



## **CITY OF PILOT ROCK**

144 N Alder Pl PO Box 130 Pilot Rock, OR 97868

[www.cityofpilotrock.org](http://www.cityofpilotrock.org)

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### **CITY COUNCIL MEETING**

**August 3, 2021 6:00PM**

**Council Chambers**

#### **MISSION**

To serve our citizens, operate in a fiscally conservative manner, provide quality basic services, and involve the community in the decision-making process. Be responsive, responsible and provide civic leadership.

#### **AGENDA**

**A. CALL TO ORDER**

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. APPEARANCE OF INTERESTED CITIZENS**

Public comments will be limited to 3 minutes as per ORS. #519, Sec. 8: B, D, E. Must sign the Roster to speak.

**E. PRESENTATION:**

**F. ACTION ITEMS:**

1. Appoint Councilors – City Recorder
2. Swearing in New Councilors – City Recorder
3. Appoint Council President – City Recorder
4. Natural Hazard Mitigation Plan – City Recorder
5. Irrevocable Consent Agreement – City Recorder
6. Umatilla County Dispatch Agreement – Chief of Police
7. Request for Permit Funds – Public Works Director

**G. INFORMATION ITEMS, REPORTS & PRESENTATIONS**

1. Department Head Report

**H. CONSENT CALENDAR**

1. Approval of bills
2. Approval of the June 15, 2021 & July 6, 2021 minutes

**I. CITY COUNCIL COMMENTS**

**J. EXECUTIVE SESSION – NONE SCHEDULED**

**K. ADJOURNMENT**

**NEXT COUNCIL MEETING**, August 17, 2021 at 6:00PM at 143 W. Main is accessible to the disabled. Please contact the City Recorder at City Hall 541-443-2811 if you have questions.

# City of Pilot Rock, Oregon

## STAFF REPORT

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**Date:** July 30, 2021

**For Council Meeting of:** August 3, 2021  
**Agenda Item No:** F-1

**To:** Honorable Mayor and City Council  
**From:** City Recorder

**Issue:** Vacant City Councilor Seats

**SYNOPSIS:** Council is asked to consider the attached applications for 3 appointments on the City of Pilot Rock City Council.

**This issue comes before Council for action at this time.**

**OPTIONS:** The following options are available for City Council.

1. Appoint one, two or three applicants to City Council
2. Other action as directed by Council

**STAFF RECOMMENDATION:** Council by motion appoint a minimum of one seat to have a quorum.

**RATIONALE:** Pilot Rock Municipal Code Section 32 Filling Vacancies states that a Mayor or council vacancy will be filled by appointment by a majority of the remaining council members. The appointees's term of office runs from appointment until expiration of the term of office of the last person elected to that office.

**BUDGET IMPLICATIONS:** None

**BACKGROUND INFORMATION:** City Councilor Bob Deno resigned due to health in June 2021. Councilor Carey resigned at the July 6, 2021, City Council meeting. Councilor Young resigned at the July 6, 2021, City Council meeting. Notices to fill the vacancy were posted on July 7 at City Hall, City Council Chambers, Mini-mart, Pilot Rock Food Market, Post Office, City Website and the Pilot Rock newsletter.

The terms remaining are: Councilor Deno term expires - December 31, 2022

Councilor Jackie Carey term expires – December 31, 2024

Councilor Robbie Young term expires – December 31, 2022

Citizens that applied are: John Beloit, Randy Gawith, Linda Hill, Tegan Kaneaster, Trevor Riedmann, Vernon Sandy, Tiffany Schademan, Shelby Torgeson, Derek Turner and Paul Villavicencio.

**ATTACHMENTS:** Pilot Rock City Charter addressing vacancies, Councilor Deno resignation. Applications from candidates.

(d) The council is the final judge of the election and qualifications of its members.

#### **Section 28 Nominations.**

The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position.

#### **Section 29 Terms.**

The term of an officer elected at a general election begins at the first council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office.

#### **Section 30 Oath.**

The mayor and each councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States and Oregon.

#### **Section 31 Vacancies.**

The mayor or a council office becomes vacant:

(a) Upon the incumbent's:

- (1) Death,
- (2) Adjudicated incompetence, or
- (3) Recall from the office.

(b) Upon declaration by the council after the incumbent's:

- (1) Failure to qualify for the office within 10 days of the time the term of office is to begin,
- (2) Absence from the city for 30 days without council consent, or from all council meetings within a 60-day period,
- (3) Ceasing to reside in the city,
- (4) Ceasing to be a qualified elector under state law,
- (5) Conviction of a public offense punishable by loss of liberty,
- (6) Resignation from the office. [Amended during 2011 codification].

#### **Section 32 Filling Vacancies.**

A mayor or council vacancy will be filled by appointment by a majority of the remaining council members.

The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office. If a disability prevents a council member from attending council meetings or a member is absent from the city, a majority of the council may appoint a councilor pro tem.

### **Chapter VIII Appointive Officers**

#### **Section 33 City Attorney.**

The office of city attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The city attorney will be hired by contract as approved by the city council.

#### **Section 34 Municipal Court and Judge.**

Bob Deno  
PO Box 61  
Pilot Rock, OR 97868

June 15, 2021

Re: Resignation

Dear Pilot Rock City Council,

I regret to inform you that I will no longer be able to continue to serve on City Council effective immediately. I have decided that it is in the best interest of my recovery to focus fully on my health at this time.

While I regret leaving and have enjoyed being Council President, I know this is the best decision for me and my family. Thank you for your support and attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Deno", written in a cursive style.

Bob Deno  
Council President



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### CITY COUNCIL APPLICATION

#### MISSION

To serve our citizens, operate in a fiscally conservative manner, provide quality basic services, and involve the community in the decision-making process. Be responsive, responsible and provide civic leadership.

Name of Applicant John Beloit

Address: 439 SW Birch PL, Pilot Rock OR 97868

Phone number: 208-790-5646

Email: jbeloit2550@gmail.com

1. Why do you want to become a member of City Council?

I'd like to join the council to represent the people of our town, do what's right for our citizens, law enforcement and the growth of our town.

2. Do you have any ideas ad you have that would enhance this service?

Using innovation and technology is what this town needs.

3. How long have you lived in the City of Pilot Rock?

2 years

4. What City services do you currently use?

City water and city sewer.

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

Yes I am available.

Signature: John Beloit

Date: 7/7/2021



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Name of Applicant RANDY J. GAWITH  
Address: 361 NW 3rd / P.O. Box 489 Pilot Rock OR 97868  
Phone number: 541-377-7012  
Email: OLHACKER@yahoo.com

1. Why do you want to become a member of City Council?

Would like to help anyway I can!

2. Do you have any ideas and you have that would enhance this service?

I am very open minded and would like to help us to have a better city!

3. How long have you lived in the City of Pilot Rock?

3 yrs

4. What City services do you currently use?

Garbage, water, sewer ect.

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

yes

Signature: Randy J. Gawith

Date: 7/8/2021





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### CITY COUNCIL APPLICATION

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Name of Applicant Linda Y. Hill

Address: 262 W. Main P.O. Box 372

Phone number: 541-240-1550

Email: lynus97868@yahoo.com

1. Why do you want to become a member of City Council?

To be part of making a positive difference in the town I live in. So much could be done to enhance living here.

2. Do you have any ideas you have that would enhance this service?

Look to the future and keep an open mind. Have been a City Budget Committee the last 6 yrs

3. How long have you lived in the City of Pilot Rock?

Since 1992

4. What City services do you currently use?

Water Sewer - Senior Center -

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

yes

Signature: Linda Y Hill Date: 7-7-2021



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Name of Applicant: Tegan Hancock

Address: 565 SW BIRCH PL PILOT ROCK

Phone number: 541-969-4301

Email: THK0412@GMAIL.COM

1. Why do you want to become a member of City Council?

TO HELP PLAN A BETTER FUTURE FOR THE COMMUNITY

2. Do you have any ideas and you have that would enhance this service?

NOT AT THE MOMENT

3. How long have you lived in the City of Pilot Rock?

25 YEARS

4. What City services do you currently use?

WATER + SEWER AS WELL AS THE BURN PILE

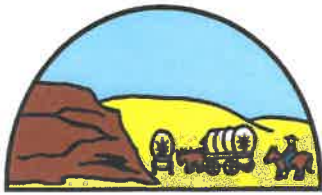
5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

TO THE BEST OF MY ABILITY YES

Signature: [Signature]

Date: 07-08-2021





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Name of Applicant Trevor Riedmann  
Address: 227 W Main St Pilot Rock, OR 97868  
Phone number: 541-329-0335  
Email: riedmann98@gmail.com

1. Why do you want to become a member of City Council?

There is a need for volunteers and I am stepping up. I love my community and I want to make it a great place to live for everyone.

2. What ideas do you have that would enhance this service?

I would like to see more civic pride in this town, especially after the Pandemic. Perhaps some gatherings, a re-vamped Community Days, etc. Also to keep the city clean, and fiscally efficient.

3. How long have you lived in the City of Pilot Rock?

Whole life - 22 years

4. What City services do you currently use?

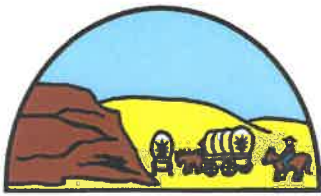
Utilities, Burn Pile

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

yes

Signature: Trevor Riedmann

Date: 4/25/2021



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Name of Applicant Vernon L. Sandy

Address: 521 N.E. Hickory st. P.O. Box 825 Pilot Rock, OR

Phone number: 541-443-3332

Email: thesandys@live.com

1. Why do you want to become a member of City Council?

TO generate growth in downtown while protecting  
the integrity of our small town.

2. What ideas do you have that would enhance this service?

well marketed events, small to start, that will keep  
the town in people's minds

3. How long have you lived in the City of Pilot Rock?

45+ years

4. What City services do you currently use?

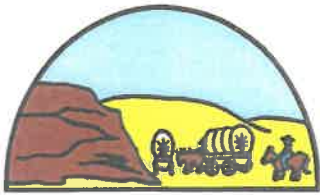
all

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

yes

Signature: 

Date: 7-15-21



# CITY OF PILOT ROCK

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## CITY COUNCIL APPLICATION

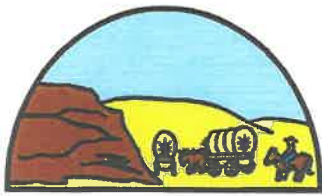
### MISSION

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Name of Applicant: Tiffany Schademan  
Address: 743 SW Cedar St.  
Phone number: (541) 969-9187  
Email: tiffanyschademan@gmail.com

1. Why do you want to become a member of City Council?  
To help the council make good, informed decisions for the good of the city. To make sure concerns & issues that are important to the people are addressed in a fair & timely manner.
2. What ideas do you have that would enhance this service?  
I think bringing back the community dinners would be a good way to hear news, concerns & questions from the people. I think more online presence would help.
3. How long have you lived in the City of Pilot Rock?  
I grew up here all of my childhood & moved back about 4 yrs ago.
4. What City services do you currently use?  
Water & sewer, I also use the city website, read the news letter, attend some council meetings, visit the city park.
5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?  
Yes.

Signature: Tiffany Schademan Date: July 28<sup>th</sup> 2021



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Name of Applicant Shelby Torgeson

Address: \_\_\_\_\_

Phone number: 541-600-5082

Email: Storgeson@pendletonsd.org

1. Why do you want to become a member of City Council?

I would like to help create and bring positive changes to the community. I would like to take responsibility of my civic duty to the community.

2. What ideas do you have that would enhance this service?

I have done a lot of traveling throughout my life to numerous cities. I have seen different things this has helped to broaden my ideas and has helped me to see both sides of everything.

3. How long have you lived in the City of Pilot Rock?

30 years

4. What City services do you currently use?

water, sewer, garbage services. I try to shop local at the grocery store and mini mart.

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

yes

Signature: Shelby Torgeson

Date: 7-23-21



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### CITY COUNCIL APPLICATION

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Name of Applicant Derek Turner

Address: 218 NE Douglas St

Phone number: 971-322-5883

Email: derekarmy01@gmail.com

1. Why do you want to become a member of City Council?

I Love living in this community and want to be apart of making it that much better.

2. What ideas do you have that would enhance this service?

I would like to see more things for the youth to do, I would also like for pilot rock to do things that promote people in this town to start new business.

3. How long have you lived in the City of Pilot Rock?

3 years

4. What City services do you currently use?

The normal ones that come with owning a house here

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

yes

Signature: Derek Turner

Date: 7-8-21





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### CITY COUNCIL APPLICATION

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Name of Applicant

PAUL VILLAVICENCIO

Address:

PO Box 4497 136 N. Alder St Pilot Rock OR 97868

Phone number:

541-331-0097

Email:

PAULV.19868@HOTMAIL.COM

1. Why do you want to become a member of City Council?

I BELIVE I WOULD BE A GOOD ASSET TO THE COMMUNITY AND WOULD LOVE TO SERVE AND HELP THE FUTURE OF PILOT ROCK.

