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# CITY OF PILOT ROCK

Council Meeting  
November 1, 2022, 6:00 PM

## A. Called to Order

Having a quorum, the Regular Council meeting was called to order by **Mayor Randy Gawith** at 6:00 PM. Council members present were **Councilor Raymond Doherty, Councilor Tegan Kaneaster, Councilor Derek Turner, Councilor Paula Evoniuk, and Councilor Vernon Sandy. Councilor Aliina Kirby attended via phone conferencing.** Department Heads present were **Chief William Caldera, City Recorder Teri Bacus and Public Works Director Steve Draper. Citizens present were Ray Bacus, Rhonda Lazinka, Jim Hatley, Larry Curry, Cindy Curry, Lori Vernon and Lance Saling.**

## B. INVOCATION

Pastor Harley Jeffers gave the invocation.

## C. PLEDGE OF ALLEGIANCE

## D. APPEARANCE OF INTERESTED CITIZENS - NONE

## E. PRESENTATIONS – NONE

## F. ACTION ITEMS

**F-1 Old Schoolhouse Zone Change Hearing** – Mayor Gawith opened a public hearing for a zone change request at the Old Schoolhouse property. City Recorder states that the property was recently sold, and the new owner would like to renovate the property into residences. It is currently zoned C-1 Commercial Zone from previous owner who originally was renovating it for an event center. If the zone change is approved, owner will be submitting a partition request. Lance Saling was present representing owner David Douglas to respond to questions. Councilor Sandy comments that he does not have a problem with it. Councilor Doherty asks if owner is planning on turning the entire property into housing units. Lance answers yes and they would like to turn the building into living spaces. They would also like to add a manufactured home. Location of the home and size of the lots were discussed. Boundary lines between the lot and the neighboring Family Dollar were also discussed. Lance states that a survey of the property will be completed to confirm the boundary line between the Old Schoolhouse and the Family Dollar. Currently there one large building on the lot and owner would like to separate the two buildings by removing the hallway that connects them. Councilor Doherty asks about the two buildings being close together and Lance answers yes they are 10 feet apart. He would like to maintain both buildings and realizes that there is a fire hazard concern. He explains that keeping the entire building intact would turn the building into a commercial use for loans and insurance due to the number of living units. He plans on partitioning the lot into three lots. The front of the building would be on one lot and would be renovated into a tri-plex. The center lot with the separated back of the building would become a single-family unit and the last lot would have the manufactured home.

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Councilor Doherty is concerned with the 10 feet between the two buildings due to the age of the building. The building was built in 1902 and is wood. Lance explains that there will be new siding on the buildings, new insulation and updated electrical systems. Types of building sidings were discussed. Councilor Doherty emphasizes that they are two old wood buildings, and he is curious on how the fire hazard will be solved. Lance states that they will make it as safe as possible for everybody. Councilor Doherty states that right now it's not a concern due to no one living there. **Councilor Doherty made a motion to approve the zone change from C-1 Commercial Zone to R-1 General Residential Zone and Councilor Sandy seconded. Councilor Turner voted yes, Councilor Kaneaster voted yes, Councilor Kirby voted yes, and Councilor Evoniuk voted yes. Motion carried: 6 Yes – 0 No**

**F-2 Recreational Vehicle (RV) Park** – Larry and Cindy Curry are the neighbors next to Jim Hatley's commercial RV park on SW Birch which recently opened for business. A public hearing to develop the RV park was held on May 4, 2021. During the hearing, Council heard comments from Larry stating to postpone the decision, but he left during the hearing and returned later. Cindy remained at the meeting and stated that they did not have enough information about the RV park. They confirmed that they did receive a notification letter from the City Recorder informing them of the Public Hearing. His final comment prior to voting to approve the park was "One more comment please. No matter what you guys do, I will approve it and respect it.". Pilot Rock Municipal Code 17.05.090 states that a person may appeal to the City Council from any decision or requirement made. Written notice of the appeal must be filed within 15 days after the decision or requirement is made. An appeal was not filed. By motion, City Council approved the permit to develop the RV park.

Larry addressed Council at the May 18, 2021, City Council meeting and made comments by reading a statement. He states that he and his wife felt very intimidated, scared, threatened, and attacked. He explained his displeasure at the process and the way the meeting was conducted. The access roads around the RV park were discussed and he stated that having one water meter was unacceptable. Public Works Director Steve Draper stated that it is standard practice for an RV park to have one meter which is like a motel. His main concern relayed was appearance of the park and Councilor Young replied that the owner stated that he would take care of the park. No motion was made, and an appeal was not filed.

Cindy Curry addressed City Council on November 16, 2021, stating her main concern was the safety of their home. She believes that there is not enough room for RVs to maneuver and her home will be hit and damaged. Council answered her concerns and explained how the RVs would access the park. No motion was made.

