEntire, Lynette McEntire, Saleen McEntire, Bill Woodfin, Jeff Mills, Kyler Loveland, Tracy Suttle, Kasie Savage, Tom Callahan and Mike Brown.

**B. INVOCATION**

Pastor Harley Jeffers gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPEARANCE OF INTERESTED CITIZENS**

Bob Lazinka, an adjacent neighbor to Tom Callahan's property on NE 4<sup>th</sup> Street, addressed the Council regarding Callahan's property being out of compliance with city ordinances. Lazinka would like to see the ordinances enforced.

Chief Richman stated the city's nuisance ordinance allows property owners to grow grass for feed and that is what Callahan is saying. He has been granted a building permit so Richman can't touch him.

Tom Callahan addressed the Council regarding Lazinka's complaint. Callahan said that is his property and he has the right to build his house.

Councilor Snively would like to take a good hard look at the development permit to see if it was issued in error.

Councilor Standley advised this is not on the agenda, the Council is not prepared to discuss this at this time. We need a planning commission to deal with this.

Councilor Baleztena stated this needs to be discussed in a Council Planning Commission meeting. It needs to be placed on an agenda.

John Taylor had two issues he wants to discuss with the Council. Why the City has not completed the site certification on the industrial property so they can put the property on the free Oregon Prospector. Taylor advised there will be a representative from the State regarding site certification in Pendleton on Tuesday. Kim Bedard advised she has already met with this person regarding site certification.

On a motion by Alderman and seconded by Kirk the Council voted to table this matter to another council meeting. Kirk, Alderman and Baleztena voted yes. Standley, Lankford and Snively voted no. Mayor Carnes broke the tie by voting with the yes. The motion was approved.

Taylor other issue was the costs of the paving and what was approved. Mayor Carnes advised the Council just received a report regarding the street project.

## **E. PRESENTATIONS**

No presentations.

## **F. ACTION ITEMS**

### **F-1 DRY CAMPING**

Mark Street, a board member of the Bike Pit, asked the Council for permission to allow dry RV camping at the Bike Pit Park during Community Days. On a motion by Baleztena and seconded by Alderman the Council gave their approval for dry camping at the Bike Pit Park during Community Days. All members present voted yes.

Councilor Snively asked about insurance. Kim Bedard advised the Bike Pit will get event insurance for that day.

### **F-2 BIKE PIT MASTER PLAN**

Mark Street asked the Council for approval of the Bike Pit Master Plan. Councilor Standley stated he liked the presentation but would like to see the Bike Pit obtain the 501C-3 tax exempt status. Street stated they are considering changing to a 501C-4 or 501C-7, due to the restrictions of lobbying under the 501C-3.

Standley does not want to agree to Phase 2, but he agrees with Phase 1. Snively asked if the Council approves the Master Plan they are not agreeing to give up the 200+ acres. Draper stated it is in the Plan that the Bike Pit will purchase the land from whoever owns it.

Snively was in favor of deeding the property to Bike Pit as soon as possible.

Bedard suggested doing a letter of understanding that the Bike Pit expects to purchase the additional acreage for Phase 2.

John Taylor presented a list of his overall objectives regarding the Bike Pit. He would like it to be part of the minutes. See Exhibit 1.

Jackie Carey suggested in regards to the Bike Pit to obtaining a 501C-3 status, since they already have the tax exempt status with the State of Oregon, which makes them available to state grant funds, why do they need the 501C-3. Standley stated that proposal should come from the Bike Pit not us.

Councilor Alderman stated it seems like council business is being done outside council meetings. Snively stated he has not talked to another council member outside council meetings.

Councilor Lankford stated the Master Plan Grant stated the Bike Pit would obtain their 501C-3, which is one of the reasons the Council required it. Kim Bedard stated that was a mistake on the grant and they did not have to list that.

On a motion by Kirk and seconded by Alderman the Council approved the Master Plan for the Bike Pit with a letter of understanding regarding Phase 2. Kirk, Baleztena, Lankford, Alderman voted yes. Standley and Snively voted no. The motion passed.

On a motion by Kirk and seconded by Alderman the Council requested the Bike Pit Deed be put on the next action item agenda. All members presented yes.

Councilor Lankford suggested review the prior draft agreement with the Bike Pit prior to the deeding.

## **G-1 DEPARTMENT HEAD REPORT**

Recorder Carey presented Resolution No.518 to the Council for approval. The City just received an insurance check for the water damage to the police department. Resolution No. 518 needs to be approved in order to expend those funds. On a motion by Lankford and seconded by Kirk the Council approved Resolution No. 518. All members present voted yes.

**CITY HALL** : We received a legal bill from David Blanc for \$8345.67 dated back to 2002 for the cable franchise agreement. Staff contacted Blanc for clarification. Blanc sent an email stating the bill was sent by mistake. Since it was not submitted in a timely fashion the City does not have to pay.

Staff met with the Auditors for a work through of our operations.