2. Do you have any ideas ad you have that would enhance this service?

LOTS LETS TALK

3. How long have you lived in the City of Pilot Rock?

TEN YEARS

4. What City services do you currently use?

LIBRARY

5. If appointed, will you be able to attend meetings on the first and third Tuesday each month at 6pm?

YES NO PROBLEM

Signature:

*Paul Villavicencio*

Date:

7-2-2021



# **CITY OF PILOT ROCK**

## **Staff Report**

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**Date:** July 30, 2021

**For Council Meeting on** August 3, 2021  
**Agenda Item No:** F-3

**To:** **Honorable Mayor and City Council**  
**From:** **City Recorder**

**Issue:** **Appointing Council President**

**SYNOPSIS:** Council is asked to appoint by majority vote, a Council President and additional check signer for city expenditures.

**This issue comes before Council for action at this time.**

**OPTIONS:** The following options are available for City Council.

1. Appoint a councilor as council president and second signer for the city checking account.
2. Do not appoint a council president and signer.
3. Other action as directed by Council

**STAFF RECOMMENDATION:** That City council, by motion, appoint a councilor best suited to the task.

**RATIONALE:** The president presides in the absence of the mayor when the mayor is unable to perform duties and will serve as second check signer.

**BUDGET IMPLICATIONS:** None

**BACKGROUND INFORMATION:** Councilor Bob Deno was Council President and resigned due to health reasons.

1. Chapter 1, section 9 of the City Charter states that a council president must be elected at the first meeting of each year.
2. Whenever the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor Pro Tem.

**ATTACHMENTS:** Pilot Rock Charter page 3

## **Chapter II Powers**

### **Section 4 Powers.**

The city has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers.

### **Section 5 Construction.**

The charter will be liberally construed so that the city may exercise fully all powers possible under this charter and under United States and Oregon law.

### **Section 6 Distribution.**

The Oregon Constitution reserves initiative and referendum powers as to all municipal legislation to city voters. This charter vests all other city powers in the council except as the charter otherwise provides. The council has legislative, administrative and quasi-judicial authority. The council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The council may not delegate its authority to adopt ordinances.

## **Chapter III Council**

### **Section 7 Council.**

The council consists of a mayor and six counselors nominated and elected from the city at large.

### **Section 8 Mayor.**

The mayor presides over and facilitates council meetings, preserves order, enforces council rules, and determines the order of business under council rules. The mayor is not a voting member of the council except in the event of a tie and has no veto authority. With the consent of council, the mayor appoints members of commissions and committees established by ordinance or resolution. The mayor must sign all records of council decisions. The mayor serves as the political head of the city government.

### **Section 9 Council President.**

At its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform duties.

### **Section 10 Rules.**

The council must by resolution adopt rules to govern its meetings.

### **Section 11 Meetings.**

The council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with the rules.

### **Section 12 Quorum.**

A majority of the council members is a quorum to conduct business, but a smaller number may meet and compel attendance of absent members as prescribed by council rules.

### **Section 13 Vote Required.**

The express approval of a majority of a quorum of the council is necessary for any council decision, except when this charter requires approval by a majority of the council.

### **Section 14 Record.**

A record of council meetings must be kept in a manner prescribed by the council rules.

# City of Pilot Rock, Oregon

## STAFF REPORT

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**Date:** July 30, 2021

**For Council Meeting of:** August 3, 2021  
**Agenda Item No:** F-4

**To:** Honorable Mayor and City Council  
**From:** City Recorder

**Issue:** Resolution #673 Adopting Updates to the Umatilla County Multi-Jurisdictional Natural Hazards Mitigation Plan (NHMP)

**SYNOPSIS:** Council is asked to approve Resolution #673 which adopts the newly revised Natural Mitigation Hazards Plan

**This issue comes before Council for action at this time.**

**OPTIONS:** The following options are available for City Council.

1. Approve Resolution #673
2. Do not approve Resolution #673
3. Table pending further review

**STAFF RECOMMENDATION:** Council by motion approve Resolution #673

**RATIONALE:** The County and City is required to have an approved Federal Emergency Management Agency (FEMA) NHMP

**BUDGET IMPLICATIONS:** An adopted Natural Hazards Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre and post disaster mitigation grant programs

**BACKGROUND INFORMATION:** Over the past year, Umatilla County has collaborated with the Oregon Department of Land Conservation and Development to update the county NHMP. The updated NHMP is a multi-jurisdictional document that includes the county's 12 incorporated cities and four special districts. The updated NHMP will ensure the county, cities, and special districts maintain eligibility for federal disaster-related funding. Oregon Military Department's Office of Emergency Management and Federal Emergency Management, Region X officials have reviewed the Umatilla County, Multi-Jurisdictional Natural Hazards Mitigation Plan and pre-approved it (dated June 7, 2021) contingent upon this official adoption.

**ATTACHMENTS:** Resolution #673, FEMA Approval Letter and NHMP flyer

# **CITY OF PILOT ROCK**

## **RESOLUTION NO. 673**

### **A RESOLUTION ADOPTING THE REVISED UMATILLA COUNTY NATURAL HAZARDS MITIGATION PLAN**

**WHEREAS** on February 16, 2010, by Resolution No. 505, City Council of Pilot Rock adopted the Umatilla County Natural Hazards Mitigation Plan.

**WHEREAS** the plan was updated and approved in February 2014 by the Umatilla County Board of Commissioners by Order BCC2014-031.

**WHEREAS** the City of Pilot Rock recognizes the threat that natural hazards pose to people, property and infrastructure within our community; and

**WHEREAS** undertaking hazard mitigation actions will reduce the potential for harm to people, property and infrastructure from future hazard occurrences; and

**WHEREAS** an adopted Natural Hazards Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre and post disaster mitigation grant programs; and

**WHEREAS** the City of Pilot Rock has fully participated in the FEMA prescribed mitigation planning process to prepare the Umatilla County Multi-Jurisdictional Natural Hazards Mitigation Plan, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities; and

**WHEREAS** the City of Pilot Rock has identified natural hazard risks and prioritized several proposed actions and programs needed to mitigate the vulnerabilities of the City of Pilot Rock to the impacts of future disasters within the Umatilla County Multi-Jurisdictional Natural Hazard Mitigation Plan; and

**WHEREAS** the Oregon Military Department's Office of Emergency Management and FEMA, Region X officials have reviewed the Umatilla County Multi-Jurisdictional Natural Hazards Mitigation Plan and pre-approved it on June 7, 2021, contingent upon official adoption of the participating governments and entities; and

**WHEREAS** the Natural Hazard Mitigation Plan is comprised of three volumes: Volume I Basic Plan, Volume II Hazard Annexes, Volume III Mitigation Resources, collectively referred to herein as the Natural Hazard Mitigation Plan; and

**WHEREAS** the Natural Hazard Mitigation Plan is in an on-going cycle of development and revision to improve its effectiveness; and

**NOW THEREFORE** the City Council of the City of Pilot Rock adopts the Umatilla County Multi-Jurisdictional Natural Hazards Mitigation Plan as an official plan; and

**BE IT FURTHER RESOLVED** that the City of Pilot Rock will submit this Resolution to the Oregon Military Department's Office of Emergency Management and FEMA, Region X officials to enable final approval of the Umatilla County Multi-Jurisdictional Natural Hazards Mitigation Plan.

**PASSED** by the City Council and **APPROVED** by the Mayor this 3rd day of August 2021.

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

Virginia Carnes, Mayor

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

Teri Bacus, City Recorder



FEMA

June 7, 2021

Ms. Amie Bashant  
State Hazard Mitigation Officer  
Oregon Military Department  
Office of Emergency Management  
P.O. Box 14370  
Salem, Oregon 97309

Dear Ms. Bashant:

The Federal Emergency Management Agency (FEMA) Region 10 completed a pre-adoption review of the draft *Umatilla County Multi-Jurisdictional Natural Hazards Mitigation Plan*. The attached Mitigation Plan Review Tool documents the Region's review and compliance with all required elements of 44 CFR Part 201.6, as well as identifies the jurisdiction participating in the planning process. This letter serves as Region 10's commitment to approve the plan upon receiving documentation of its adoption by the participating jurisdiction.

Formal adoption documentation must be submitted to FEMA Region 10 by at least one jurisdiction within one calendar year of the date of this letter, or the entire plan must be updated and resubmitted for review. Once FEMA approves the plan, the jurisdiction is eligible to apply for FEMA Hazard Mitigation Assistance grants.

Please contact Kyle McCormick, *acting* Regional Mitigation Planning Program Manager, at (202) 856-2030 or [kyle.mccormick@fema.dhs.gov](mailto:kyle.mccormick@fema.dhs.gov) with any questions.

Sincerely,

John D. Schelling  
Risk Analysis Branch Chief  
Mitigation Division

Attachment

EG:v1



# Umatilla County

## Natural Hazards Mitigation Plan Update



### About the Plan

Umatilla County's existing Natural Hazards Mitigation Plan (NHMP) expired in 2019. NHMPs must be updated every five years.

Umatilla County is collaborating with the Oregon Department of Land Conservation and Development (DLCD) to update the NHMP. The updated NHMP will be a multi-jurisdictional document that includes the county's 12 incorporated cities and several special districts. The updated NHMP will ensure the county, cities, and special districts maintain eligibility for federal disaster-related funding.

This project is made possible by the federal Hazard Mitigation Grant Program (HMGP). The HMGP assists states, tribes, and local communities in implementing long-term hazard mitigation measures following a major disaster declaration to reduce the risk of loss of life and property from future disasters.

A Steering Committee, co-chaired by County Emergency Manager, Thomas Roberts, and County Planning Director, Robert Waldher, is working with DLCD to update the NHMP. The NHMP is targeted for completion and adoption by mid-2021.



### Umatilla County Natural Hazards

Winter Storms • Summer Storms • Earthquakes  
Droughts • Floods • Volcanic Events  
Landslides • Wildfire



*"to prevent loss and protect life, property and the environment from the risk of natural hazards through coordination and cooperation among public and private partners"*

*Umatilla County 2014 NHMP*



*Recent flood disasters in Umatilla County highlight the critical need for improving community resiliency to these types of events and maintaining disaster-related funding.*

### Why engage in natural hazard mitigation planning?

- **to avoid disasters** by reducing or eliminating long-term risk to people, property, and the environment from natural hazards
- **to increase safety and resilience** by integrating hazard mitigation into local plans, programs and policies
- **to maintain eligibility** for disaster-related funding

### MORE INFORMATION:

Thomas Roberts, Emergency Manager | Umatilla County  
Phone: 541-966-3706 | Email: [thomas.roberts@umatillacounty.net](mailto:thomas.roberts@umatillacounty.net)

Robert Waldher, Planning Director | Umatilla County  
Phone: 541-278-6252 | Email: [robert.waldher@umatillacounty.net](mailto:robert.waldher@umatillacounty.net)

# City of Pilot Rock, Oregon

## STAFF REPORT

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**Date:** July 30, 2021

**For Council Meeting of:** August 3, 2021  
**Agenda Item No:** F-5

**To:** Honorable Mayor and City Council  
**From:** City Recorder/Planner

**Issue:** Irrevocable Consent Agreement

**SYNOPSIS:** The owner, Neil Hampton requested a partition his property into 3 parcels at the May 18, 2021 City Council meeting. The partition was approved with a condition to extend the main sewer line using an 8 inch pipe with the installation of a manhole. An Irrevocable Consent Agreement has been drafted for the approval of City Council

**This issue comes before Council for action at this time.**

**OPTIONS:** The following options are available for City Council.

1. Approve the Irrevocable Consent Agreement
2. Disapprove the Irrevocable Consent Agreement
3. Other action as directed by Council

**STAFF RECOMMENDATION:** Council by motion approve the Irrevocable Consent Agreement

**RATIONALE:** The Public Works Director recommended that the sewer line be extended if there were future partitions to service the new area.

**BUDGET IMPLICATIONS:** The City received permit fee and the city will receive property taxes if developed.

**BACKGROUND INFORMATION:** City Council made a motion to approve the partition with the condition that the sewer line be extended with the installation of a manhole. City Recorder drafted the Irrevocable Consent Agreement, and it was reviewed by local surveyor (Steve Haddock) with his recommendations and changes. The document was updated and forwarded to City Attorney and the document contains his recommendations and changes.

