

# CITY OF PILOT ROCK

---

## Council Meeting

October 1, 2013

7:00 PM

### A. Called to Order

The Regular meeting was called to order by Mayor Carnes at 7:00. Council members present were Kacie Moss, Jim Hinkle, Craig Porter, Ray Corwin and Michael Baleztena. Also present were City Recorder Teri Porter and Chief Richman. Citizens present were Stephanie & Jody Bronson, Pat Doherty, Don Servi and Pastor Harley Jeffers.

### A. INVOCATION

Pastor Jeffers gave the invocation.

### B. PLEDGE OF ALLEGIANCE

### C. APPEARANCE OF INTERESTING CITIZENS

### D. PRESENTATIONS

None

### E. ACTION ITEMS

#### F-1 Doherty Annexation

Pat Doherty stated that his insurance company requires that there be a fire hydrant within 1000 feet of the property and there is a hydrant just south of Pacific Pride which is within 1000 feet. Mr. Doherty also spoke with the State Building Code department in Salem and was informed that as long as the building is under 12,000 feet, they would not be required to install a sprinkler system and the state would not regulate what type of fire suppression is required. Mr. Doherty has spoken with his neighbor Nick Claussen and has a verbal agreement from him agreeing to tie into the line below him where the line ends. Mr. Doherty confirmed that he does want to annex the property on NW Cedar. Councilor Hinkle asked if it would cost the City anything to get water to his property. Pat said it would not cost the City anything. He would have to pay approx. \$1100 just to get hooked on, then the cost of a meter and a shut off. Pat said he is willing to pay his fair share but does not need a 16" water line, so hooking on through Mr. Claussen is the best way to go and he would have a legal agreement drawn up. Teri Porter suggested that Council set the public hearing for the next Council meeting. **On a motion by Councilor Moss and seconded by Councilor Hinkle, Council agreed to hold the public hearing on October 15, 2013. All present voted yes.** *(it is necessary to give the state a 45 day notice prior to the hearing, so the hearing has been postponed until November 19, 2013.)* There was discussion regarding when Mr. Doherty would build, he stated he would wait until after the annexation. There was further discussion and clarification that the City would only be responsible for the line up to the meter. Pat said he would be installing a 2 or 3 inch line for his own use.

# CITY OF PILOT ROCK

---

## F-2 Ordinance No. 556 second reading

Ordinance No. 556 vacating a public right of way on SW 3rd was read in entirety on September 17, 2013. Teri Porter read Ordinance No. 556 vacating a public right of way on SW 3rd in title only. **On a motion by Councilor Baleztena and seconded by Councilor Corwin, Council agreed to accept the second reading and adopt Ordinance No. 556. All present voted yes.**

## F-3 Baptist Church Sign Variance

Regarding the concern of several Councilor's need to abstain from any vote due to their membership in the Church; Teri Porter stated that there would be no need for them to abstain unless they or a family member is due to receive some sort of financial gain resulting from the vote. **On a motion by Councilor Moss and seconded by Councilor Hinkle, Council agreed to approve the application for a variance for the Baptist Church and set the public hearing date for October 15, 2013. All present voted yes.**

## F-4 Variance for Don Servi

Don Servi has submitted an application to build a garage with less setbacks than the municipal code requires. Councilor Baleztena explained that the 15' set back in the rear is required to allow for a fire truck if needed, but if the rear is on an alley, then it is reasonable to consider less than a 15 foot setback. **On a motion by Councilor Baleztena and seconded by Councilor Moss, Council agreed to accept the application and set the public hearing date for October 15, 2013. All present voted yes.** Mr. Servi asked if he could have a representative present if he cannot make the hearing? Council agreed that it would be ok.

## F-5 Re-Zone of Motel Property on Corner of 4th and NW Douglas.

Teri explained that Jody Bronson has submitted an application to rezone her property on the corner of 4th and SW Douglas, which used to be the motel. It is currently zoned commercial and would like it to be rezoned an R-2. Councilor Moss asked if it were to be changed to an R-2, is it Jody's intention to make it a single family dwelling not a duplex? She also asked that the additional rooms be opened up into existing living areas and the rooms not rented out? Jody agreed. Teri Porter stated that at the request of Council she had called County to inquire what the difference in revenue would be to the City if it were changed to an R-2 and was informed that they assess the value of the property based on the use of the property not the zone. So whether it was zoned commercial or residential would not make a difference to the assessed value and therefore the property taxes. The County does still list the property as a motel, Jody can request of the County to come out and review her property. If she can prove to them that it is a single dwelling then they can change her status which would reduce her property value and then reduce the taxes. **On a motion by Councilor Moss and seconded by Councilor Baleztena, Council agreed to accept the application and set the public hearing for October 15, 2013. All present voted yes.** *(the state requires a 45 day notice prior to the public hearing, so the hearing date was reset to November 19, 2013.)* Teri also suggested that if Jody could contact the County and get them out to her property to do the review, that determination would help her cause at the public hearing.

