
CITY OF PILOT ROCK

Council Meeting
May 4, 2021 6:00 PM

A. Called to Order

Having a quorum, the Regular Council meeting was called to order via phone conferencing by **Mayor Virginia Carnes** at 6:00 PM. Council members physically present were **Raymond Doherty, Robbie Young, Paula Evoniuk, Jackie Carey, and Kody Johnson. Councilor Deno was absent.** Department Heads present were **Daniel Badal (Police Department), Steve Draper (Public Works) and Teri Bacus (City Hall).** Citizens present were **Jimmy Doherty, Mary Lu Slabik, Larry Curry, Cindy Curry and Jim Hatley.**

B. INVOCATION

Councilor Carey gave the invocation

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS.

E. PRESENTATIONS

F. ACTION ITEMS

F-1 Commercial Recreational Vehicle (RV) Park – City Recorder Teri Bacus opened a public hearing for the development of a commercial recreational vehicle park. A development permit and a conditional use request from Jim Hatley to construct a recreational vehicle park was presented. The property is located at 288 SW Birch Street and is zoned C-1 commercial. The conditional use form has been completed and he would like to construct eight gravel spaces with full utility hook-ups (water, sewer and electricity).

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

Councilor Carey - Is it only \$20 for a conditional use permit. Teri – No, that is for the development permit and he came in and paid the remaining fee for conditional use. Councilor Carey – How much is conditional permit? Teri - \$150 Councilor Carey – Are there any comments from any of the neighbors? Teri – We have two neighbors that do have comments Larry and Cindy Curry were present and would like to address council. Would you like to hear their comments now?

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Larry Curry - We need more time to review this information that has been put in front of us. To hand us this conditional use permit and expect us to read it and understand it in a couple of minutes is not very good. We just have concerns on whether the park is going to be clean and decent, is it going to be a nice park, is it going to be a cheap trashy park. Cindy - How long they will be able to stay there?

Larry - Are people just going to come and move in there and stay for a year at a time or two years at a time or is it an actual RV park, they come stay 14 days and move. There's a big difference between a residential RV commercial park and a RV park in our opinions. If we are putting in residential homes, then it needs to be considered as residential homes not as RV park. That's just one of our concerns. We would like to read this proposal and come back and readdress City Council.

Councilor Carey - You didn't get that mailed to you prior to the meeting.

Larry - No we did not. We came in and asked for information last week and we got told all there was, is a piece of paper scratched out with eight parking spots. That's all we got.

Teri - Yes we sent a notification letter to all the surrounding properties saying that he's going to request for a RV park. Cindy - It was just a letter, and it wasn't enough information. Teri - It is not a residential zone. It is a commercial zone so we can't apply residential rules to a commercial zone. We do have a commercial RV park ordinance, and it clearly states that no recreational vehicle can remain on that for more than 60 days.

Larry - Who is going to enforce that law? Teri - That's why I had him fill it out and the owner is going to enforce it and if you see problems with it, I would contact our Police Department. Larry - We are not here to fight, we're just here to know what's going on. I already feel like we are getting picked on.

Larry Curry leaves the meeting. Cindy Curry - We live right next door and it's what we see. Councilor Carey - Your questions are valid, I have the same ones. Cindy - He doesn't like being put on the spot. Us being here first really put him on the spot but I'm going to stay and listen.

Councilor Doherty - Real quick, what was your names. Cindy - Cindy and Larry Curry. Councilor Carey - They live in that service station, it used to be a service station. Right next door. Councilor Doherty - Also you posed several questions, if we could have them posed one at a time, we can probably get through a bunch of them.

Cindy - Like I said, he ended up not realizing he was gonna be right on the spot and the pamphlet confused him as well. Councilor Doherty - What is your first question? Cindy - Is it going to be a clean decent park and how long (she did not complete the sentence). Councilor Doherty - Do you want to answer some of these, Jim? I mean we could run through these questions

Steve Draper - The length of it is our ordinance says 60 days. Councilor Doherty - Is that one of your questions and I think it specifies that it is an RV park not a trailer park. Is that right? Teri - That's

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correct. Cindy – We just been around RV parks enough to know that some of them just end up being a full year-round dump place.