**ATTACHMENTS:** Page 2 of the May 18, 2021 Minutes, Irrevocable Consent Agreement

## CITY OF PILOT ROCK

meets all setbacks. Pilot Rock parking code states that for a retail store, 1 space per 200 square feet of floor area plus 1 space per 2 employees and 1 bicycle space per 600 feet of floor area. The project is 10,640 square feet and would require 54 spaces. Due to the irregular shape of the property, there is not adequate area to provide 54 spaces per city code. They are proposing 35 spaces will be sufficient to service their customers. The location of the store on the property was clearly identified with two approaches. It will not impact the sewer dumping station for recreational vehicles. **Councilor Carey made a motion to approve the parking variance for the Dollar General store and Councilor Young seconded. Councilor Johnson voted yes and Councilor Evoniuk voted yes. Motion carried: 4 Yes – 0 No**

**F-2 Residential Partition** – City Recorder presented a partition request from property owner Neil Hampton. He would like to partition the property into 3 parcels and sell two for residential use. The property is zoned R-2 Limited Residential zone which requires a lot area minimum of 7,500 square feet which equals to .17 acre. Parcel one will be 1.07 acres, parcel two is .74 acres and parcel three is .42 acres. All three parcels meet code requirements. Further partitions were discussed, and Councilor Carey inquired about the owners requesting a subdivision in the future. Steve Draper states that if the property is further divided the city will require an extension of a 8 inch main sewer line and the construction of a manhole to provide adequate supply. He states to include the requirement in the covenants, conditions, and restrictions (CC&Rs). Steve Haddock agreed and stated that the current owners have no plans to further split the property. Councilor Carey asked what constitutes a subdivision and City Recorder explains that a subdivision is the partition of four or more lots. Steve Draper confirms that three or less is not a subdivision. He continues states that subdivisions also require the area to be subdivided to have frontage on and access from an existing street. There are sidewalks and curb requirements as well. Steve Haddock, a local surveyor explained that three or fewer is a partition and four or more is a subdivision. He further explains the meaning of a series partition in detail but states this is not a series partition due to the timeframe involved. Councilor Carey is concerned that owners are trying to get around the subdivision rules and Steve Haddock states that he does not believe that this is the case for this particular partition. **Councilor Carey made a motion to approve the partition with the requirement that future partitions extend the sewer line and install a manhole. Councilor Johnson seconded. Councilor Evoniuk voted yes, and Councilor Young voted yes. Motion carried: 4 Yes – 0 No**

**G-1 Recreational Vehicle (RV) Park Statement** – Larry and Cindy Curry addressed Council with a statement on two matters. One is regarding the Council meeting on May 4, 2021 and the second is regarding the RV park. Larry requests to read a prepared statement without interruptions and Councilor Carey says, “go ahead”. He explains that they felt they were very intimidated, scared and threatened. He felt they were attacked. He further explains his displeasure at the process and the way the meeting was conducted. He is frustrated that his request to extend making the decision was not granted. He continues to relay his anger and begins the statement about the RV park. He is upset about the process and discusses the approach pattern of the park. He states he was viciously attacked at the last meeting by Jim Hatley. Janelle Hampton asks if his property is residential or commercial and Larry states he doesn’t know. Several people in the room state “commercial” at

**CITY OF PILOT ROCK, OREGON  
IRREVOCABLE CONSENT AGREEMENT**

**THIS AGREEMENT made and entered into this 3rd day of August 2021, by and between, the *City of Pilot Rock* hereinafter referred to as *City*, *Umatilla County*, hereinafter referred to *County*, and *Neil E. Hampton*; owner of the property described below and hereinafter referred to as *Owner*.**

**Property Description: The northerly 252.58 feet of Parcel 1 of Partition Plat 2006-29 as said plat was recorded on October 17<sup>th</sup>, 2006 as instrument No. 2006-5090481 of the records of Umatilla County, Oregon.**

**WHEREAS, Owner applied to City for the following land use approval: R-2 Limited Residential Zone Partition #PR 21-037; and**

**WHEREAS, Granting of said minor partition will contribute to an increase in the need for City sewer service to serve the property; and**

**WHEREAS, The City of Pilot Rock has required an Irrevocable Consent Agreement for this minor partition request; and**

**WHEREAS, the Irrevocable Consent Agreement requires a guarantee that Owner will pay the cost to extend the main sewer line utilizing an 8-inch pipe and the installation of a manhole for servicing from the existing City lines to the property where the services are requested; and**

**WHEREAS, Umatilla County has recommended an Irrevocable Consent Agreement be signed; and**

**WHEREAS, Umatilla County and City agrees to enter into an agreement with the Owner, on the condition that the Owner irrevocable consents to future financial participation in the following improvement to serve the public at large as well as the public on and in the immediate vicinity of the property. Said financial participation and improvement is described as follows:**

**A. Pay the cost to extend the main sewer line utilizing an 8-inch pipe with the installation of a manhole in the easement shown as Hawthorne Lane on said Partition Plat 2006-29. The specific location is described as follows: beginning at the existing manhole on the City main line in said Hawthorne Lane, said manhole lies approximately 100 feet south of the north line of said Parcel 1, Partition 2006-29, running thence along said Hawthorne Lane to a line that lies 252.58 feet south of the north line of said Parcel 1. Owner's financial participation includes but is not limited to all labor and materials, as well as any**

**hook-on fees. Construction shall meet the specifications required by the City's Public Works Director.**

**NOW THEREFORE, it is mutually agreed by the parties hereto that:**

- 1. The City of Pilot Rock did grant minor partition request.**
- 2. Owner hereby irrevocably consents to extend the main sewer line and to pay for the extension of the City's main sewer line in the manner and in the location described in Recital A above.**
- 3. In the event that the owner fails to comply with the above conditions within 6 months, the County and or City may initiate enforcement action via either the County Enforcement Ordinance or applicable City Ordinance(s). If authorized by such action, the County and City shall cause the necessary improvement to be made and shall attach the costs of such improvements as liens against subject property until paid. Further, any penalties assessed via the County Enforcement Ordinance and or applicable City Ordinance(s) with respect to the owner failing to comply with above conditions shall also be liens against the subject property until paid.**
- 4. Owner further agrees that County and/or City shall have the right to enter and inspect the subject property to determine whether conditions of approval have been met.**
- 5. This agreement is intended to run with the property and shall be binding on the heirs, assigns and all other successors in interest of the property. It is not intended to and shall not operate as a personal contract of Owner.**
- 6. This agreement may be amended, terminated, or otherwise modified only upon joint written agreement of Umatilla County, the City and Owner hereto, or their successors in interest, with the amendment incorporated by reference into this present Agreement. All parties agree that this document shall be recorded with the Umatilla County Recorder's Office.**
- 7. City, County, and Owner agree that Owner's obligations under this Agreement to extend the sewer line are expressly conditioned upon the future division of the property described in the "Property Description" cited above. Absent a future division of the property Owner shall not be obligated to extend the sewer line as set forth in Recital A.**

**IN WITNESS WHEREOF, the parties have hereunto set their hand and seals in execution of the Agreement as of the date first written.**

**OWNER:**

\_\_\_\_\_  
**Neil Hampton**

**STATE OF OREGON        )   ss.**  
**County of Umatilla        )**

**This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_ 2021 by Neil Hampton.**

**Before me \_\_\_\_\_**  
**Notary Public for Oregon**  
**My Commission Expires: \_\_\_\_\_**

**ATTEST:**

**PILOT ROCK CITY COUNCIL**

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF OREGON        )   ss.**  
**County of Umatilla        )**

**On the 3<sup>rd</sup> day of August, 2021 personally appeared \_\_\_\_\_, known to me to be the above-named City Council members, who acknowledge this instrument to be their voluntary act and deed.**

**Before me \_\_\_\_\_**  
**Notary Public for Oregon**  
**My Commission expires: \_\_\_\_\_**



**ATTEST:**

**UMATILLA COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF OREGON        )   ss.**

**County of Umatilla        )**

**On the \_\_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared John Shafer,  
George Murdock, Dan Dorran, known to me to be above-named County Commissioners,  
who acknowledge this instrument to be their voluntary act and deed.**

**Before me \_\_\_\_\_**

**Notary Public for Oregon**

**My Commission expires: \_\_\_\_\_**

# City of Pilot Rock, Oregon

## STAFF REPORT

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**Date:** July 30, 2021

**For Council Meeting of:** August 3, 2021  
**Agenda Item No:** F-6

**To:** Honorable Mayor and City Council

**From:** Chief of Police

**Issue:** Intergovernmental Agreement for Dispatch of Emergency & Non-Emergency Communication Services

**SYNOPSIS:** Council is asked to approve an Intergovernmental Agreement with the County of Umatilla for Dispatch of Emergency and Non-Emergency Communication Services.

**This issue comes before Council for action at this time.**

**OPTIONS:** The following options are available for City Council.

1. Approve the Agreement
2. Do not approve the Agreement
3. Table the agreement pending further review

**STAFF RECOMMENDATION:** Council by motion approve the agreement

**RATIONALE:** The Pilot Rock Police Department benefits from a 24-hour Dispatch Center

**BUDGET IMPLICATIONS:** As outlined in section 7.0 A of the agreement, the cost beginning July 1, 2021, will be \$28,532 annually. The payments will be on a quarterly basis with each payment as \$5,349.75. Payments are due July 31, 2021, October 31, 2021, January 31, 2022, and April 30, 2022.

**BACKGROUND INFORMATION:** Chief Caldera has negotiated the terms of this agreement and the City has approved the agreement each year since July 2016.

**ATTACHMENTS:** Intergovernmental Agreement

INTERGOVERNMENTAL AGREEMENT  
FOR DISPATCH OF EMERGENCY AND  
NON-EMERGENCY COMMUNICATION SERVICES

1.0 DATE

The date of this agreement is July 1, 2021.

2.0 PARTIES

An agreement between Umatilla County ("County") and the City of Pilot Rock("City") for dispatch services and emergency communications services.

3.0 RECITALS

Whereas Umatilla County Sheriff's Office currently operates a 24-hour Dispatch Center ("Dispatch Center") located within the Umatilla County Justice Center, 4700 Pioneer Place, Pendleton, Oregon, and

Whereas ORS 190.010 authorizes the County and the City to enter into an agreement for cooperative performance of any function or activity that a party to the cooperative agreement has authority to perform.

4.0 PURPOSE

The parties agree to have the County provide the emergency and non-emergency communication dispatch services for the City under the terms and conditions of the agreement.

5.0 TERM

The initial term of this contract will be from July 1, 2021 to June 30, 2022 and may be terminated by either party upon a 365 day written notice to the other party, the Pilot Rock Police Chief or the Umatilla County Sheriff, as the case may be. This contract will automatically renew for additional one year periods unless terminated as described above.

6.0 COUNTY RESPONSIBILITIES

The County will:

A. Answer emergency 9-1-1 calls for the citizens of the City. Emergency calls will be given priority over non-emergency calls.

B. As part of the Dispatch Center, provide dispatch services on a 24-hour basis for police service and after hours, weekend, and holiday emergency dispatch for City Public Works and Parks Departments.

C. Dispatch in accordance with all applicable laws and regulations and practices of the City as they may be implemented or changed after consultation and consent.

D. Provide written and recorded logging, law enforcement data service and other reasonable services and assistance in connection with the communication services. Enter "Calls for Service" into the CAD/RMS computer system (currently Sun Ridge Systems, Inc.) for Pilot Rock Police Department.

E. Morrow County will be a hot backup center to provide seamless dispatch services in the event of an emergency.

F. Consult with the Pilot Rock Police on equipment, computer software, budget, procedures, and operation of the center and ensure no significant changes are implemented without express approval of the majority of entities the County dispatches for.

G. Set up a special fund for dispatch operations, entitled Dispatch Reserve Fund, for equipment purchases and maintenance costs and provide a copy of the annual audit of this fund to City. Any balance in this fund at the end of the fiscal year will be carried over as a beginning balance for the next fiscal year.

H. County shall retain control of its Communication Center personnel and their performance of services under this agreement. All such personnel performing services for the county pursuant to this agreement shall be County employees. County personnel are certified as Telecommunicators and Emergency Medical Dispatchers.

I. County will provide regular updates to City in regards to any complaints of public or private concerns. County will respond to and address complaints in accordance with best practices, collective bargaining agreements, and update City as to the outcomes.

## 7.0 CITY RESPONSIBILITIES

The City will:

A. The cost for providing the services to City is approximately \$28,532 a year. Beginning July 1, 2021, City will pay an amount to County of \$21,399 per year in quarterly payments. Quarterly Payments of \$5,349.75 will be due as follows: (1) July 31<sup>st</sup>; (2) October 31<sup>st</sup>; (3) January 31<sup>st</sup>; and (4) April 30<sup>th</sup>. This amount is based on a pro rata net cost associated with the operation of the dispatch center based on net assessed value which is \$0.3047 per \$1,000. This amount could be adjusted annually if the base amount of cost and/or resources changes. Some anticipated changes include final personnel services expenses arising from contract negotiations with Umatilla County Law Enforcement Association for services after July 2022, increased staffing, legislative and other changes to the Public Employee Retirement System and other actions affecting the amount of resources. Due to the state budgeting, funding for the program may change during the year, and as a result the costs for the fiscal year and contributing agency fees are subject to change and the amount of payments may be opened for further negotiation between the parties.

B. 911 funds collected by the State of Oregon for the City will be deposited to the County by Oregon Emergency Management. These funds are for answering of 911 calls for the City.