Staff has been very busy implementing the public safety surcharge. There are some major changes in the billing that needed special attention.

We sent a letter to Moon Security to cancel the monitoring fee. This will save \$30 per month.

The Code Committee met and the codes are ready to send to the codification company. The Council will get a copy of the updated ordinance for their review before the passage the updated ordinances.

Staff has started the cross-training of the payroll.

Due to city staff efforts, the City is saving approximately \$400 per month on health insurance for a total yearly savings of \$4800.

**PUBLIC WORKS:** Staff would like to recommend to the Council to consider a \$100 gift certificate to the two businessmen that were instrumental in landing another business in the Masonite property. On a motion by Baleztena and seconded by Alderman the Council approved the \$100 gift certificates to the two businessmen that were instrumental in landing another business in the Masonite property. All Council members voted yes.

Staff will meet with AT&T this week regarding placing a cell tower by the water reservoir. Staff will give a verbal report at the council meeting.

Staff would like some direction from the Council regarding the renewal of the garbage franchise fee. It is up for renewal. The Council requested rate increase history and put a value to the fee dumping for the City.

Both water wells are up and running now with no problems. We are pumping around 900,000 gallons of water per day, which is average for this time of the year.

Staff will be testing lead and copper next week.

**POLICE DEPT.:** Chief Richman has received his Management Certificate from DPSST.

Staff has ordered new radar unit. The City will receive the reimbursement from ODOT within 2 weeks.

The department is back to full staff.

The department is receiving a lot of dog complaints. A lot of people are letting their dogs run at large.

Skateboarders are not allowed in the park. They are damaging the picnic tables.

## **G-2 SELLABLE PROPERTY**

Chief Richman gave the Council a list of sellable property with lot dimensions.

## **G-3 HILDE STORM DRAIN ISSUE**

Draper advised he is still getting prices on the costs and bring back the information to the Council.

## **G-4 STREET STRIPPING**

Draper would like to have a professional street striping company do the striping the first time on the new pavement. He is in the process of getting quotes.

Baleztena advised the County Road Department does striping in September. Staff may want to contact them for quotes.

## **H. CONSENT CALENDAR**

On a motion by Kirk and seconded by Baleztena the Council approved the Consent Calendar. All members voted yes.

Councilor Lankford asked about the bill from the auditor regarding a citizen contacting the City's auditor. Carey advised it was John Taylor and the cost was \$17.50. Taylor stated he would pay it, which he did.

## **I. COUNCIL COMMENTS**

Lankford asked what the policy was. Carey advised the auditors are like attorneys, when you talk to them they are on the clock, so contact needs to be limited. City should not pay for citizens contacting them. Carey advised the Council that she sent the auditor an email advising if a citizen comes in to discuss the City that it is on their dime not the City's. Alderman couldn't believe someone would think they could contact a firm the City has a contract with.

Councilor Snively stated he has been contacted by a citizen who stated there is a new company coming to Pilot Rock. Mayor Carnes advised A & V Investment is coming to town. Snively was gone when the Council signed the contract.

Councilor Kirk stated A & V Investments will be having a booth during Community Days.

Councilor Standley stated the Council asked for stuff and it never happens. He would like more information regarding the Hinkle settlement. All the Council knows is it has been resolved. Why is the City footing the bill and not Anderson/Perry? Draper stated he estimates the cost at about \$3500. Standley stated the Council should have approved the agreement before staff agreed to anything. Draper stated he felt the agreement was the easiest and quickest way to resolve the issue. Standley feels the City should be reimbursed for the costs.

Draper stated he was wrong to not bring the agreement back the Council. He said, "do what you want to do to me."

Councilor Lankford stated Draper negotiated the deal and the City probably ended up with a good deal, she just doesn't feel it was the City's responsibility to pay for it.

Standley stated he was ready to make a motion at the next meeting to send Anderson/Perry a bill. Draper suggested waiting until they do the job so they have accurate costs.

Standley would like someone to review the easement to make sure it is in the legally right place. Draper stated he would have Steve Haddock review the easement.

On a motion by Snively and seconded by Standley they wanted to send Anderson/Perry a contingent bill of \$3500, it could be more. Standley, Snively and Baleztena voted yes. Alderman, Kirk and Lankford voted no. Mayor Carnes broke the tie by voting no. The motion did not pass.

On a motion by Alderman and seconded by Lankford the Council would like a bill sent to Anderson/Perry after the work is completed. Lankford, Baleztena, Alderman, and Kirk voted yes. Standley and Snively voted no. The motion passed.

Mayor Carnes advised the citizens from Pilot Rock can attend the Umatilla County Fair on August 14<sup>th</sup> for 1/2 price.

### **ADJOURNMENT**

On a motion by Kirk and seconded by Baleztena the meeting was adjourned at 8:45 PM. All members voted yes.

**APPROVED** \_\_\_\_\_

**ATTEST** \_\_\_\_\_