Jim – Who's specifications are you gonna put on whether it's clean or dirty, Raymond. Councilor Doherty – It says here that you are going to police it, basically, right? Jim – There's no specification on what's clean or dirty like she said. Councilor Doherty – How will that be handled? Jim- I don't think there's an ordinance that addresses that. Councilor Doherty – There's a few ordinances that say we can't store garbage on the property or anything like that. Jim – You don't think we'll have garbage cans? Cindy – Yes we do. Jim – The other thing, they are in violation of ordinance because they converted a commercial property into a residential and they want to complain about what's going on in a commercial piece of property and here they are in violation themselves.

Cindy - We run Curry Properties Rental Association out of that building. Jim – You're in violation, you are living in a residence on a commercial piece of property. Then you wanna squawk about somebody doing something that's completely allowable. Cindy – We don't want to squawk. We just want to make sure it's going to be nice. Jim - What was it he was doing then? It sure sounded to me like a squawk. Councilor Doherty – Well now hold on Jim, I think they can live there. Isn't that right? You can live so long as there's an established business. Jim – It's still a commercial piece of property.

Councilor Carey - You can live there as an accessory to a business. Jim – They got no reason to come in here and squawk like that. Cindy – We only wanted to come here and listen tonight, Jim. Jim – It's a commercial piece of property as Teri said and they knew that. Councilor Doherty - There's time limits that we need to put this out, correct? Was all that stuff met? Jim – Exactly. Teri – Yes, that's why I put it on the staff report so that you were aware there was a time limit involved for a request like this which is in our RV ordinance. Councilor Doherty – And all the time limits were met. Teri – Absolutely yes. Jim – It was in the newspaper. It was published like it was supposed to be. Teri – He was going to be at the last meeting and the letters were sent out prior to that. So, well in advance.

Councilor Carey – They didn't get a copy of the ordinance that talks about the RV park? Teri – I didn't provide a copy of the ordinance. I provided the letter, the site map which is what I'm required to provide. Jim – The other thing that's so...all you gotta do is hook on it, move it 20 feet, put it back in and then you are in compliance. Now don't that make a lot of sense? Councilor Doherty – Doesn't it have to go into a different, I mean it can't go back into the same. Jim – Why can't it, it doesn't say that. It just says it can't be there more than 60 days. So you pull it out 20 feet, back it back in. Councilor Carey - It sounds like you're the one who is going to police it. Jim – Yes, I'm going to police it.

Teri – It's a very visible piece of property and everyone is going to see it. Councilor Young - Is your intent to keep within the 60-day guideline. Jim - Well yes, I intend to comply with the ordinance. I only thing I don't understand, it's the only ordinance in Umatilla County that has that provision in it. I don't understand why we have a different provision here than we do in the rest of Umatilla County.

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Councilor Young – That I'm not aware of. I'm just asking since you're going to police the area....Jim – It's my full intentions to comply with the ordinance.

Councilor Young – Ok, that's my question and are you going to have garbage cans or are you going to have a dumpster? Jim - Probably have a dumpster. Councilor Young – It will definitely be hooked up to city water and sewer for each space? Jim - Absolutely. And power. Councilor Carey – So it's not going to be paved? Jim – No. Councilor Carey - It's going to be gravel?

Larry Curry returns to Council Chambers. Councilor Doherty – Did you say the 60-day deal, that it is not common. Jim – No it isn't. I don't know where that came from or how. Councilor Doherty – When I was living in an RV, I had to move, and they would make me move out of this lot over into that lot. Jim – Up there by Indian Hills, they stay up there forever, down in Hermiston, Boardman, Stanfield. I can't find one that has any restriction on it. If you want to go look at one that's really nice that they just put in and it's gravel, down at space age in Hermiston back behind the space age service station. There's a beautiful one they just put in at Camp Madison and it's all gravel. I stayed in one last summer over at Joseph and it's gravel and they are nice.

Councilor Doherty - What other questions did you have? Larry – I would like to speak again. First of all, I would like to apologize for stomping out of here mad. I was out of line. Please excuse me. My fault, I apologize to each and every one of you. Mr. Hatley I have a lot of concerns of what you are saying. Number one, you cannot self-police something like that and if this City Council wants to have a really dirty trashy looking spot, approve this RV site. Plain and simple. An RV site...I agree with you 100% there is no park in the State that I know of that you have to move every 60 days but let's look at the difference in the parks you are talking about. Let's look at the quality at the one up by Indian Lake. What about the one at space age...yeah it looks great. Who's gonna monitor trailers, every one of those trailers are brand new and it's very nice. The lot is not very much. The trailers sitting on it are nice. It has solar power, it has water hook-ups, it has somebody living on site to take care of. Are you going to have somebody live on site?