C. Consult with County on equipment, computer software, budget, procedures and operation of the center.

D. City will provide opportunity for patrol staff to view dispatch operations at the center for up to four hours per year.

## 8.0 HOLD HARMLESS

To the extent permitted by law, the parties will hold each other harmless and will indemnify the other from any and all causes of action, judgments, claims, damages, or otherwise arising out of its sole and solitary acts under this agreement.

## 9.0 SUCCESSOR AGREEMENTS

9.1 The parties intend to negotiate a successor agreement that will provide for a continuation of cooperative dispatch services, including equipment and software maintenance and replacement, with the costs of those services to be allocated on a mutually agreed formula.

9.2 In the event another entity desires to become a party to this agreement, within 30 days of the execution of an agreement including the other entity, the amount paid to County by City will be reallocated on a mutually agreed formula.

## 10.0 DISPOSITION ON TERMINATION

In the event this agreement is terminated or not renewed, the equipment located at the location of a party will be considered the property of that party.

## 11.0 NOTICES

All notices required or permitted to be given shall be in writing and shall be deemed give and received on personal service of deposit in the United states Mail, certified or registered mail, postage prepaid, return receipt request, address as follows:

To City:

City of Pilot Rock  
Attn: Chief of Police  
P.O. Box 130  
Pilot Rock, OR 97868

To County:

Umatilla County Sheriff's Office  
Attn: Umatilla County Sheriff  
4700 NW Pioneer Place  
Pendleton, OR 97801

The foregoing addresses may be changed by written notice, given in the same manner. Notice given in any manner other than the manner set forth above shall be effective when received by the party for whom it is intended.

## 12.0 INTEGRATION

This agreement contains the final and exclusive agreement and understanding of the parties with respect to the subject matter of it, and supersedes all prior and contemporaneous agreements, oral or written. Except as set forth in this agreement, there are no promises, representations, agreements or understandings, oral or written, among the parties relating to the subject matter of this agreement.

## 13.0 MODIFICATION

This agreement may not be amended or modified except by written agreement executed by the parties affected thereby.

## 14.0 SUCCESSIONS AND ASSIGNS

This agreement shall be binding and shall inure to the benefit of the parties and their respective successors and assigns as permitted herein.

## 15.0 ASSIGNMENT

The parties may not assign this agreement with prior written consent of the other party.

CITY OF PILOT ROCK

AUTHORIZED by action of the Pilot Rock City Council on \_\_\_\_\_ 2021.

\_\_\_\_\_  
Virginia Carnes, Mayor

ATTEST:

\_\_\_\_\_  
City Recorder



UMATILLA COUNTY

\_\_\_\_\_  
George L. Murdock, Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
John M. Shafer, Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel N. Dorran, Commissioner

\_\_\_\_\_  
Date

ATTEST:

Office of County Records

\_\_\_\_\_  
Records Officer

# City of Pilot Rock, Oregon

## STAFF REPORT

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**Date:** July 30, 2021

**For Council Meeting of:** August 3, 2021  
**Agenda Item No:** F-7

**To:** Honorable Mayor and City Council  
**From:** Public Works Director

**Issue:** Department of State Lands Permit Funds & Core of Engineers

**SYNOPSIS:** On May 20, 2021, the City of Pilot Rock experienced flooding which caused the collection of major debris in Birch Creek

**This issue comes before Council for action at this time.**

**OPTIONS:** The following options are available for City Council.

1. Approve the use of funds
2. Do not approve the use of funds
3. Other action as directed by Council

**STAFF RECOMMENDATION:** Council by motion approve the funds for Birch Creek cleanup & repair.

**RATIONALE:** Birch Creek is in need of clearing debris and repair to allow water to run with no further damage to the creek banks and existing sewer mains.

**BUDGET IMPLICATIONS:** There are funds available in the economic development fund capital improvements which has approximately \$187,000. Approximately \$20,000 is needed for permit fees

**BACKGROUND INFORMATION:** Flooding occurred in May 2020

**ATTACHMENTS:** None

# **CITY OF PILOT ROCK**

## **Department Head Report**

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**July 30, 2021**

**For Council Meeting on August 3, 2021**  
**Agenda Item # G-1**

**To: Honorable Mayor and Council**  
**From: Department Heads**  
**Issue: Department Head Report**

**City Hall: July 6**

1. Met with insurance agent for insurance renewal
2. Drafted Irrevocable Consent Agreement for residential partition
3. Forwarded Irrevocable Consent Agreement to surveyor for review. Updated changes, then forwarded to City Attorney
4. Adopted budget data entry into Springbrook financial software
5. Advertised Economic Development Meeting on June 30
6. Weekly website update
7. Processed disbursement #26 for Lagoon project
8. Obtained quotes for electrical repair on Senior Center
9. Completed land use compatibility statement (LUCS) for Family Dollar
10. Processed document for lagoon disbursement #24
11. Drafted Natural Hazard Mitigation Plan Resolution
12. Processed disbursement #12 documents for Housing Rehabilitation Program
13. Provided figures to CityCounty Insurance Services for Medical/Dental annual renewal
14. Completed two days of pre-work with auditors for upcoming annual audit in August
15. Continued research on State law regarding living in recreational vehicles
16. Requested electrical quotes to fix electrical system at Senior Center (received two)
17. Completed confirmation letters for annual audit
18. Processed floodplain development permit for Dollar General
19. Provided alcohol license information to Family Dollar
20. Contacted two City Attorneys for information on living in RVs

**Police Department: July 6**

1. A records check was done for CTUIR on a prospective employee.
2. Assisted Morrow County Sheriff's Department with a possible sex abuse of a nine-year old girl.
3. Report of a passenger car driving recklessly that almost hit a log truck head-on. The registered owner was contacted, who reported being very tired.
4. Assisted Pendleton PD with a hit and run report.
5. Officer contacted a juvenile driver of a Suburban who was allowing juveniles to ride on top of his vehicle.
6. Investigated a possible overdose.
7. Assisted Pendleton PD with delivering an emergency message to a local resident.
8. Received numerous bottles of medication for destruction.
9. Assisted a domestic violence victim with an incident that occurred in February of 2019.
10. Received a report of an intoxicated individual walking down the street packing a rifle and pistol. Subject was located but he had put the weapons away prior to contact.
11. While at the scene of a domestic violence an individual was arrested on a warrant.
12. Report of a male sexually harassing a 17-year-old female

13. Searched a neighborhood where a suspicious vehicle was found. Vehicle was found, but nobody was around it.
14. Assisted a female who was experiencing mental health issues.
15. Responded to verbal dispute between a husband and a wife.
16. Assisted UCSO with a 911 call involving threats being made.
17. Investigated a subject trying to sell a 17-year-old some marijuana.
18. Performed numerous house checks for people who were away on vacation.

#### Police Department July 20

1. Officer assisted with two motor vehicle crashes.
2. Investigated a sexual harassment case between an adult male and a 17-year-old female.
3. Report of scratches being made on the side of a vehicle, which turned out to be unfounded.
4. Report of a vehicle being operated in a careless manner. The driver was contacted and advised to clean up his driving.
5. A subject suffering from mental health issues was contacted in front of city hall.
6. Report of another mental subject supposedly picking up cigarettes from a World War II Memorial.
7. Report of a nine-year old being assaulted on the swim bus. The parents of the girl were contacted, and they did not wish to have law enforcement involved in the incident.
8. Report of a verbal dispute between parents and their children.
9. Handled a civil matter involving two people who were having an argument over making payments on a travel trailer.
10. Report of someone entering a shed, however nothing was taken or damaged.
11. Received two DHS cross-reports on child matters.
12. Report of a suspicious vehicle driving around in a neighborhood causing dogs to bark.
13. Report of two juveniles riding dirt bikes speeding in a residential area. The juveniles were contacted and talked to about their driving habits.
14. Handled six firework complaints.
15. Stood-by while a wife moved out from her house to get away from her husband.
16. Report of a young child screaming at an adult male. It turned out to be a disciplinary issue because the child had bit his grandfather.
17. Handled four found property calls where items were returned to their owners.
18. Assisted a homeless female who needed food and gas.
19. Assisted the fire department with a records check on a perspective volunteer firefighter.
20. Assisted on five medical calls.
21. Report of two persons looking through windows behind the high school, but they left prior to police arrival. The individuals were later located on Main St.
22. An open door was found at the high school. The building was searched for any one inside. After finding no one the door was secured. The high school principal was notified.
23. Chief attended the monthly fire board meeting.
24. A runaway report was taken on a 17-year-old juvenile who ran away from his home and is possibly in Pendleton seeing friends and/or family.

#### Police Department August 3

1. A local resident was cited on a Pendleton Municipal Court warrant.
2. A 17-year-old juvenile was cited for consuming alcohol.
3. Investigated a disturbance between two family members.
4. Report of a male being bit by a dog.
5. Assisted Pendleton PD in looking for a drive-by shooting suspect.
6. Received information from DHS – Child Welfare of children living in unsanitary conditions.
7. Assisted the police department in Rupert, ID with a hit and run case where the suspect vehicle owner lives in Pilot Rock.
8. Report of juveniles shooting bb's at cars and houses three weeks ago. Received no complaints of such activity.

9. Report of a 16-year-old boy missing from his residence overnight. The juvenile was located at a friend's house across town.
10. A dog owner was cited for dog at large and dog as a public nuisance after it had chased both children and adults.
11. Received a report of a 17-year-old male who ran away from home two times in less than a week. He was found in Pendleton.
12. Assisted a homeowner in contacting subjects over an eviction notice.
13. Investigated a civil matter over the ownership of some shelving material.
14. Looked into a report of a local woman being the victim of a scam from Portugal.
15. Did a welfare check on a male who hadn't been seen in five-days. The person was found to be ok.
16. Received a report of at least one gunshot on the south end of town. The area was checked, but nothing was located.
17. Assisted UCSO on a report of a three-year-old child found walking in a lane of travel on Highway 395 about two miles south of town. The child was picked up and taken home by a passing motorist.
18. Investigated a theft of about \$30 of gasoline from a vehicle.
19. Ofc. Badal is off duty for the next two to three weeks because of illness.
20. Investigated a sex abuse of a six-year.
21. Report of a verbal domestic between a couple.
22. Completed 24 house checks for people who were out of town.

#### Public Works

1. Continued monitoring of sewer project
2. Continued mowing
3. Minor maintenance
4. Ordered material for replacement of 8-inch sewer main across the creek at 6<sup>th</sup> Street
5. Paint was ordered for the water reservoir due to graffiti
6. Monthly water samples completed
7. Minor equipment repair
8. Sewer project is completed
9. Old lagoons are starting to dry and water level dropped one foot.

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# CITY OF PILOT ROCK

Council Meeting  
June 15, 2021 6:00 PM

## A. Called to Order

Having a quorum, the Regular Council meeting was called to order by **Mayor Virginia Carnes** at 6:00 PM. Council members present were **Councilor Raymond Doherty, Councilor Robbie Young, Councilor Paula Evoniuk, Councilor Jackie Carey, and Councilor Kody Johnson. Councilor Bob Deno was absent.** Department Heads present were **Police Chief William Caldera, Public Works Superintendent Steve Draper who attended at 6:11pm and City Recorder Teri Bacus. Citizens present were Mary Lu Slabik, Janelle Hampton, John White, Randy Coakley representing Eyes North Corporation, Jadon Herron, Jerry Spangler, Holly L., Neil Hampton, Loretta Burley, Manuel Villavicencio, Paul Villavicencio, Bill Breeding, Marcus Eley, Tiffany Schademan, Emily Bennett and Tom Callahan.**

## B. INVOCATION

Councilor Carey gave the invocation

## C. PLEDGE OF ALLEGIANCE

## D. APPEARANCE OF INTERESTED CITIZENS.

## E. PRESENTATIONS

Jerry Spangler addressed City Council with questions on the Recreational Vehicle (RV) Park owned by Robin Matthews that is currently under construction behind his home. **Councilor Young recused herself from the conversation due to personal reasons.** He provided a handout with several questions about the RV Park. Council requested that Jerry return at the July 6, 2021, meeting to allow the City time to answer.

Jadon Herron from Anderson Perry & Associates provided an update on the Lagoon Project. Silver Creek Contracting, LLC (SCC) completed the gravity sewer tie-ins, placing the riprap at the lagoons, and the lift station startup. A substantial completion walkthrough was completed on June 7, 2021, and a punch list was generated. Examples of items on the punch list included: finish asphalt patching, clean up staging areas, demobilize equipment and repair the access road to the Bike Pit. SCC had until June 7, 2021, to reach substantial completion and this date was met. The project must be completed and ready for final payment by July 7, 2021, and SCC is currently within the agreed upon contract time. Seeding was not completed due to lack of moisture and SCC will return in the fall for final seeding to establish the grass. Councilor Carey asked when will be able to use the new system and Jadon answered that it will be done at the end of June or early July. He explained the process of shutting down the old system which entails plugging off the old sewer lines. Councilor Doherty asks if the pumps have been tested. The pumps have been turned on at the lift station and a hose was ran to the giant wet well which was filled up with water. Then the pumps were cycled on and off for testing which went well. The standby generator was also tested to make sure it comes on in the event of a power failure and it



## CITY OF PILOT ROCK

worked. To ensure there are no leaks, a series of tests were completed during construction. All the gravity sewer lines have been air tested and no leaks were detected. Only the syphon needs testing, and we are getting real close to the end states Jadon. The actual switching over is a minor process. Councilor Doherty asks if anything has been pumped up the hill and Jadon answers yes.

