

# CITY OF PILOT ROCK

---

## Council Meeting

October 6, 2015

7:00 PM

### A. Called to Order

Having a quorum the Regular Council meeting was called to order by Mayor Carnes at 7:00 PM. Council members present were Raymond Doherty, Ray Corwin, Deacon Perkins, Jim Hinkle, and Bob Deno. Also present were Teri Porter. Citizens present were John Taylor, Mary Lue Slabick, Raymond Wilcox, Jackie Carey, Loraine Green, Jamie Wilson, Brad Olson, Justin Brown

### B. INVOCATION

Pastor Jeffers gave the invocation.

### C. PLEDGE OF ALLEGIANCE

### D. PRESENTATIONS

None

### E. APPEARANCE OF INTERESTED CITIZENS

Lorraine Green address Council with concerns regarding option #1 for the required upgrade to the lagoons. Option #1 has set aside funds to relocate the bike pit. Lorraine read from a prepared statement which is attached.

Councilor Hinkle stated that the City will be attending a One Stop meeting with the lending agencies to see what our funding options are for both option #1 and option #4.

John Taylor suggested that we first determine the best option and then address the issue about moving the bike pit and the cost it may incur. It may not even be an issue if we do not choose option #1.

### F. ACTION ITEMS

#### F-1 Public Hearing: Marijuana Related Business Ban Ordinance

Mayor Carnes opened the public hearing at 7:10 pm. Teri Porter called for anyone who would like to speak in favor of marijuana related business. Raymond Wilcox, Jamie Wilson, Brad Olson and Justin Brown spoke in favor and made the following points:

1. A daughter that needs access to medical marijuana. Would like to treat her herbally so that she does not hurt anymore or have seizures.
2. Have their own medical marijuana card, and they grow their own.
3. The revenue the city would receive from the taxes placed on the sale of marijuana related products.
4. Other new businesses are not coming into our town.
5. It is illegal to smoke marijuana in public.
6. It's here to stay. It's not going away. The country has wasted the tax payers money fighting it.
7. If they can't buy it locally, they will start growing it. It is legal to grow up to 4 plants anywhere as long as it is out of public view, even within 1000 feet of a school. Which could create more problems if others steal the plants.
8. A lot of older folks are using it rather than other drugs for their pain.

## CITY OF PILOT ROCK

---

9. You cannot sell within 1000 feet of a school. Given the location of our schools that just about wipes out most of the town. So there are not many locations that it can be located. So there would only be one.
10. They must meet all the state requirements.
11. The City issues the permits. If we start having problems we pull the permit.
12. If we have the only store within 200 miles it could bring people into town that would also visit other businesses in town.
13. Feels that without a dispensary folks will resort to growing it which could causes more problems. Theft, giving away the excess.
14. Suggested putting it on the ballot for the next election. Let the people vote.
15. The pot is here. If we can tax it why not build some roads and schools.

Councilor Corwin clarified that the passage of an ordinance banning marijuana related businesses in Pilot Rock, will not prevent folks from possessing, growing or smoking marijuana in Pilot Rock. It is legal to do so. It will just prevent a business to sell marijuana related merchandise.

Councilor Doherty stated that he does not have a problem with the sale of medical marijuana, but it is his understanding that these dispensaries sell more of the recreational type rather than the medical.

Teri Porter asked to hear from those opposed to marijuana related businesses. John Taylor, Jim Hinkle and Virginia Carnes brought up the following opposing views:

1. Folks that come here to buy it getting high on the way back home, endangering others on the highway.
2. 63% of the Pilot Rock votes we not in favor.
3. Putting a ban on marijuana related business will not prevent anyone with or without a medical marijuana card from growing.
4. The use of marijuana is against federal law.
5. It is an entry level drug. Started a 17 and has done drugs all his life.
6. If the younger folks start smoking it there is a good chance you will struggle with drugs all you life.
7. If we allow it out here. Everyone would be coming out here to get it. That's not what we want.
8. We have 7 marijuana cards. In favor of medical marijuana.
9. There is a belief that there is a big difference between medical and recreational marijuana. The THC ratio to CBD. Some medical is high THC.
10. No one is opposed to medical marijuana. Do not want a dispensary.