Larry and Cindy attended the October 18, 2022, City Council meeting during the appearance of interested citizen's segment. Council heard comments from Larry that the park has various code violations but specifics on which codes were being violated were not stated. The comments were ended after the limit of 3 minutes. Discussion was held to add Larry to the November 1, 2022, City Council meeting. Two citizens asked Larry to leave his list of code violations with the City Recorder so that they could be addressed. Larry refuses and

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states that “he would be revealing his hand for what he is planning on slamming with them”. Jim Hatley addressed Council and explained the requirements that he completed for approval from the State. No motion was made.

Larry and Cindy were on the agenda at this meeting to discuss the RV park violating municipal code. Mayor Gawith states that he hopes that this meeting will resolve the situation and he would like everyone to remain calm.

Larry states that he has an issue with City Council and that they received a notification letter for developing the RV park. He continues that he requested multiple times, verbally and in writing that he wanted information. It is unclear what information he requested. He states that he received information about the park on the day of the council meeting. City Council packets were available to the public 5 days prior. He says he was instantly intimidated and requested to postpone the hearing so that he could review the information. He says that City Council was not prepared and it “intimidated him really bad”. He feels this is where the conflict started. He has issues with the road access and when he returned to another meeting (May 18, 2021), he read a letter on how he felt he was treated by City Council. He states that Jim Hatley attacked his wife about a conditional use permit. Mayor Gawith asks about current issues, and he replies, access roads. The dimensions of the access roads were discussed. He states that the access roads must be paved and have proper drainage. Mayor Gawith states that the access road next to his home and on the other side of the park are owned by the city. He continues with several statements that the roads must be paved, and the grading of the park is horrible. He provided pictures of the access road next to his home during a rainy day. Council reviewed the pictures.

He continues with issues about the permitting process. He says that the city gave Jim the property. He states that the application is incomplete because it does not address drainage. There was further discussion about the drainage situation and code enforcement. Mayor Gawith directs the conversation to the Public Works Director Steve Draper. Steve states that the city did not give Jim the lot and the alleyway belongs to the city. He continues with “it is up to the city if the alleyway is paved or not. There is very low traffic on the alleyway and there is no reason to pave a dead-end alley. It’s the same thing with 3<sup>rd</sup> Street”. 3<sup>rd</sup> Street is on the south side of the lot and the access road next to Larry’s home is on the north side. Steve believes that the down spout from the Curry’s home is contributing to the drainage issue. He also states that the drainage problem could be corrected fairly easy. Distances, measurements and how the water drains were discussed. Further discussion was held on paving the city owned access roads and Steve states that the city is not going to pave. Larry requests any decision to be in writing and requests a copy of this recorded meeting. City Recorder points out that there are copies of the documents that Jim submitted to the State for approval. Oregon Administrative Rule 918.650.0045 Building Codes Division was referenced.

Chief Caldera states that there is a citizen complaint process for code violations and court is held every two months. He explains the citation and court process and that the judge will determine the outcome. Larry replies that he has no issues with that whatsoever. He apologizes and responds that he feels his rights were infringed upon. He also states that the City Council and previous City Councils need to consider what the

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public has to say and when they come and say they have a problem. City Council should take a look and maybe we should give them time. He seriously doubts that the property will get paved or asphalted even though the laws clearly state it. He says Councilor Doherty stated that Jim had to pave his park. He feels he was stepped on way hard and if City Council did their job on a number of things from the application process to being straightforward with both of us, we wouldn't be here tonight. The drainage issue is a big issue and the reason I am not going to accept gravel work is because....I have already proved my case. Councilor Sandy states that Steve is willing to go out to the property to solve the drainage issue. Larry thanks City Council and claims he contacted the City Recorder and Mayor to have Public Works come out and discuss the issue. Steve replies that "you never asked me". Larry states that he has tried to be straightforward and honest as I could possibly be. I don't think anybody would find one thing I've said that is not very close or the absolute truth.

Councilor Doherty states, you came in here the first time, and you come in here and you raised hell and you hollered, and you stomped your ass out of here and you blame it all on the City Council. Larry says no. Councilor Doherty replies you said we should have stopped this whole process. How would we have done that? He had all his permits; he met every requirement that we asked him to meet. He met them all. There was no way for us to stop anything except to give him the permit. If you wanted to stop it, you should of come in here and stayed calm and not ran out of here hollering at us. Larry says I stayed calm and Councilor Doherty replies to Larry, you did not stay calm. You ran out of the meeting the first time you came here, and you want to blame it all on the City Council. Larry says "I disagree with your statement". Councilor Doherty replies, you said everything you said could be proven true, well you're wrong. Larry answers no, read the thing. He continues, my very first statement was he wanted Council to move the meeting. Then when Council started pounding me, then I got irate. Councilor Doherty replies, we never said one word to you, and you ran out of the meeting. Cindy states that we have it on recording and if we need, we'll bring it back. Larry asks that the very first statement should be read, that meeting May 4, the very first statement. Larry says thank you for all your time, so I can prove it. No motion was made.