### F. ACTION ITEMS

**F-1 Parking Variance for Family Dollar** – City Recorder Teri Bacus presented a variance request from Eyes North Corporation. The company is purchasing the recent partitioned parcel from Schoolhouse Village, LLC to construct a Family Dollar. It is zoned C-1 Commercial, and the project meets all setbacks. They are requesting a variance on parking spaces. Pilot Rock code states that for a retail store, 1 space per 200 square feet of floor area plus 1 space per 2 employees and 1 bicycle space per 600 feet of floor area. The building will be 10,500 square feet and would require 54 spaces. They are proposing 33 spaces which will be sufficient to service their customers. Letter to neighboring lots were mailed on June 2, 2021, and one citizen provided a protest letter which City Recorder read out loud for the record. Randy Coakly was introduced as the developer for the project and Mayor Carnes asked what does a Family Dollar sell? He answers that it is a discount grocery store, and the chain was purchased by Dollar Tree about six years ago. Dollar Tree was designed to have everything priced at a dollar and Family Dollar will be a combination of the two stores but not everything will be a dollar. It will not be a full-service grocery store but will have a larger selection than a convenience store. There will be no butcher shop or bakery but will have a small selection of produce. The store will have 12 full time positions and Randy believes it will benefit the community. At any given time, there will be 3-4 employees in the store, and he believes the parking will be adequate for the size of the city. Councilor Doherty asks if the number of spaces are reduced, can we make the parking spaces larger, and Randy answered yes. The current stall is 9 x 18. Mayor Carnes asked, “how did you decide Pilot Rock”? The parent company is expanding in Oregon, and he was provided a list of cities to consider. Councilor Young states that she believes that another viable business cannot be bad for us. **Councilor Doherty made a motion to approve the variance with 30 parking spaces, ten feet wide and Councilor Young seconded. Councilor Johnson voted yes, Councilor Carey voted no and Councilor Evoniuk voted yes. Motion carried: 4 Yes – 1 No**

**F-2 Adopting the FY2022 Budget** – City Recorder Teri Bacus presented Resolution #671 Adopting FY2021-2022 Budget. She explains that the purpose of the hearing is to listen to citizens’ testimony on the budget that was approved by the Budget Committee in May 2021. She also explains all the changes in the various funds. The city will begin making payments on the two lagoon loans in January 2022. No citizen came forward to comment on this topic and the hearing was closed. **Councilor Carey made a motion to approve resolution #671 and Councilor Johnson seconded. Councilor Doherty voted yes, Councilor Young voted yes and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

**F-3 Election to Receive State Funds** – City Recorder presented Resolution #672, Declaring the City’s Election to Receive State Funds. She explains that the resolution is required by the State to receive State

## CITY OF PILOT ROCK

Revenues which primarily comes from taxation. The City of Pilot Rock will receive approximately \$16,000.

**Councilor Carey made a motion to approve Resolution #672 and Councilor Young seconded. Councilor Doherty voted yes, Councilor Johnson voted yes and Councilor Evoniuk voted yes.**

**Motion carried: 5 Yes – 0 No.**

**F-4 Approval of Revised May 18, 2021, Minutes** – City Council convened on May 18, 2021, for a regular City Council meeting and a change was recommended by Public Works Superintendent Steve Draper. A residential partition (Neil Hampton) was approved near Hawthorn Street, and he suggested that if there are any future partitions, a sewer line will be extended, and a manhole installed for accessibility. He proposes that the minutes reflect the specific size of the sewer main be 8-inches. City Recorder states she listened to the recording of the meeting and confirmed that he did state “8-inch” sewer line. Therefore, the minutes show the change along with two statements that were added regarding Living in Recreational Vehicles topic. **Councilor Doherty made a motion to approve the changes to the May 18, 2021, minutes and Councilor Evoniuk seconded. Councilor Johnson voted yes, Councilor Carey voted yes, and Councilor Young voted yes.**

**Motion carried: 5 Yes – 0 No**

**F-5 Employee Vacation Request** – Chief of Police requested vacation for the end of June through the July 4<sup>th</sup> weekend. **Councilor Doherty made a motion to approve the vacation request and Councilor Young seconded. Councilor Johnson voted yes, Councilor Carey voted yes and Councilor Evoniuk voted yes.**

**Motion carried: 5 Yes – 0 No**

**G-1 Department Head Report** – Chief Caldera states that we are still looking for a police officer, but no applications have been received. The position is classified as open until filled. He explains that he is looking for a candidate that is in the Pacific Northwest due to the background check which would require going to the area where the applicant is from. He also explains that many other cities are having difficulties hiring police officers. The position has a lot of liability which makes it harder to fill. Comments were made in general that workers are in demand and there are many jobs available.

City Hall:

1. Met with insurance agent for annual review
2. Coordinated annual audit. July 15-16 will be the pre-work. August 23-27 Annual Audit
3. Verified correct spelling for building plaque at new sewer lift station
4. Ordered staff gages recommended by Anderson Perry for Public Works Department
5. Prepared certificates of appreciation for citizens that were on the budget committee
6. Drafting CCR for residential partition
7. Prepared budget documents
8. Processed and prepared for several public hearings

Police Department:

1. Investigated fraudulent activity on someone’s debit card.
2. Contacted individuals who didn’t pay to get into the bike races.
3. Cited and released a subject who had an arrest warrant out of Pendleton.
4. Report of someone dumping garbage at the Birch Creek Storage units.
5. Investigated an act of graffiti on the water tank overlooking the city.
6. Report of money and a dog kennel taken from a residence.

## CITY OF PILOT ROCK

7. Assisted UCSO with the investigation of a juvenile complaint.
8. Report of a disturbance at Birch Creek Manor.
9. Report of two people who were walking around in the school that didn't check in with the office. The subjects were not located even after checking video surveillance. It was found that the person repeating the incident was experiencing mental health issues.
10. Officer assisted DHS with a possible child abuse case.
11. Assisted the fire department with a house fire.
12. Assisted DHS with a mother who gave birth while she had marijuana in her system.
13. No applications were received from the latest police officer advertisement.  
The position will be advertised again in July.
14. Investigated a domestic violence between two parents, while their minor children were present.
15. A person discharged a firearm in a house trying to kill themselves. The person was taken to St. Anthony Hospital for a mental health evaluation.

### Public Works

1. Continued monitoring of sewer project
2. Spraying a lot
3. Continued mowing
4. Minor maintenance
5. Exercising water valves is complete
6. Exercising and flushing fire hydrants
7. Replacing 8-inch sewer main across the creek at 6<sup>th</sup> Street
8. Planning on repainting part of the water reservoir due to graffiti
9. Conducting quarterly sewer samples

## H. CONSENT CALENDAR

**Councilor Evoniuk made a motion to approve the consent calendar and Councilor Johnson seconded. Councilor Doherty voted yes, Councilor Young voted yes, and Councilor Carey voted yes.**  
**Motion carried: 5 Yes – 0 No**

Bills \$68,626.25

## I. COUNCIL COMMENTS

Councilor Carey proposes to do evaluations prior to presenting employee wage increase request. Councilor Doherty states he would not be opposed to the suggestion but states that it's not necessarily needed. Public Works Superintendent Steve Draper says that the evaluation process is a learning tool and Councilor Carey replies that it could be a positive evaluation. Steve continues that it's primarily used for training letting the employee know what could be improved on. Chief Caldera states that he has done a lot of evaluations over the years and the evaluation content should not be a surprise if the process was done correctly. He continues that the employee should be evaluated on a continual basis. It does not always have to be in writing, but it needs to be discussed. It is a learning tool. City Recorder Teri Bacus comments that she was going to present the employee wage increase based on what each department has done in the last year. She further explains that the

## CITY OF PILOT ROCK

evaluation process is extremely time consuming and the July 6, 2021, already has a full agenda. Councilor Carey agrees that a list of accomplishments would be helpful. Mayor Carnes states that it is too late in the year to complete evaluations. Chief Caldera states that evaluations are normally done on the anniversary of the employee hire date. Councilor Doherty explains that since he has been on council, every time there is a wage increase he only hears that “give me a raise or I’m leaving”. He would like more information on what has been achieved. Chief Caldera states that criteria would be needed but a list of everything we do is provided twice monthly through the Department Head Report. He also provides a yearly activity report. Mayor Carnes states that you would be comparing apples to oranges and that doesn’t work. Councilor Carey states that each Department Head has their own job description, and they are not going to do the same thing. You would be judging them based on their job descriptions and how they perform. Like I said, it doesn’t have to be negative, if that’s what they are afraid of. Chief Caldera states that maybe I misunderstood you Jackie, but I don’t have a problem being evaluated and I have nothing to be afraid of. He is not intimidated by an evaluation and he is open to one and it certainly is not something I’m afraid of. Public Works Superintendent Steve Draper states that he doesn’t think anyone is afraid of it and he thinks it’s a shitting waste of time. Councilor Doherty asks how valuable are they going to be? Steve asks what knowledge do you have of what the three of us do on a daily basis? You are not hands on and you are not in the office and you are dependent on us to blow our own horn and I do not care for that. City Recorder Teri Bacus says that why she was going to presented it by department which is not an individual thing and one person is not in a hot seat. I realize that we are all adults and I’m not afraid of that but it would be a waste of time. Each department can show what has been accomplished. This way the Department Head is speaking for everyone in their department. She is open to any process that it decided. Councilor Doherty say that is a good idea, we can use these reports to evaluate what has been done. He says that everything is operating. Councilor Young states that it looks better now than it has for years. He states again that he is not opposed to it but I’m not sure it’s necessary. Public Works Superintendent Steve Draper asks what do you guys want to do? Councilor Doherty replies I don’t think we need an evaluation, that’s my thoughts. Councilor Johnson states I don’t think we need an evaluation and it’s just a waste of time. While there is information to be learned it isn’t anything new. We have already have it in the packets. Whenever you want to look anything up, you can just go back and look at the packet. Public Works Steve Draper says that evaluations are great, but you have to have knowledge on what the person is doing. We meet every two weeks, and you don’t have the knowledge of the day-to-day basis. Mayor Carnes states that she has 34 years of evaluations that were completed by another person who was fully qualified in the position she was holding as a teacher. It was somebody who understood what you are doing and that is not the case here. Councilor Doherty states that he looks around the city and it all looks good, and everything is taken care of and that’s a pretty good evaluation. Councilor Carey states that the reason I brought it up is because we had a council person who wanted to know what everyone did so I thought it may be helpful as a learning experience for each one of us as to what they do.

Councilor Doherty asks about the commercial use of the burn pile. Other people are using it for commercial material not residential and it needs to be controlled. He has videos of commercial dumping. Councilor Young states she agrees that the burn pile is only to be used to residential use. Public Works Superintendent Steve Draper says that only keys are at City Hall and the Hardware Store which is going away. All the keys will be available in City Hall after that. He continues that City Hall could inspect the load prior to handing the key out. Chief Caldera asks when they check into City Hall, how are they going to know if it’s residential or

## CITY OF PILOT ROCK

commercial and Public Works Superintendent Steve Draper says ask them. Councilor Evoniuk asks if there is a fine for that? City Recorder Teri Bacus states that there are no rules for the burn pile in writing and Councilor Carey states that maybe we need some. Councilor Doherty states that he is not opposed to the grass people using it.

Councilor Carey states that she saw on Facebook that we are looking for a new Fire Chief. What happened to the current one? Mayor Carnes explains that the current Fire Chief has a very full plate and is still running Fire District 1. This is an additional position from the fire district for the City of Pilot Rock.

Councilor Doherty asked about the size of a right of way. Public Works Superintendent Steve Draper replies that he will look at the map and let him know.

**K. EXECUTIVE SESSION – NONE**

**L. ADJOURNMENT**

Mayor Carnes adjourned the meeting at 7:28 pm.