# CITY OF PILOT ROCK

---

## G INFORMATION ITEMS, REPORTS AND PRESENTATIONS

### G-1 Department Head Report

#### CITY HALL:

1. Attended the OAMR (Oregon Association of Municipal Recorders) Conference, September 18-20. It was very informative and worthwhile.
2. Auditors conducted the audit from September 23-26. Very busy week.
3. Wanda is doing well, learning all she can. We worked together on getting the utility billing out.
4. Kim and Whitney Crumbliss collected and cashed in their pop cans then made a \$10 donation to the dog pound to help the animals.
5. Have sent out an email to LOC inquiring about rules for Council to abstain due to conflict.
6. Have emailed Let-R-Brew Coffee regarding their interest in leasing the property where Rocket Espresso was. Gave them Steve's contact info.
7. Sent letter to Jodean Bronson regarding her request to rezone and asking her to be present at a Council meeting.

#### POLICE DEPARTMENT:

1. I have re-opened the position for police officer
2. Crown Vic is getting repaired and will hopefully be done in the next week.
3. Continuing to work on ordinances as time allows.
4. I am continuing to accumulate vacations hours.

Chief Richman added to his report: Stated that he has been in contact with an individual (retired police officer) who might be willing to come to Pilot Rock and work a couple days a week to give the Chief a break. Chief asked for Council's approval to hire this individual at \$30 per hour on a temporary basis (the \$30 would include mileage). **On a motion by Councilor Baleztena and seconded by Councilor Moss, Council agreed to allow the Chief to hire the retired officer at \$30 per hour. All present voted yes.** Council asked how the recruiting process was going. Chief stated that it is slow, not getting the quality applicants he hoped for. Councilor Porter asked what we are doing to compensate the Chief for all the extra hours he is putting in? There was discussion that the Chief as an exempt employee does not earn comp time. Chief Richman stated that he is currently 122 hours over on allowed vacation accrual and still building 10 hours per month. In addition he has stated that he gets 30 hours a year of admin leave and still has 18 that he will not be able to use before the end of the year. Councilor Baleztena suggested paying him the amount that goes over. Councilor Moss stated that she does not feel it should stop accruing since it is not his fault that he can not take this time off. Teri suggested that cashing out a portion of it based on what the budget will allow might be something for Council to consider. Chief felt his budget would handle it, but is concerned that if we did hire a good lateral officer we would be paying him a higher wage, so may have to move money from contingency. Councilor Moss offered that the Chief may want to consider options for payoff or keeping the time. Chief stated that even after we hire someone they would need to go to the academy then do the FTO and it could be well into next fall before he can take any time off. Chief stated that he felt the budget could handle cashing out about 100 hours. **On a motion by Councilor Moss and seconded by Councilor Baleztena, Council agreed to allow the Chief to continue accruing vacation time and to look at what is available budget wise for a possible cash out to keep this down and more manageable. All present voted yes.** Councilor Corwin expressed his concern that the Chief is not getting any time off and may cause him to get burned out. Chief stated that he had spoken with Brian Zumwalt out of Stanfield who was thinking about loaning him an officer, but that officer just broke his leg in a fight. Everyone is short and trying to hire people. The Chief has asked the State Police to come out more and more and circle through town and do extra patrolled. Chief is still looking for other avenues. Councilor Moss thanked Chief for the time he is putting in.

#### PUBLIC WORKS:

1. Done paving and rocking Delwood.
2. Have contacted Anderson Perry (City Engineers) they will inspect the stairs on their next trip down this way.

# CITY OF PILOT ROCK

---

3. In process of getting hold of John Fenton to discuss easement.

## H. CONSENT CALENDAR

Councilor Porter stated that in the September 1, 2013, minutes action item F-2, he was a nay vote regarding jumping ahead to contact the engineer first. Teri stated she would change it in the minutes. **On a motion by Councilor Baleztena and seconded by Councilor Corwin, Council agreed to accept the consent calendar with the described changes. All present voted yes.**

## I. CITY COUNCIL COMMENTS

Councilor Baleztena asked for an update on the stairs to the steps. Teri stated that the City owns the property right up to the old doctors office and that there is no easement from the City property line to the street. Steve is working with John Fenton to negotiate an easement.

Mayor Carnes stated that there will be a flu clinic in the Council Chambers on Saturday October 5 from 10 to noon.

Mayor Carnes stated that on October 14 there would be a town hall meeting regarding the law enforcement levy. Terry Rowan, Bill Elfering and Scott Sager would be out to attend.

Chief Richman stated that the noise parade and the bon fire is a go as long as the wind is not blowing too hard, should start about 7p. The fire will be started a couple hours early.

Mayor Carnes stated that there is a race at the track on October 13th.

## J. EXECUTIVE SESSION: ORS 192.660 (2)(e) Real Property Transactions.

Council went into executive session at 7:43pm. Present were Councilors Hinkle, Moss, Corwin, Baleztena and Porter. Chief Richman and Teri Porter. Mayor Carnes.

Council came out of executive session at 8:07pm. **On a motion by Councilor Moss and seconded by Councilor Baleztena, Council agreed to directed staff to contact a land use attorney regarding property discussions. All present voted yes.**

## K. ADJOURNMENT

On a motion by Councilor Moss and seconded by Councilor Baleztena, Council agreed to adjourn at 8:08. All present voted yes.

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_