Jim – I don't have to have anybody living on site. Larry – I know you don't. Jim – Well, then don't bring it up then. Larry – I'm asking these questions.....you're putting something behind my house. Councilor Doherty - Mr. Curry, why don't you address the Council not Jim directly. Address the Council. Virginia – Enough is enough. No screaming and shouting around a good old woman. Larry - I'm very frustrated because he went behind my back to do this and I don't have any problems with it. Jim – Where did you come up with something like that? Larry – Where are you coming up with this all the sudden like everything. Jim – I went behind his back, didn't I Teri. Teri – It can't be behind your back since we have public notices everywhere.

Larry – Didn't my wife come and ask you for this information last week? Teri – Yes. Larry – It was denied to us. How come? Teri – It wasn't denied. Cindy – She just didn't have it. Larry – So how

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long have they all had it? Teri – I put these packets out last Thursday which are available in City Hall. It's also available on the website.

Larry - We come here to voice our concerns and we're getting like we are out of line, out of place. We should have been here a month ago apparently.

Councilor Carey - I thought you were supposed to be notified at least 10 days prior. Teri - They were. I sent all the letters out well in advance. Councilor Carey - They should have all the information and I think we need to table this so that they have time to review this information. Jim – I don't think it should be tabled, they have had it. Councilor Carey - They haven't, they haven't had all of it. Jim – They were sent out, it was in the newspaper just like what the city is required to do.

Larry – We got the notification on the 10th and we went to City Hall and asked. Jim - Why should there be a special exception made for somebody who has no legitimate beef, all he wants to do is just stir the pot. Larry - No, I do not. I just want to know how they are going to enter, how they are going to exit and I just want to know your plan, that's all. I'm not opposed to the RV park. Jim - It's in the packet. Larry - No it's not in here, you don't show roads going in and out of here. Jim - Yes we do. Larry - Show it to me sir. Please. I just got that when we walked in this room. Virginia – It sounds like we need some cool off time.

Larry - You can't use a public alley as a personal road. You're going to use the public alley. Jim - That's a city alley. Larry – That's right. It's a public alley. So now you're going to turn it into a commercial use for a.....(did not complete sentence).

Councilor Doherty - If the RV park is a permitted use in that area and we've met all the timetables, I think we are going to vote on this. Virginia – Alright, Raymond are you making a motion? **Councilor Doherty – I would make a motion that we approve the permit for an RV park.** Virginia – Do I have a second to that motion? **Councilor Johnson – I second it.** Virginia – Alright, we have a motion and a second. Teri, would you please poll the Council. Teri – Jackie, how do you vote? Councilor Carey – I don't know. Teri – I'll come back to you. Paula? **Councilor Evoniuk – Yes.** Teri – Robbie? **Councilor Young – Yes.** Teri – Jackie?

Councilor Carey - My only concern is that we have a property owner adjacent to this property that didn't have enough time. We have a property owner next to it that's opposed to it, well I don't know if they are opposed to it but they need to know more information. If we approve it, how are they going to get that information. That's my concern. I guess we should go into discussion before we vote.

Steve - I have a comment, if this information was posted last Thursday, what was the reason they didn't come down here on Thursday or Friday. Councilor Carey - Maybe they didn't know about it.

Cindy - We didn't know about it. Larry – Wasn't there supposed to be a meeting last Thursday.

Councilor Carey – No. What kind of information did you get? Cindy – Just a letter stating that this was

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going to be up for an RV park and a map that said our lots and his lots and that's it. No real information other than he's proposed an RV park.

Steve - If you know this was going to go in this last month, month and a half....Larry cuts him off - No we did not. We didn't have any clue this was going to happen until we got the letter on the 10th.

Steve - I thought you just mentioned a couple of minutes ago that you knew this was going in a month ago. Larry and Cindy both say no. Cindy - We didn't know until we got the letter.

Larry – It's ok, you guys go ahead and approve it but consider this when you do. Cuz, you're going approve it and that's fine. Mr. Hatley is a good man in this community and he's not going to do anything to hurt your community, I'm very sure of that however, this is going to make this town look more like an Indian reservation than it does now today. Number one, if he puts an RV park and it turns crap which I bet you it will, we are going to pull out. We're not going to live next to a meth amphetamine drug infested trailer park which Mr. Hatley, I'm sorry and I know you don't intend it that way, but nine out of ten trailer parks turn into that very issue. Nine out of ten. So anyway, we will pull out of your town and you will get that dumpsy gas station back, real quick, because that's what you're telling the community you want, is trash. If you don't believe me go to Pendleton, look at all the RV parks in Pendleton that are nothing but scum. Nothing but absolutely trash. The few he named are all high-grade parks. Hurrah, hurrah. Doesn't sound like to me that he doesn't plan on putting anything in that is anything other than a meth amphetamine infested drug thieving community cuz that what they turn into. I know that's not his intentions.