APPROVED \_\_\_\_\_  
Virginia Carnes, Mayor

ATTEST \_\_\_\_\_  
Teri Bacus, City Recorder

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# CITY OF PILOT ROCK

Council Meeting  
July 6, 2021 6:00 PM

## A. Called to Order

Having a quorum, the Regular Council meeting was called to order by **Mayor Virginia Carnes** at 6:00 PM. Council members present were **Councilor Raymond Doherty (arrived at 6:35pm), Councilor Robbie Young, Councilor Paula Evoniuk, Councilor Jackie Carey, and Councilor Kody Johnson. Councilor Bob Deno resigned with a written letter on June 17, 2021.** Department Heads present were **Police Chief William Caldera, Public Works (PW) Superintendent Steve Draper and City Recorder Teri Bacus.** Citizens present were **Ray Bacus, Jerry Spangler, Glen Snivley, Mary Lu Slabik, Neil Hampton, Charlene Mulligan, John Beloit, Barbara Montgomery, Don Siler, Brad Cole, Janet Haddock, Robin Mathews, Legaya Bernabe, Steve Haddock and Tiffany Schademan.**

## B. INVOCATION

Councilor Carey gave the invocation

## C. PLEDGE OF ALLEGIANCE

## D. APPEARANCE OF INTERESTED CITIZENS.

## E. PRESENTATIONS

## F. ACTION ITEMS

**F-1 Ordinance 592/Use of Recreational Vehicles (RV)** – City Recorder Teri Bacus presented information on Ordinance 592. The Ordinance prohibits living in recreational vehicles on residential property. At the June 1, 2021, City Council meeting, a motion was made to table Ordinance 592 and the Citizen Action Committee was formed. City Council requested that the group provide suggestions to address specific situations for those living in Recreational Vehicles. They were requested to return to present suggestions at the July 6, 2021, City Council meeting. Three written comments were received, and the City Recorder read each one out loud (attached). The three comments were from Frank and Wanda Young, Susan Price and Elizabeth King. All three comments opposed allowing living in RVs on residential property.

**DUE TO THE SENSITIVE NATURE OF THIS TOPIC AND TO ENSURE THAT PUBLIC COMMENTS ARE HEARD AND DOCUMENTED, A TRANSCRIPT IS BEING PROVIDED**

Citizen John Beloit – “My name is John Beloit. I live right at the corner by the old schoolhouse. I’m for the ordinance. I believe that living in an RV and not paying property taxes is unfair to the rest of us. Does that mean I can live in my home and not pay any property taxes? And then you got guys like Robin Mathews, Jim Hatley that are trying to go about legally to put in an RV park for these folks to



## CITY OF PILOT ROCK

live. It doesn't seem right. Like they said in the letters not having their property taxes going towards our police force that works very hard in our community to keep what we have. It just doesn't seem fair to the rest of us. An ordinance is definitely needed but I also think there's also a state law here that can come in to play that could supersede the ordinance. You might not even need the ordinance. It's actually one that he brought to my attention. I don't know if maybe it's something for the Chief to look at but definitely living in an RV should not be allowed. That's pretty much all I have".

PW Steve Draper – "Well, we've already passed an ordinance quite a few years ago that doesn't allow that for over a certain period of time. Is that correct"?

Councilor Young- "Correct".

Councilor Carey – "We have the zoning ordinance that doesn't allow for it and then we passed where if people wanted to...if they have family members come, they can get a permit for like two weeks".

PW Steve Draper – "Ten days or something like that".

Citizen John Beloit – "And that's already been passed"?

Citizen Barbara Montgomery - "What was the date of that ordinance"?

Councilor Carey – "I don't know. I'd have to look..."

Citizen Barbara Montgomery – "Like we are in the 60s or"?

Councilor Carey – "No, not the ones with the permit. That was done..."

PW Steve Draper – "Ten, fifteen years ago"

Mayor Carnes – "It's been a while".

Chief Caldera – "The temporary permit is good for 14 days".

City Recorder Teri Bacus – "The temporary permit has not been addressed in our code. That's the problem and that's why we're here. That process of the permit is not written anywhere in our code and that's the issue that we're having and while this is kinda being brought..."

Councilor Carey – "It's not in the ordinance"?

City Recorder Teri Bacus – "No, to get a permit to live in your RV on your property for 14 days is not anywhere in city code. I would love to find it. I have scoured it and I believe the Chief has too".



## CITY OF PILOT ROCK

PW Steve Draper – “That was a deep discussion quite a while. I’m surprised it’s not in our ordinance or in our minutes”.

Councilor Carey – “It used to be in the ordinance”.

PW Steve Draper – “I thought it was. It was passed as an ordinance about 15 years ago”.

City Recorder Teri Bacus – “I would love to see it”.

PW Steve Draper – “Well, it was there”.

City Recorder Teri Bacus – “I have looked through every page of our city code and there’s nothing about getting a permit for a recreational vehicle to live in for a period of time”.

PW Steve Draper – “As a public works guy, I’m going to say something else. The water and sewer issue is another issue. Everybody else in this town is paying water and sewer. If this gets approved, everybody should be charged a water and sewer rate just like every dag gum residential and there should be some damn taxes paid on it too. There’s no damn difference”.

Citizen Ray Bacus – “The waters coming out of my spicket. I’m paying the water bill. Someone is paying...”.

PW Steve Draper - “It’s another hookup”.

Citizen Ray Bacus – “My faucet”.

PW Steve Draper – “You’re running two residential. You’re running a RV as a residential and your own household as a residential. Two separate”.

Citizen Ray Bacus – “I’m still paying the water bill coming off the same unit. I’m paying taxes on Bill on my Chief of Police whether I have a guest in my toy hauler or not. My residence, my personal property, that piece of property is paying the water bill, paying the garbage bill, paying the sewer bill, paying taxes, paying on this new pond”.

PW Steve Draper – “As a guest is one thing. As a permanent residence is another thing”.

Citizen Karl Moore – “What is permanent”.

Citizen Ray Bacus – “Okay. Is it my turn or are we done, Teri”?

Mayor Carnes – “I thought there were some other people that called in and make comments”.

## CITY OF PILOT ROCK

City Recorder Teri Bacus “Anyone else”?

Officer Daniel Badal - “Mr. Draper. Karl had a comment or a question for you”.

Citizen Karl Moore – “What is permanent? What do you consider permanent?”

PW Steve Draper – “Well, we developed a permit about 15 years ago. Maybe a little bit longer which will allow you to temporarily use your RV for in-laws coming in or family members coming in to stay for a couple of weeks, but it’s not designed to be a permanent dwelling. That’s what the permits about”.

Citizen Karl Moore - “I just wanted a definition on what you consider was permanent”.

PW Steve Draper – “Permanent”?

Councilor Carey - “More than two weeks”

PW Steve Draper - “Anything over six months according to the dag gum permit”.

Citizen John Beloit – “Can I add to this? If you want to see the definition of permanent, you can look up your Oregon building codes and look up the definition of a dwelling”.

Citizen Karl Moore – “Thank you very much”

Citizen Don Siler – “What about a situation like mine, Steve. You know what, where I live. My mother and father had a one-bedroom trailer. They both broke their backs. I come over to take care of them. My Dad got cancer. Passed away. Just before he passed away, my mother got cancer”.

PW Steve Draper – “You know”

Citizen Don Siler – “I come over temporarily to take care till they were on their feet and I just ended up and I’ve been here 11 years. My Mothers 95 now, 7 rods in her back”.

PW Steve Draper – “There’s been cases like yourself around town over the years that under certain circumstances, they come down here and ask like you’re talking about right now from the Council and it was granted”.

Citizen Don Siler – “And I didn’t have a problem with notifying..”

PW Steve Draper – “You gotta come down and ask. It is not an automatic thing”.

Citizen Don Siler – “Like I said, if you want to be notified, that’s fine”.

July 6, 2021

## CITY OF PILOT ROCK

PW Steve Draper – “You gotta come down and ask”.

Citizen Ray Bacus – “I don’t think you should have to do that”.

Citizen Don Siler – “I would of asked for permission, I was told that this what I have to do cuz that’s what I had to do”.

Mayor Carnes – “Okay, Ray”.

Citizen Ray Bacus – “As you know Mayor Carnes on 6 June asked for a civilian a citizen action committee. So, I volunteered to do it cuz I believe that on personal property that I should not have to get permission from this room to put one of my children or Mom from Baker or anybody in my toy hauler on my personal property that I’m responsible for taxes, water, sewer, cleanliness, noise, decency, of the person coming out. Anyway, besides that, that’s why I’m here. So, my little Action Committee, we came up with a couple of recommendations and we started a petition. I cannot reconcile with ordinance 592. So, the Committee rewrote an ordinance that makes it legal. And I have 218 signatures on this petition. (gives petition to City Recorder) Something that to consider, last time on June 6 we had over 30 people in this room talking all of them with individual personal problems. A million-what if’s, all tragic all different, but yet all the same. There was brought up about a class warfare. I’ve lived in Pilot Rock a year and a half, and I’ve talked to a lot of people on this subject, and I brought up the class warfare because as a city, as a town that I have just now gotten to know, it was brought up to me that, that was the case. Lots of individuals in this town feel that it is a class warfare subject. So that is why I brought it up. So based on this petition, I recommend that as Teri is going to pass it around that it’s legal and it will have certain amount of rules to make it legal to live in an RV on your property. There’s also this state law that just came out, (gives ORS 197.493 to City Recorder) I believe it was last year and it speaks more to the idea of creating homelessness and making laws specifically against living in RVs.

Mayor Carnes - “Did you use the term class warfare”?

Citizen Ray Bacus – “I did”.

Mayor Carnes – “Can you explain that to me”?

Citizen Ray Bacus – “Money. Haves against the have nots”.

Mayor Carnes – “In Pilot Rock”?

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## CITY OF PILOT ROCK

Citizen Ray Bacus – “Yes, Ma’am. I’ve also been informed through talking to many people that this is a recurring problem. It’s happened, I had one guy tell me that this issue has came up 3 to 4 times that they have had this fight. So”.

PW Steve Draper – “Where’s the other set of papers you are going to hand out there to everybody”.

City Recorder Teri Bacus – “That’s these..”.

Mayor Carnes – “Signatures”.

City Recorder Teri Bacus – “This is what the signatures...”

Citizen Ray Bacus – “Those are the actual signatures”.

City Recorder Teri Bacus – “I’m going to read this. This is what these people are signing agreeing with what I am getting ready to read. Does that make sense? Okay and it says: Proposal for the recreational vehicle ordinance 592. It is permitted to live in a recreational vehicle within city limits of Pilot Rock on private property with the following conditions:

1. The recreational vehicle is in good working order, including all systems contained within the vehicle working as intended
2. Is connected to water and electricity
3. Is located on private property
4. No rent is being charged

\*Definitions: Rent – Rent is any monies paid to the property owner for the sole purpose of being allowed to live in a recreational vehicle. “Rent” does not include any monies paid to cover utilities incurred, such as water and electric, or any monies paid for the upkeep of the developed area as mentioned previously. This contains all of the signatures and if you like, I can pass this around too”.

Citizen Ray Bacus – “There is so many variations of circumstances. It’s impossible to put all of them in there. Its’ just a sample. There are different requirements for different areas. The bottom line is to not impose”.

City Recorder Teri Bacus – “Do you want me to read this one too for everyone that doesn’t have a copy. This is the other handout. This is Oregon Revised Statute ORS 197.493 placement and occupancy of recreational vehicles”. City Recorder reads ORS 197.493 (attached).

PW Steve Draper – “So the local government has a chance to say something about this”.

City Recorder Teri Bacus – “Correct. That’s how I read that, yes”.

PW Steve Draper - “I got a question right off the top here. With your little statement here about what you guys come up with an idea. What’s the incentive for a businessman, like Mathews or Hatley to

## CITY OF PILOT ROCK

develop an RV park if it's allowed for everybody to park on their own damn property and have somebody live there. The incentive is for them to build an RV park so they can make a little money out of it and have a place for them to go. Why the hell would they want to do, spend all that money to do that if it's allowed to happen all over town?"

Citizen Ray Bacus – "They're not allowed to live in the RV parks. I sat right here and this Council put a 60 day limit on it. So therefore, having someone live there as of right now..."

PW Steve Draper – "According to what it says right here, it says it's not".

Unidentified Citizen - "If somebody has a hamburger joint, you can't force them to go there and buy hamburgers".

PW Steve Draper – "No. I'm just saying that according to this dag gum piece of paper right here they can live in that RV park".

Citizen Ray Bacus – "Well yeah. That's true".

Unidentified Citizen – "But they imposed a limit, of 60 days".

Councilor Carey – "Why not change that ordinance, the 60 days so that's there no limit instead of having people live in their RVs on personal property".

Citizen Ray Bacus – "We're talking about private property, the difference".

Councilor Young – "We're talking about homes".

Citizen Ray Bacus – "Private property rights is what we're talking about. Anyway, before we get into that I would just like to finish if possible. This has came up, people have told me, this has been around, and it's came up like this that this is the third or fourth time. So, the committee, the last recommendation the committee had would be either put it on the ballot once and for all so it's a city-wide thing and that just makes it fair for everybody. And the other thing that was suggested is that this committee or the City Council actually take action and not punt it down the road another three or four years, so the cycle keeps going over. There's a lot of people that say it's illegal in Umatilla County. It's illegal, we've always had that ordinance but yet they're not out there. They're not here the ordinances aren't out there. Nobody knows the real truth. There's a lot of confusion. Everybody thinks they know. So, that's all I have. Thank you".