### F-1 Hatley Sewer Hook-On

Jim Hatley has presented the City with a Hook on Agreement, that would require the City to collect special fees and allow Mr. Hatley to be reimbursed for a portion of his expenses to extend the sewer main on NW Delwood. The main runs past several properties Mr. Hatley does not own. If and when these properties develop because Mr. Hatley has already extended the main, these properties would only have the expense of hooking on directly in front of their properties. Mr. Hatley is asking that these properties as they develop share in the expense of extending the line. The \$4000 that he is proposing is reasonable if not less than what the property owners could have expected to spend had they extended it themselves. Teri is concerned that in all likelihood these properties may not develop for 10 years from now and she wants to be sure that the City

# CITY OF PILOT ROCK

---

has the legal authority now and in the future to access and collect these fees. Teri has been in contact with attorneys and other cities to sort this out. It is very likely that we need to adopt an ordinance before moving forward with the agreement. Mr. Taylor asked why the City has anything to do with this, it should be between Jim and the property owner. Teri explained that the ordinance states that the City must retain ownership in order properly maintain the main. There was discussion regarding the cost of conferring with attorney's etc. Councilor Corwin feels that it is better to pay the costs now than 10 years from now because we didn't take the proper steps. Councilor Doherty asked if it was properly inspected. Teri stated that plans were turned in and Steve did the inspection. **Council asked to ensure that it has been properly inspected.** Teri asked Council to table the item once again allowing her the time she needs to do her due diligence. **On a motion by Councilor Perkins and seconded by Councilor Doherty, Council agreed to table the item. All present voted yes.**

## G INFORMATION ITEMS, REPORTS AND PRESENTATIONS

### G-1 Department Head Report

#### CITY HALL:

1. Lagoon work session on Wednesday night, was very productive.
2. The audit begins next week. I have already begun supplying the auditors with requested documents.
3. Met with Steve Haddock and Steve Draper to go over the legal description concerns on the property at the foot of die bluff, that we are looking to purchase to resolve the stairs issue. We discussed a possible Quit Claim or a Quiet Tide. Haddock suggested that I call David Hadley (land use attorney) for a ball park figure what it would cost for the Quiet Tide process. Hadley told me he would give Haddock a call to get the details of die situation and give me a call back.
4. Still working with the Pordand attorney's to ensure that we have our ducks in a row for the Hadey Hook on Agreement.
5. There was a peddler going door to door, selling cleaning supplies and vacuums. After several calls I drove around and found the person at a citizens home and ask him and his co worker to stop by City Hall for a permit. A permit gives us the opportunity to do a background check on individuals going door to door. Typically we could process the permit in 3 or 4 days.
6. Mr. Taylor requested a copy of the agreement between the City and the Bike Pit. Did the research and found that the document does not exist. 1 found a draft from 2009, but was told that Council decided to deed the property so the agreement was never completed.
7. Attended a Dispatch Advisor)' Board Meeting with Mayor Carnes on Sept. 29th. The board is trying to work out an equitable formula for assessing dispatch fees.
8. Newsletter articles on: Lagoon Work Session, Bike Pit, and Police Chief.

*Teri added: She is right in the middle of her audit and invited Council to stop by if they would like to see how thorough it is.*

#### POLICE:

1. Chief Roberts started the PD review this week and will submit a report that will outline suggestions to bring the department up to code.
2. Our police chief candidate fell through due to health concerns. I have reposted the position.
3. Officer Badal, currently at basic academy, calls weekly to check in. He is doing well, has volunteered to join the color guard and so for the experience is a good one.