Councilor Evoniuk – Can I comment? I have a comment. I totally get where you guys are coming from, I totally do, but I have faith in our Police Department that they are going to patrol that, and they are not going to let it turn into that. We've had issues like this before and we cleaned up this community.

Larry - Why are there so many trashy places around here with code enforcement standing here. The trash is four feet tall at a number of places around here. You don't have enough manpower to enforce all your codes. Councilor Carey – That's true. Teri – That is true.

Larry – I would love an RV park but let's put some stipulations on it where it's gotta meet community goals and community input. You know, it's gotta be nice. It's gotta be something that people would want in their community. That's all I'm saying. I'm not opposed to it but I am opposed when he starts using the alleyway as his personal driveway. In and out. I can't do anything with that driveway but yet we're gonna give him a permit? Jim – Would you address that alley?

Steve – It's a public alley. Jim – Exactly. Larry – All I want to know is the facts. Jim – It's no different than a street right here. Larry - Alright, I won't bring up the alley again. Jim - Where are you coming up with that stuff? Larry – Because I would like to use city property for my own business too. You're

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telling me I could put...let's go with this then. I wanna put in a coffee shack where my shed is and I'm going to use the alley for exit and entrance to my coffee shack. How's that sound?

Jim – Can we finish the vote? Get on with this.

Teri – Virginia, we have a motion and a second and I just need Jackie's vote.

Larry – One more comment please. No matter what you guys do, I will approve it and respect it. Don't make the wrong decision cuz you got some jerk here running his mouth.

Councilor Carey – I just want to make sure that it looks nice cuz it's right along 395. You got a piece of property right across the street that looks like you know what. We have enforced it many times and it still looks like you know what. So, I'm going to go ahead and vote for it cuz we need an RV park but please Jim make sure it stays nice. You are going to police it so keep it clean and nice. That is all I ask. That's my condition.

Teri – Virginia, Jackie made her vote and she is voting for but she wants it to remain nice.

Virginia – What was the vote count? Teri – Unanimous. **Motion Carried: 5 Yes – 0 No**

END OF TRANSCRIPT

F-2 Eastern Oregon Waste Management (EOWM) Contract Renewal – City Recorder presented Council resolution #670 to renew the contract with EOWM. The City passed ordinance #579 in July 2017 which requires to be renewed annually on or before July 1st. EOWM has reviewed, accepts the terms and agrees to increase the franchise fee to \$1,000 annually. All other terms remain the same.

Councilor Doherty states that he has an actual conflict of interest so he will refrain from comment and voting. Owner Jimmy Doherty provided an update on his business. Fees and the future of the company were discussed. Council encouraged him to increase his fees, but Jimmy politely said he did not want to raise fees on his customers. **Councilor Carey made a motion to approve the franchise agreement for Eastern Oregon Waste Management and Councilor Young seconded. Councilor Johnson voted yes and Councilor Evoniuk voted yes. Motion Carried: 4 Yes – 0 No**

F-3 Approval of Minutes – City Recorder explained a discrepancy on the March 19, 2019 minutes. Councilor Doherty was listed as present but in fact was not. Handwritten roll call showed him as absent and the corrected minutes were presented. It was further explained that City Recorder changed verbiage beginning with the June 16, 2020 minutes to date. The new language specifies each councilor by name and their vote. **Councilor Doherty states he has an actual conflict of interest so he will refrain from comment and voting. Councilor Carey made a motion to approve the March 19, 2019 minutes and Councilor Evoniuk seconded. Councilor Johnson voted yes, and Councilor Young voted yes. Motion Carried: 4 Yes – 0 No**

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F-4 Vacation Request – Officer Daniel Badal attended in Chief’s place and presented a vacation request for the Chief. Councilor Carey asked about how the shifts work when there is only one police officer and Daniel explained that he is on call. Councilor Carey requests a copy of the wage scale be provided at the Budget Committee meeting next week on May 12, 2021. **Councilor Doherty made a motion to approve Chief Caldera’s vacation request and Councilor Johnson seconded. Councilor Evoniuk voted yes, Councilor Carey voted yes, and Councilor Young voted yes.**
Motion Carried: 5 Yes – 0 No

Councilor Carey asked to pass to the Chief to check into people living in their recreational vehicles in a residential zone.