PW Steve Draper – "Do you have are enough signatures to put it on the ballot".

Unidentified Citizen – "Yes".

July 6, 2021

## CITY OF PILOT ROCK

PW Steve Draper – “And what is the percentage to put it on the ballot”?

Councilor Carey – “Well, I notice that there are some people that don’t even live in Pilot Rock signed that”.

Citizen Ray Bacus – “Governor recall is 14%”.

PW Steve Draper – “There’s a percentage of what you gotta have to put it on the ballot. You have that percentage. That’s what I’m asking”.

Unidentified Citizen – “It takes a 150 and we have over 200”.

PW Steve Draper – “Well, I’m hearing anywhere from 25 to 150. What is it”?

Citizen Karl Moore – “I’ve some more out in my truck I’ll go get”.

Citizen Ray Bacus – “I don’t have the exact number to put this ordinance on the Pilot Rock city...”.

PW Steve Draper – “Well, that’s what you’re asking”.

Citizen Ray Bacus – “No, I’m saying the committee is making the suggestion to put it on the ballot”.

PW Steve Draper – “K. Do you have enough signatures”?

Citizen Ray Bacus – “I do not know the number that I need to put it on the official ballot. State recall on the governor is 14%. I beat that. I could not find...”.

PW Steve Draper – “I thought it was 80%”.

Citizen Ray Bacus – “No, I do not need 80% of the signatures”.

PW Steve Draper – “I thought that’s why she never got out voted”.

Citizen Ray Bacus – “I think it’s just cuz Portland has more people than us”.

PW Steve Draper – “Good point”.

Citizen Ray Bacus – “I’m done. Thank you”.

Councilor Young - “I would like to say that when each and every...and I said this at the last meeting as well. I’m just reiterating. When we bought our houses, our homes, we all signed papers that said what

## CITY OF PILOT ROCK

we were purchasing was a plot of land with a single-family dwelling on it. We all signed those papers, and you have to sign those papers, or you can't get a bank loan to buy a house".

Citizen Ray Bacus – "What does that have to do with this though? There's nobody that's enforcing that".

Councilor Young – "Well".

Citizen Ray Bacus – "That doesn't mean anything unless you're realtor. Honestly".

PW Steve Draper – "It does. Cuz you're making it into a multifamily dwelling".

Councilor Young – "It's state law..".

Citizen Ray Bacus – "It's the same family, it's my son...".

Councilor Young – "I'm sorry. Excuse me, I thought I was talking".

Citizen Ray Bacus – "You're right. I'm sorry. I apologize".

Councilor Young – "Thank you. There's a state law that says that when you purchase a house inside city limits, that you are purchasing the land and the house as I stated before as a single-family dwelling. It says that. It clearly states that, you sign those papers. It doesn't mean and you can have as many people live in that house, in that house as you like. Nobody is limiting, nobody is saying that you can't have 15 people living inside your house, but you cannot take other vehicles and call them dwellings on a piece of property that only allows you to have one family dwelling. I didn't write the laws but I'm telling you that's what they are, and we all signed papers when we bought our homes saying that we understood those rules. It's not up to us. We don't get to change the rules. If you want the rules changed, then you'll have to change the state laws".

Citizen Ray Bacus – "Which state law"?

Surveyor Steve Haddock – "This law that you just handed out, you would have to change the one you just".

Citizen Ray Bacus – "That is the Oregon law. Yeah".

Surveyor Steve Haddock – "Yeah but it specifically says they have to be in a mobile home or RV park, have to be legally connected to sewer and water".



## CITY OF PILOT ROCK

PW Steve Draper - "Stop right there for just a second. If you are going to be legally connected to water and sewer in this city, you have to pay a water and sewer fee".

Surveyor Steve Haddock – "Well, that's what I'm saying. It's my understanding from being involved with this planning process, developments and all that I do as a land surveyor, when it comes to ordinances, you can pass an ordinance that is more restrictive than state law, but you can't pass an ordinance that eases what state law says. You have to change the state law. This particular ordinance, this statute, this state law says that the RV has to be in a manufactured dwelling park, mobile home park or RV park. Has to be occupied as a residential dwelling and lawfully connected to water and electrical supply systems. When we talked about this last time, that was the whole issue, one of the issues that came up, not the whole issue was you really ought to talk to building codes and find out about things like fire safety and what constitutes proper electrical connections and what sort of sewer systems have to be hooked up to. I know Riverside Mobile Home Park in Pendleton took the city of Pendleton to court twice over the fact that he had to pay a separate hook-up fee for every one of those dwellings in his park even though they were only on one meter. The RV Park had a meter, but the city charged them for a hook up for everyone and the state court that he went to said that's the legal way. So I think the answer to this part of it, somebody should do some investigation and find out what does it mean lawfully connected because you can make your ordinances more restrictive but not less and even if this right here was to be put on the ballot you would have to consider that question first because we just don't get to vote the state law out of being unless you do a like a normal process, a referendum, get enough signatures, the percentage, send it up to a vote. You can change the state law but as this stands I think very clearly there's supposed to be in a legal park with legal hookups and all of the safety issues that go along with that. So, you have to change this one before this could even be even considered".

Councilor Carey - "I think what might be a solution to this by following that law is like I said before that like Jim Hatley's RV park where 60 days is the limit, is maybe change that so there is no limit".

Steve Haddock - "I think that's what this law requires".

Councilor Carey - "There's no limit and that way they live in an RV park and not in people's front yards".

PW Steve Draper – "And that's why these folks are building".

Councilor Carey – "That way we would be following the state laws and I think it would make our city look a whole lot better than having RVs in people's front yards. That's not what...I've lived here all my life not a year and a half. When I was a kid living in this town, it looked a whole lot different than it looks now. People that have lived here all their life, right Barbara, know how it was. We had businesses all up and down Main Street and people took care of their homes and there wasn't RVs in people's yards. I am totally against it. I don't think we can even do anything that's against the state

## CITY OF PILOT ROCK

law, we can. So, I think to accommodate what you guys are wanting is to change that whatever it was, was it conditional use permit or what was it? The 60 days”?

City Recorder Teri Bacus – “It’s actually in the commercial RV park ordinance that we have, our code”.

Councilor Carey – “Then we can change that. We can’t change the state law without a whole lot of work. So, I think we might want to change that so people can live in an RV park longer than 60 days”.

PW Steve Draper - “That would allow them to be hooked up to electricity, water and sewer legally”.

Councilor Carey – “And they’re paying for it which they should pay for it”.

PW Steve Draper – “Cuz it costs X number of dollars to produce water and take care of the wastewater”.

Councilor Carey – “We have ordinances if I remember right Steve, where you can’t resell water. You can’t pay for your water and turn around and let somebody else have it”.

PW Steve Draper – “You cannot do that”.

Citizen Tiffany Schademen - “I might be able to shed some clarification on these. Pilot Rock City ordinances the water, the electric and the sewer all already have allowances to hook up RVs to sewer and to water and to electric. They have guidelines in there and they allow for it because it’s being paid for through the homeowner and their taxes. It’s all already put in there”.

Councilor Carey - “What ordinance are you talking about”?

Citizen Tiffany Schademan - “If you go into the water ordinance, the sewer ordinance, there’s several ones and the electrical ordinances where it outlines...”

Councilor Carey - “We shouldn’t have electrical because we don’t handle electric, that’s PP&L”.

Citizen Tiffany Schademan - “Where it outlines all of the fees, the way it’s supposed to be paid, how it’s supposed to be paid, what you are and not allowed to have. It already allows for all of those things. I read the entire code multiple times, all of it. The other thing about the state law, is it’s says special conditions, it doesn’t say restrictions. So, it says, to me, that means you can make special conditions. It’s allowing you to make an exception should you choose. It’s not specifically restrictions. That’s my take on it”.

## CITY OF PILOT ROCK

Mayor Carnes - "I have a question, and somebody needs to kinda tune me on. What's the difference between a trailer park and an RV park? To me, an RV park is somebody's going through town and wants to spend a few days here. A trailer park is where you park and live".

PW Steve Draper - "The difference, a trailer park is a permanent park for mobile homes and an RV park is for something 45 feet and under".

Unidentified Citizen - "It's recreational".

PW Steve Draper - "Which is usually 45 feet and under".

Mayor Carnes - "I'm wondering if we are getting our terms confused here".

Citizens John Beloit - "Well, that state law that he presented clearly calls out mobile home park, manufactured park and RV parks. It states all three. So, it covers the basis all the way across the board".

Councilor Carey - "Teri, where's the water and sewer ordinance? I looked up the code and I don't see anything".

City Recorder Teri Bacus - "It is chapter 13".

Councilor Carey - "Under what? What is it"?

City Recorder Teri Bacus - "Water, chapter 13.05. Water. That's all it says. Just water. Quite lengthy".

PW Steve Draper - "I don't know if anything and I could be wrong that says you can hook up an RV to an existing water system and sewer system on a permanent basis. I don't know that. I don't remember ever seeing that".

Citizen Don Siler - "It's doesn't say you can or can't".

PW Steve Draper - "I don't remember hearing or seeing it that you can".

Citizen Don Siler - "Do you see it where you can't"?

PW Steve Draper - "Can't answer that either. It's been a while since I read that stuff".

Councilor Carey - "It says here on the sewer part 13.10.030, use of public sewers required. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other

## CITY OF PILOT ROCK

purposes, situated within the city limits and abutting on any street, alley, or right-of-way in which there is a public sanitary sewer of the city, is hereby required at their expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer, either by gravity....very lengthy, but it's basically saying they have to hookup to public sewer".

PW Steve Draper – “So they got to have their own line to hook up to public sewer”?

Councilor Carey – “If they are inside the city limits”.

Councilor Carey – “I think it's the same with water, you can't resell it”.

Citizen Don Siler - “I don't know if you knew my father, George Siler. When I first came over to take care of him, I asked him if it was okay if for me to live in that trailer to take care of him. He said yes, it's fine because we are hooked up to sewer and water and electric. So, we're legal. So, yes you can live in that and take care of us”.

Councilor Carey - “So is there a separate sewer and water supply”?

Citizen Don Siler – “Yes there's separate lines, it's a trailer, yes”.

Councilor Carey – “To the RV”?

Citizen Don Siler – “It connects with their line”.

PW Steve Draper - “So are you paying two waters and two sewers over there, yes or no”?

Citizen Don Siler – “No”.

PW Steve Draper - “What's the difference between that”.

Citizen Don Siler – “What water I use, I pay for”.

PW Steve Draper – “What's the difference between that and an RV park that has one meter when they got ten spots and paying for each individual spot or any motel. Tell me the difference there”.

Citizen Don Siler - “If an RV park is one meter, there is no difference”.

PW Steve Draper - “Therefore they have to pay for each individual lots and same as the motel, just letting you know”.

Councilor Carey - “That's actually a theft of services”.

July 6, 2021

Page 13 | 22

## CITY OF PILOT ROCK

Councilor Doherty - "No, it's being paid for so it's not theft of services".

Councilor Carey - "Hillside Villas, that's how we billed them, remember, it used to be Rootville, there's one meter but they were charged for each unit that was over there".

PW Steve Draper - "Like a motel or like an RV park or anything else with number of dwelling units and that's how it's based on".

Unidentified Citizen - "This five-plex up here that cookie used to live in. That was the issue. They couldn't rent those out because they were all off the same meter. They wanted all individual meters put in to each one of those units".

PW Steve Draper - "Where's this at"?

Unidentified Citizen - "Right up here around the corner, the five-plex. Where my Dad owned".

Unidentified Citizen - "Across from the church".

Unidentified Citizen - "You guys wouldn't let them rent them out cuz you wanted a water meter in each one of those units".

PW Steve Draper - "Was that 40 years ago"?

Unidentified Citizen - "Have the laws changed since then? Show me where".

Citizen Barbara Montgomery - "Another thing too though is people come in here and not using our businesses, but they are sure pulling in here and emptying their sewer before they take their RV back home to Pendleton or Tri-cities".

PW Steve Draper - "They are leaving a deposit, but it doesn't mean they are paying for it".

Citizen Barbara Montgomery - "Yeah but you aren't charging them for that. Right, the city doesn't".

Unidentified Citizen - "There's a drop box".

PW Steve Draper - "The drop box, no. That is a convenience for everybody in this community. That was put in as a convenience".

Citizen Barbara Montgomery - "Travelers come through here and stop in Pilot Rock. So, I think like in your case you are paying for the amount that goes through the meter"

## CITY OF PILOT ROCK

Citizen Don Siler - "Yeah, this statute says that if one meter serves two or more apartments or dwellings, each account shall remain in the name of the property owner unless additional meters serving each individual unit are installed at the property owners' expense. So, the property owner has that option".

PW Steve Draper - "But you will be charged double the price.

Unidentified Citizen – "It's all off of one meter".

PW Steve Draper – "We have several places in town that are read off of one meter. We have two separate households on several places, and for the record, they are charged for double the amount. Flat rates on a water meter it charges for each individual, whether you have one household, three households or a motel room. Motels and RV parks are divided up and are smaller fee because they don't use as much but there is a fee that's based in our ordinance to cover this".

