

CITY OF PILOT ROCK

Council Meeting

April 15, 2014

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, Bob Deno, Ray Corwin and Jim Hinkle. Also present were City Recorder Teri Porter, Steve Draper and Chief Richman. Citizens present were Mary Lue Slabik, and Pastor Harley Jeffers.

A. INVOCATION

Pastor Harley gave the invocation.

B. PLEDGE OF ALLEGIANCE

C. APPEARANCE OF INTERESTED CITIZENS

None

D. PRESENTATIONS

Greg Berreto running for State Representative of District 58, introduced himself, expressed his desire to continue the American dream and discussed and answered questions regarding some his politics.

E. ACTION ITEMS

F-1 Bike Pit Deed

In Jeff Mills absence, Steve Draper moved to the front table to represent the Bike Pit. Steve informed Council that the Bike has contacted a land use attorney, and they are comfortable with the indemnification issues if and when the Bike Pit assumes the deed. The Bike Pit board took a vote at their last meeting and is willing to have the property deeded to them if that is the way Council want to go. Mayor Carnes stated that she abstained from that vote. Councilor Corwin asked for clarification that it would remain open to the public without having it manned at all times. Steve explained that it would be. Councilor Corwin referred to the last Archery Shoot, said it was a great set up, he asked if the Bike Pit would still be willing to let organizations like that use the Pit for free. Steve said that they would, the only difference is that they would have to provide proof of insurance naming the Bike Pit as second insured instead of the City, like it is now. There was discussion about the deed vs contract. Steve said the deed would have to written so that if the Bike Pit goes under the property would revert back to the City. John Taylor addressed the reversionary issue stating the reversionary interest should cover encumbering the property in anyway, so that if the City did take it back it would not assume any debt or encumbrances. John went on to express his concerns #1 limit liability to the #2 Keep the tax payers money out of the Bike Pit #3 clearly define who is the Bike Pit and who is the Public Works director. John stated that the only way to do that is to deed the property to the Bike Pit as the motion was made 5 years ago. Bob Deno stated concerns he is hearing from the community regarding the City's liability. Steve explained that as long as there is no charge the City or any other land owner, has recreational immunity and no liability. It has always been that way. Councilor Corwin, stated that he feels that deeding it to the Bike

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Pit would help to alleviate the citizens concerns. There was discussion about the need for a contract between the City and the Bike Pit. Teri explained that if the Council chooses not to deed the property to the Bike Pit, then a contract would be necessary to outline responsibilities, etc. If Council does deed the property, then the deed becomes the contract. Teri also stated that we need to stipulate who will pay for the legal fees to draw up the deed. Councilor Moss stated her concern regarding the Bike Pit board's confidence and being ready to take on the operation of the Bike Pit. Steve explained meeting with the attorney helped in the understanding of how they can run the pit. It will remain open to the public free of charge, but they now understand that it does not need to be manned. So with the understanding they received from the attorney, the board is confident and ready to take on the deed. Councilor Moss felt more comfortable with deeding the property, but would like to see a tight deed. Mr. Taylor gave history of the donated property by Masonite. He stated that if there is any suit involved, the landowner is going to get sewed. Mr. Taylor asked how are you going to keep the public money out of the bike pit? Steve explained that right now the City maintains the parking lot and the chain link fence, it has been that way forever. If it is deeded over to the bike pit, that ceases. John pressed to get further proof that no money City money will go to the bike pit, he asked Steve what hat is he wearing right now, while he is speaking on behalf of the bike pit? Steve explained he is representing the Bike Pit. Councilor Moss clarified that she feels Steve does a great job. He is honest about what hat he is wearing, she appreciates the work he has done with the Bike Pit, he is a good leader for that organization. It is a draw for our community, he volunteers, he is helping our community. She is concerned that we don't recognize volunteerism and its importance to our community. **On a motion by Councilor Deno and seconded by Councilor Corwin, Council agreed to move forward with the deed.** Mr. Taylor asked if we could have a public hearing before this vote takes place? Councilor Corwin asked if Mr. Taylor would like the City deed it or not? Mr. Taylor explained that he would like to limit the liability to the City, he would like no public money to go to the Bike Pit, and a clear definition between the Bike Pit and the City. If there is some way to do that and the City maintain the property he is not oppose to it. Councilor Corwin explained that by drawing up a good deed, it will answer all of Mr. Taylors concerns. **All present voted yes.**

F-2 Approval of Budget Committee Applications.