G-1 Department Head Report –

City Hall:

1. Processed Lagoon disbursement #23
2. Attended lagoon construction meeting
3. Attended Department Head budget meetings
4. Provided tour of industrial property to Eastern Oregon Business Source
5. Continued research and data entry of annual budget
6. Requested and received an updated page of industrial land appraisal
7. Processed USDA form RD 440-1 for lagoon project
8. Received update from Sunthurst Energy for solar project. Paperwork is complete and waiting for Public Utility Commission to order on the merits which they are expecting to take 30-60 days.
9. Coordinated transfer of phone service from Silver Creek Contracting LLC to the City for new sewer lift station

Police Department: April 20

1. Cited a 16-year-old high school student for placing threatening graffiti on one of the bathroom stalls.
2. Assisted DHS on four child abuse/child neglect cases.
3. Chief attended the law enforcement administrators meeting in Pendleton
4. Chief was notified by Sheriff Rowan that the city’s dispatch cost would only increase \$729 from last year.
5. Assisted medics and UCSO deputies with a motorcycle crash with injuries on E. Birch Creek.
6. Gave a presentation to members of the public about starting a Neighborhood Watch Program.
7. Registered the police department for the National Drug Take Back Day on April 24th, 2021.
8. Looked into an attempted illegal firearm purchase by a convicted felon.
9. Investigated an intoxicated man who was arguing with his significant other over their children.
10. Returned most of the stolen property that was recovered in the car prowls to their respective owners.
11. Checked on the welfare of an intoxicated suicidal male.
12. Assisted the Gilliam County Sheriff’s Department with an emergency family notification.
13. Officer assisted OSP with a driving complaint on Highway 395.

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1. Investigated a two-vehicle crash at NE 4th and NE Cherry. One vehicle failed to yield to the other driver. Citations were issued for Driving While Suspended & Driving Uninsured.
2. Assisted the City of Yamhill with information on hiring issues.
3. Responded to a domestic involving a separated couple who were fighting over personal property.
4. Received a report of two high school students speeding and driving carelessly. The parents of both boys were contacted.
5. Investigated a sex crime involving a female and a dog.
6. Responded to two different domestic violence calls within the same block.
7. A male was arrested at a downtown business on a felony warrant.
8. Officers attended taser training in Pendleton.
9. The police department is working with a sheriff's office back in Missouri on a sex abuse case involving a six-year-old child.
10. Assisted Umatilla Tribal PD on a possible sex abuse of a 14-year-old.
11. Assisted DHS with two child abuse cases.
12. Did an investigation on a fraud case where credit cards were used without the owner's permission.
13. Six citizens took advantage of the drug take back day. Three pounds of medications were seized and will be sent to the DEA for disposal.
14. Officer spoke to three juveniles about the dangers of hitchhiking. The juveniles were trying to get a ride from Pendleton to Pilot Rock.
15. Officer responded to a trespass complaint where the suspect was banned from the property for life.
16. Officer contacted a seventeen-year-old who was threatening harm to his step-mother.
17. Officer investigated a domestic where one of the parties got angry and broke out a car window with his fist.
18. Officers attended a DNA training in Pendleton.

H. CONSENT CALENDAR

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

Bills \$250,108.99

I. COUNCIL COMMENTS

Councilor Carey requested status of the fallen Pilot Rock sign and the Sue Gibson memorial. Councilor Doherty inquired about the old lagoon and Steve explained the process. Councilor Carey asked about the entrance to the Bike Pit and Steve stated that the Lagoon contractor will fix. Councilor Evoniuk recommended that the council review how other city handle on call pay. Councilor Carey requested a copy of the wage scale be provided at the budget committee meeting

K. EXECUTIVE SESSION – NONE

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L. ADJOURNMENT

Councilor Carey made motion to adjourn, and Councilor Doherty seconded. Councilor Johnson voted yes, Councilor Evoniuk voted yes, and Councilor Young voted yes. Motion Carried: 5 Yes -0 No.

The meeting was adjourned at 7:16pm

APPROVED _____
Virginia Carnes, Mayor

ATTEST _____
Teri Bacus, City Recorder