# CITY OF PILOT ROCK

---

## PUBLIC WORKS:

1. Still working on well #2, replacing parts etc. Will replace control wire between #1 and #2 and run it underground.
2. Will buy new jetter heads for the jetter truck. Have been jetting lines.
3. Met with Steve Haddock, regarding issues with the property needed for the stairs. We will move forward with the process of purchasing the property.
4. October is the last month for meter reads.

## H. CONSENT CALENDAR

On a motion by Councilor Hinkle and seconded by Councilor Deno, Council agreed to accept the consent calendar. All present voted yes.

Bills Total: \$45,629.22

## I COUNCIL COMMENTS

Councilor Corwin asked if we have any applications for the vacant council seat. Teri explained we have one application from Jackie Carey.

**On a motion by Councilor Corwin and seconded by Councilor Hinkle, Council agreed to accept Councilor Moss's resignation on September 22. All present voted yes.**

Councilor Perkins asked where we stand on recruiting a Police Chief. To be sure that all Council was aware Teri explained that we had made a job offer to Rodney Envelson, he came out signed an employment agreement and was to start on October 19th. Unfortunately he passed away suddenly on September 25th. We have reposted the position. One person called interested and asked for an application but then called back stating that he had concerns about a 3 man department and never getting any time off. One applicant that we previously interviewed has asked us reconsider him so I have pulled his application and added it to the new batch.

Councilor Perkins asked about the **Chief on the line backer program that was not available until September. Teri said she would look into it.** Mayor Carnes also suggested that we look into the 11 applicants that applied at Enterprise.

Councilor Doherty stated that he found the pro marijuana people to be rude, noisy and combative. Councilor Deno asked where we are on the stairs to the high school. Teri stated that we are in the process of purchasing the house at the bottom of the stairs. But found that the legal descriptions and property lines have issues due to markers changing over the course of the last 100 years. It has created a 7 foot strip that it is unclear who actually owns it. Without a clear title we can get a warranty deed or property insurance. So we are trying to find the best way to resolve the issue and purchase the property. Since the City owns the property above and Fenton to the other side we feel safe that no one will contest it. So we are purchasing it with a Bargain and Sale deed, have it recorded and then work out the issues. Steve has visited with David to draw up the Bargain and Sale deed.

Mayor Carnes stated that they have been working on the Annual Yard Sale for the coming weekend. Proceeds go to the Downtown Association.

## CITY OF PILOT ROCK

---

Mary Lue Slabik asked if a date has been set for the Lagoon meeting. Teri explained that the engineers are going to wrap up the feasibility study using Options #1 and #4. Then we will schedule a One Stop to discuss funding options. We do not have a date yet.

J. EXECUTIVE SESSION:

None.

K. ADJOURNMENT

Council agreed to adjourn at 8:20 PM.

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_

## LAGOON CONCERNS

First, I appreciate the effort the council and staff is making to come to the best lagoon option for Pilot Rock. It can't be easy.

In reading the newsletters and following the city's business I have some thoughts on the lagoon.

- \* If the best option turns out to be staying on the creek and buying additional land then I think the city should then sell the remaining Masonite property that was given the city to off set the purchase. Now that the mill site has been sold is there anymore significant income coming in off the property? Also, I see where it is noted that this option would lower the cost because it would not include moving the bike pit.
- \* If the best option is where the bike pit sits now, fine. But, I see where that loan includes \$<sup>175,000</sup>125,000 to move the bike pit.
- \* First, I have been to council meetings where we have been told the Bike Pit would not cost the citizens any money. I don't recall there being a motion or not but your word should count for something. The pit was put in with full knowledge that the lagoon was going to become an issue in the future because the works manager and mayor are major proponents of the pit. So if they knew this going in, it was a gamble on their part that the city would find another alternative and not use the pit. I see no reason for the citizens to foot the bill of moving the pit. I have talked w/ the business owners in town to see if they see an uptick in business on weekends of events and they so not so much. So there isn't much argument there. I have nothing against the bike pit except when it comes between what's best for the citizens of Pilot Rock.