### **G-1 Department Head Report -**

City Hall:

1. Completed routine updates on reader board
2. Completed October 18, 2022, City Council meeting minutes
3. Prepared Council packets
4. Routine updates on websites
5. Completed articles for newsletter
6. Processed Site Agreement extension for Sunthurst Energy
7. Library has 2 new desktop computers and 1 laptop installed
8. Provided FY23 adopted budget packet to Umatilla County Special Library District Director
9. Process payroll and payroll liabilities
10. Forwarded Enterprise Zone resolution to Pendleton's City Attorney and Economic Development Director
11. Research for RV park concerns
12. Processed Old Schoolhouse zone change request
13. Forwarded General Dollar OLCC application to Chief and received approved.

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14. Provided support to auditor

### Police Department:

1. Assisted Pendleton PD on a gun that was fired off in a residential neighborhood.
2. Report of two former students in the high school parking lot possibly using drugs.
3. A resident was cited for dog at large.
4. Report of a man threatening to commit suicide.
5. Report of a vehicle theft, the car was found a short time later and the registered owner didn't wish to pursue charges.
6. Contacted a resident suffering from mental health issues.
7. Report of a pit bull biting a small dog causing injury.
8. Report of someone driving off without paying for \$93 of fuel. The responsible person was contacted and reached a civil compromise with the station's owner.
9. Handled six dog calls.
10. Report of a high school student bringing a banned item to school.
11. Assisted the school administrative staff with a student that hadn't attended school for nine days.
12. Assisted an elderly disabled female that had fallen and couldn't get back up.
13. Report of a person driving away without paying for \$69 of fuel.
14. Assisted DHS – Child Welfare in the investigation of a six-year-old being a possible victim of sexual abuse.
15. Assisted the Department of Defense with a records check.
16. Received recognition for setting the “Gold Standard” as it relates to policy management. In every category the department received a 100% score.
17. Arrested and lodged a sex offender on a warrant for violating the conditions of his parole.
18. Did a welfare check on a ten-year-old student who had an unexcused absence from school.
19. Report of a suspicious person hanging out around a vacant house. The subject was contacted, and he was remodeling the home.
20. Approved the daily training bulletin for the month of November 2022.
21. Expunged two juvenile records at the request of the Juvenile Department.
22. Received a report of a fraud involving food stamps.
23. Took a report of a stolen and/or lost license plate.
24. Report of a motor vehicle crash, both drivers exchanged information.
25. Handled a barking dog complaint.
26. Responded to a domestic report. The two involved parties had separated prior to officer arrival, there was no assault.
27. Received a driving complaint where young children were operating four-wheelers on the street. The father was contacted, and he advised he would take care of it.
28. Received a DHS cross report of a mother who had twins and hadn't received any prenatal care.
29. Responded to a fake burglary alarm.
30. A third-grade student pointed a pencil at another student and threatened to hurt him.
31. Received a report of a hit and run, but the report was unfounded.
32. Report of a domestic that occurred in front of some children.

### Public Works

1. Valve exercising and hydrant flushing completed
2. Continuing closure on old lagoon. Acreage reduced from 600 to 250

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3. Quarterly sewer samples taken
4. Repairs on water meters
5. Building maintenance on City Park
6. Fabricating new newsletter box for post office
7. Educating staff on turning meters on and off
8. Training on locations of infrastructure
9. Obtaining quotes on #2 lift station rebuild.
10. Hired City of Pendleton for water main valves exercising on 5 valves that cannot be turned manually

### H. CONSENT CALENDAR

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

Bills \$43,223.69

### I. COUNCIL COMMENTS

Councilor Sandy requests an update on the Family Dollar alcohol license application. City Recorder states that she listened to the recording of the Family Dollar public hearing and the sales of alcohol were not discussed. Therefore, the application was forwarded to the Chief of Police and he signed the application approving it. Chief states that he did not have a reason to disapprove.

Citizen Lori Vernon asks who takes care of highway 395 and Steve states that it is the Department of Transportation. There was discussion on the condition of the road.

### K. EXECUTIVE SESSION - NONE

### L. ADJOURNMENT

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

Mayor Randy Gawith adjourned the meeting at 7:03 pm.

APPROVED \_\_\_\_\_  
Randy Gawith, Mayor

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

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