Teri asked Council to approve the two applications and appoint Lorin Newberry and George Hall to open seats on the budget committee. **On a motion by Councilor Hinkle and seconded by Councilor Moss, Council agreed to approve the two applications for the budget committee. All present voted yes.**

F-3 Community Clean Up

Steve Draper asked the Mayor what day Community Clean Up Day would be. Mayor Carnes said it would be May 10, 2014. Principal Annie Tester told Mayor Carnes that if there was a big project, she may be able to dismiss school to have the kids participate. No project was identified. There was discussion that we would need 7 trash containers and that 2 are usually donated by Pilot Rock Sanitation. **On a motion by Councilor Corwin and seconded by Councilor Hall, Council agreed to allow the City to pay for 5 containers. All present**

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voted yes. On a motion by Councilor Corwin and seconded by Councilor Moss, Council agreed to hold Community Clean Up Day on May 10th. All present voted yes.

F-4 Annual Street Sweeping

On a motion by Councilor Moss and seconded by Councilor Deno, Council agreed to approve the cost of the annual street sweeping.

G INFORMATION ITEMS, REPORTS AND PRESENTATIONS

G-1 Department Head Report

CITY HALL:

1. Completed the proposed budget.
2. Met with the Planning Commission.
3. Working on an accounts receivable issue with American Tower.
4. Have been working with Susan our PT office clerk, she is learning and doing a great job. Has been a big help during this busy budget time.
5. Wanda, continues to work on delinquent accounts and getting the money owed the City.
6. Will be upgrading the Springbrook system.

Teri added to her report, adding that the newly formed Planning Commission met last week, did some training and reviewed an application for a variance to build a shop. The Planning Commission will be holding a public hearing on May 21st, then present their decision / recommendation to Council for final decision.

There is a budget committee meeting tomorrow night, Council is a part of the Budget Committee and are expected to attend.

POLICE DEPARTMENT:

1. New computer system is installed on all of the police computers and training has started.
2. Started working on ordinances.
3. I have purchased scanners for the new system as it requires scanning documents into the system

PUBLIC WORKS:

1. Continuing to work on the remodel to the offices behind the Council Chambers, to be used by the Police Dept.
2. Weed eating.

H. CONSENT CALENDAR

On a motion by Councilor Corwin and seconded by Councilor Moss, Council agreed to approve the consent calendar. All present voted yes.

I. CITY COUNCIL COMMENTS

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Councilor Moss asked if we were going to have a pet licensing day this year. Darren said it will be later in the year around June.

Councilor Deno appreciated Teri for the work she does in getting the packets out to Council ahead of time. Councilor Hinkle asked for a progress report on the steps. Steve Draper stated that he has met with John Fenton the owner of what used to be the doctor's office. John would like to purchase the property immediately to his north, but is not willing to pay the asking price of \$31,000, the building is not worth anything. Steve and John have come to an agreement of what they can do to help each other. The City would tear the building down and level and gravel the lot, in exchange for the needed easement. John would pay for dump fees. Steve is going to get in contact with the owner of the property Greg Smith, to see if he will come down on the price. We can't go any further until we have an easement, we don't have an easement right now where the existing steps are. Councilor Deno, where they are going to gravel, could be used for a parking lot for the apartments they are building in the old office.

Mayor Carnes stated that the Gun Show was a complete success. All vendors said they are coming back. The market said they saw an increase in traffic. It was a very productive weekend and plan to do it again.

Councilor Corwin expressed concerns that there was a \$5 cover charge to get in. There was discussion that most gun shows do have a cover charge.

Mayor Carnes updated the Council on the care and maintenance of the Reader Board.

The First Citizens Banquet is the 26th and tickets are already sold out.

J. EXECUTIVE SESSION: ORS 192.660 (2)(e) Real Estate Transactions. To discuss the sunrise project.

K. ADJOURNMENT

On a motion by Councilor Hinkle and seconded by Councilor Moss, Council agreed to adjourn at 7:25 pm. All present voted yes.

APPROVED _____

ATTEST _____