Citizen Don Siler - "I don't understand your grievance because you're paying the water meter whatever the property uses whether I water the yard or not water the yard or take a shower in my trailer or in the house, it's still being paid. So, I don't quite understand your grievance".

PW Steve Draper – "Base rate should be charged for individual hookups".

Councilor Carey - "Residence".

PW Steve Draper – "That doesn't mean you're going have a lot of overage by any means but you're base rate. That base rate not only includes water and sewer, but it also includes a fee for the police department".

Citizen Don Siler – "According to that statute, if you have two dwellings, it's up to the property owner whether or not they want to separate that".

Citizen John Beloit - "You can't have two dwellings on a single-family dwelling lot, period. It's against Oregon building code".

PW Steve Draper - "But you have duplexes"

Citizen John Beloit - "Then it becomes a multifamily dwelling, until it becomes a commercial property. I work in the construction industry; Oregon building codes is what we live by. That's what sets all of this into action".

## CITY OF PILOT ROCK

Councilor Evoniuk - "Can I ask a question, everybody? You're talking about permanent dwellings though, these RVs aren't permanent dwellings so that doesn't make them another household"

PW Steve Draper - "Some of them are, Dear".

Councilor Evoniuk - "But they are not, they can be moved".

PW Steve Draper - "But they haven't been moved for years"

Councilor Evoniuk - "I understand that.... that's what I'm asking is what is the difference between them...you're saying permanent, and I get that, but they are not building an RV on their property to stay there. It's not like they are building a cabin. It can be moved so it is not a permanent dwelling. They might be using it permanently, don't' get me wrong, I get that but they are not a permanent dwelling".

Citizen Don Siler - "If you took the axels out and set it on blocks, it would be permanent".

PW Steve Draper - "If it sits there long enough and the tires rot off it, it's pretty dag gum permanent".

Councilor Evoniuk - "I understand that. I understand that. If they are still currently licensed and everything, that's makes them not permanent, doesn't it"?

Councilor Carey - "What if they are not licensed"?

Councilor Evoniuk - "They should be licensed".

Councilor Carey - "What if they're not".

Councilor Evoniuk - "If they are not, then they should be ticketed and they should be towed just like all the other cars that were around town that we hauled out".

Councilor Young - "You expect a two-man police force to take care of all this because we refuse to make hard core decisions"?

Councilor Evoniuk - "No. I'm just asking a question, like Bill just said possibly about ticketing them".

Chief Caldera - "You can't ticket a expired license plate on a travel trailer on private property. It's got to be either premises owned to the public or public highway. I can't go legally on somebody's property. One without consent or two without probable cause and extenuating circumstance to check on a licensed of a trailer. So, if it has no license, there's nothing I can do about it, if it's on private property".



## CITY OF PILOT ROCK

Councilor Evoniuk - “And Robbie, I’m not saying that, that’s a whole other issue not having, not being staffed well enough to handle some of the issues. That’s not what I am saying that they should do. I’m just wondering that everybody’s threatens out about being permanent or single family. What if I buy the big blue house up here and I let five college students live in it and paying rent. They are not related so then that’s not a single-family dwelling anymore, right”?

Councilor Young - “Sure it is cuz they are housed in one house, one area which is what single family is. They can have 14 people living in a house, it doesn’t matter how many you have living in the house, but it’s a single-family dwelling. That means anyone who is living on that piece of property has to live within the single dwelling that sits on that property”.

Councilor Evoniuk - “Do they have to be a family”?

Councilor Young - “No, nobody said they had to be, but we are saying that the law says”.

Councilor Carey - “You’re confused cuz it says family dwelling”.

Several people spoke at one and someone asks, “so if they pay rent, it’s legal for twelve different families to live in that house”?

Councilor Young - “It is if the landlord lets them as long as they are living inside that single dwelling, yes”.

Citizen Karl Moore - “What if your house isn’t large enough. Some of us are poor, I’m going to sell my house and move somewhere else where people care about other people. I’m sorry, I’m leaving, I’m done listening to this. I can’t change the way people are. If you can’t take your head and look the other way when you don’t see something that you don’t like, and it isn’t hurting anybody else. I believe there’s something wrong Christian there. I’m so sorry but poor people have poor ways and the rest of you that are wealthy, and you have these great big houses and if you live that way well more power to you”. Citizen Karl Moore left the meeting.

Mayor Carnes – “Where are we at, Teri? We’ve got to bring this to some kinda conclusion”?

Councilor Doherty - “Has there been a motion made on this”?

Several people said “no”.

Councilor Carey - “I don’t see how we can go against the state law, so I just don’t understand”.

Citizen Tiffany Schademan - “I mean it’s the same as the ATV”.

## CITY OF PILOT ROCK

Councilor Young – “We are a City Council; I don’t see that we have the power to go against state laws”.

PW Steve Draper - “We can make it more restrictive, but we can’t make it less”.

Councilor Young – “You cannot. It seems to be addressing the fire hazard with this involved as well”.

Citizen Glen Snively - “It seems to me that at least what I see is the real problem is that’s there’s nothing definitive. One person will read it this way and another person reads it this way. It needs to be, if I can use the term black and white, I don’t know it might be racial or something, black and white and super definitive where’s there’s no, does this really mean this or does this really mean that. So, all you have to do really is tighten up the ordinance”.

Councilor Carey - “That’s what we’re trying to do with this ordinance”.

Councilor Young - “That’s what we are trying to do in the first place”.

Chief Caldera - “Glen, that’s exactly what this whole thing was about. I told Jackie one day when I pulled up to her house, I said in this day in age when it comes to the judicial system, a judge is not going to find on a plaintiff unless it’s clear and convincing where it reads. So, I was asked to put together an ordinance. Teri contacted several cities. I did my work. Therein lies the ordinance that is proposed and that’s how it all came about”.

Citizen Glen Snivley - “Tighten it up. Get your City Attorney to”.

Councilor Carey - “We’ve already done that”.

Citizen Glen Snivley – “Amp it, close it in and it’s a done deal. Right? Then there won’t be any question. I mean you’re the City Council. Tighten it up. Vote it in. Get it over with and move on and then Bill can take it from there”.

Councilor Doherty - “But we’re the City Council and we are here to represent all these people and their views. We’re not going to dictate to them what we’re going to do. I’m taking input from all of them and what I’m seeing is they don’t want this ordinance. They want to be able to have an RV on their lot. If they own it, they should be able to”.

Citizen John Beloit - “But Raymond there’s already a state law that says you can’t”.

PW Steve Draper - “You can make it more restrictive, but you can’t make it less”.

Citizen Glen Snivley - “Raymond, you have a City Council so if you have 4 that vote yes and 1 that votes no...you know how that works, right”?

## CITY OF PILOT ROCK

Councilor Doherty - "I do".

Citizen Barbara Montgomery - "I might be pretty naïve but who represents our end of town cuz we see two neighbors here, you're up on the hill. Like I want to know who represents our side of town.

Councilor Carey - "There used to be wards, there's not anymore. They changed that several years ago. You can be from anywhere in town".

Citizen Barbara Montgomery - "Can I say something. We have two different issues that are here tonight, and they are butting heads because all of us thought we were going to have an RV park out over, Rootville. Then we heard we were going to have an RV park over here at the empty lot where McGowen's had their home across from the church. Then we had a flood happen, then they say it can't go in there. Then none of us knew anything about an RV park coming in where we live and all of the sudden we thought maybe another doublewide is going in cuz that's what they did with our property. They just keep adding rocks and garbage and then put a doublewide on top of it. So, it's like...and then we hear the poor guy can only have people living there six...we don't want to have that in our neighborhood. People that are there for overnight or two nights. There's got be signs. It's needs to be more convenient for people that going through town and see it. So, I applaud you for going to have an RV park but what happened to the Hatley one? What happened to the one that comes off of 395"?

Councilor Carey - "It's still going to be...he got permission to have that at McGowen's".

Citizen Barbara Montgomery - "So we are going to have one there"?

PW Steve Draper - "Yeah".

Citizen Barbara Montgomery - "Ok, so remember when we had....so what I'm feeling like is Matt and I bought property and we have county lot, city lot. All of the sudden I'm feeling like I live in a trailer park but remember when we had the one outside of town? We did have a couple spots that were for smaller RVs".

PW Steve Draper - "Yeah but they had a stable sewer system. These systems here both his and Jim's are going to be hooked up to city services. Out there was on a septic tank and a drain field and the drain field failed. That's why they did not do anymore".

Citizen Barbara Montgomery - "Can one of them be an overnighter or a limit on it and the other one be where you can have somebody that wants to pay, live there? Cuz that's what happened to Athena"? They have like three spots that people can come in and out overnight. They came in and said this is the limit 30 days but now they have people that permanently live there, and they pay \$350 a month".

## CITY OF PILOT ROCK

PW Steve Draper - "You can't limit, the way I understand it, you cannot limit what the owner can do with the property as far as the length according to state statute. If they decide to have only 3 or 4 spaces, you can only stay there for 30 days, that's up to them. If they want to have all of them stay there for six months, I believe that's up to them".

Councilor Doherty - "But that's not the way we wrote it up. We put a 60-days maximum. So that's not going to help this situation at all".

Councilor Carey - "That's what I'm saying. Why not change that part of the ordinance where it's 60 days put it whatever we want to put. So, if somebody wants to live there longer than 60 days, they can instead of having RVs all over town".

Citizen Barbara Montgomery – "But we don't want to have big signs coming out by our property either that this is where the RV park is".

PW Steve Draper - "Well, the signs won't be by your property, it will be before your property cuz they got to turn in".

Citizen Barbara Montgomery - "Right, well it won't affect us, but it affects my neighbors. I contacted Hermiston Fence and they want \$13,000 to put privacy fence across here so I don't have to look at it and this way then on the other side of it too. So, it's like we gotta somehow make everybody happy. If we knew that the RV park on 395 was a go but we don't even know what's going on. We didn't know they were putting an RV park in our neighborhood either".

PW Steve Draper - "I thought everybody got notified".

Councilor Carey - "You didn't get a notification"?

PW Steve Draper - "The surrounding properties got notified, didn't they."

Several people spoke at the same time.

City Recorder Teri Bacus - "That's a whole separate discussion, that's the next discussion and we should try to keep those separate so that we can cover everything."

Councilor Carey - "Jim Hatley is putting in an RV park next to the old Chevron station there".

Citizen Barbara Montgomery – "Has he started with his permits, is it going"?

Councilor Carey – "He's already come before the City Council and got approval for it".

## CITY OF PILOT ROCK

PW Steve Draper – “Both places got approval to do this”.

Jerry Spangler - “By who”?

PW Steve Draper - “City Council”.

Councilor Carey – “We’ll talk about it in the next block”.

**Councilor Doherty – “At this time, I would like to make a motion that we modify the ordinance based on the recommendations received by the Citizens Actions Committee. Councilor Johnson seconded.**

PW Steve Draper - “It means what”?

Councilor Carey - “That you are going against state law. How can you do that Raymond”?

Councilor Doherty - “I just did it, it’s an option right here”.

Councilor Carey – “It’s illegal”.

Mayor Carnes - “I have a motion and I have a second. I want to poll this please, Teri”.

City Recorder Teri Bacus - “Robbie, how do you vote, please”?

**Councilor Young - “No. I’m not voting against state laws. I don’t have the authority to do that.**

**Councilor Carey – “No”.**

City Recorder Teri Bacus – “And Jackie, no. And Paula, how do you vote”?

**Councilor Evoniuk – “Yes”.**

City Recorder Teri Bacus – “We have three yes and two no’s. Motion carried”.

Mayor Carnes – “Motion is carried”.

**NOTE: Motion carried: 3 yes – 2 no.**

**Councilor Carey – “Mayor”?**

Mayor Carnes – “Yes ma’am”.

July 6, 2021

## CITY OF PILOT ROCK

**Councilor Carey – I’m gonna submit my resignation; I’m not going to be on a City Council that’s going to be illegal and go against state laws”.**

**Councilor Young – “Nor am I. We’re outta here. We don’t have the authority to break state laws”. Both Councilors left the meeting.**

Citizen Barbara Montgomery – “We as citizens want to know state laws, want to know ordinances and when they are dated, when they were adopted cuz people will say state law this or state law that. I want to see it in black and white just like Chief said. If it went to court, it’s gonna be black and white. This is what the state says”.

City Recorder Teri Bacus – “This meeting is now concluded. We do not have a quorum any longer so therefore no further votes or motions can be made”.

### END OF TRANSCRIPT

Bills \$68,626.25

**K. EXECUTIVE SESSION – NONE**

**L. ADJOURNMENT**

Mayor Carnes adjourned the meeting at 7:12 pm.

APPROVED \_\_\_\_\_  
Virginia Carnes, Mayor

ATTEST \_\_\_\_\_  
Teri Bacus, City Recorder