

CITY OF PILOT ROCK

Council Meeting

August 25, 2015, 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 Bob Deno, Deacon Perkins, Jim Hinkle, Kacie Moss, and Ray Corwin. Also present were Teri Porter, and Steve Draper. Citizens present were Jackie Carey, Mary Lue Slabick, John Taylor, Pastor Harley Jeffers and Brad Baird and Jadon Herron of Anderson Perry.

B. INVOCATION

Pastor Jeffers gave the invocation.

C. PLEDGE OF ALLEGIANCE

On a motion by Councilor Moss and seconded by Councilor Hinkle, Council agreed to add F-2 Lagoon options. All present voted yes.

D. PRESENTATIONS

Marijuana Dispensary in Pilot Rock:

Sheri and Jason Lybrand, made a presentation to Council suggesting a retail marijuana dispensary in Pilot Rock. There was discussion regarding:

- The benefits to those needing medical marijuana being able to go to a safe and clean store rather than getting it on the black market.
- Their proposed store would be professional and sleek, not a head shop.
- The inevitability that these types of businesses are coming and those on the front end would benefit most.
- They would run a clean establishment and abide with state regulations.
- There are two dispensaries in La Grande.
- The City can place a tax on the marijuana products which could result in over \$140,000 annually (based on stats from Colorado).
- Other business in the community do not give back to the community, such as this would through a tax.
- Jason and Sheri have operated a Main St. business in Pendleton (Wicked Kitty) for over 20 years.
- Mr. Taylor stated that he felt the citizens of Pilot Rock spoke clearly when the majority of the votes voted against legal marijuana.
- Council agreed that we would have another work session on this topic.
- Councilor Hinkle pointed out that regulation against placing a dispensaries within 1000 feet of a school, would be a limitation within Pilot Rock.

E. APPEARANCE OF INTERESTED CITIZENS

None

F. ACTION ITEMS

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F-1 Read and Bose Agreement to Conduct 2015 Annual Audit

Council was presented with the agreement and contract between the city and Read and Bose accounting firm to conduct the annual audit. Councilor Corwin asked if the rate of \$9,250, is a competitive rate. Teri explained that when we went out for bid several years ago, they were the lowest of those that responded to the bid and that their rate has not increased since then. It is also beneficial to stay with the same firm each year as they know and understand our systems and can examine them more easily. Councilor Perkins concerned with the portion of the contract dealing with the limitations of the audit, asked how detailed is the audit? Teri explained that they are in the office for a week going through all financials and procedures. Steve agreed they are very thorough. Councilor Perkins still concerned with the disclaimer in the contract asked are we satisfied with how thorough they are. Teri stated that she does not know how they could be more thorough, they have access to everything and comply with the state standards. Jackie stated that when she was recorder she did business with Jensen and Spratling and they had the same sort of language. **On a motion by Councilor Hinkle and seconded by Councilor Corwin, Council approved the contract and agreement with Read and Bose to prepare the financial statement and audit for the 2015 fiscal year. All present voted yes.**

F-2 Lagoon Upgrade

On a motion by Councilor Moss and seconded by Councilor Deno, Council agreed to move forward with option four and start seeking funding. All present voted yes. In discussion Councilor Perkins raised a concern that Councilor Doherty was not present, knowing he had some concerns and questions for Anderson Perry, and would have like for him to have a chance to weigh in. Brad Baird stated that you should be somewhat serious about your plans when applying for funding but you can back out prior to signing the loan paper. Councilor Doherty is welcome to stop by Anderson Perry with his questions and concerns. Councilor Moss stated that she is looking at it like this is a letter of intent, letting the funding institutions know this is what we have in mind, in order for them to move forward with the funding process. Brad clarified for Mr. Taylor that we are still within the \$45,000 for the feasibility study. Additional charges will come after the funding is made available. Councilor Perkins, expressed concerns regarding the amount of acres needed to facilitate option four. Steve stated that he will continue working with the land owners to get the needed land.

G INFORMATION ITEMS, REPORTS AND PRESENTATIONS

G-1 Department Head Report

CITY HALL:

1. The IGA between the Cities of Pilot Rock and Pendleton has been signed by all parties. I know that Chief Roberts understands that we are anxious to get started and that he will let me know as soon as it is possible to get underway. He has staffing and scheduling that he has to work out.
2. Have ordered the ID cards for our Officers.
3. Articles for the newsletter.
4. Processed unclaimed checks and sent reports and check in the amount of \$19.02 to the state as required.
5. Closed out the fiscal year and prepping for audit.
6. Communications with David Blanc regarding litigation.

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7. Working on the marijuana ordinance. Now that the County has passed their moratorium, I am looking into what that means to the city, as well as business license issues.
8. Working with the County to resolve the issue of the partly torn down building on NW Delwood.
9. Working on a partition, annexation and rezone on NW Cedar.

Teri added to her report stating that the Callahan issue regarding the property on 4th, that the City had been working on, since 2010, to get cleaned up, had been resolved and is now public record. The municipal court had found Callahan in violation of city ordinance and was ordered to clean up the property. The property was not cleaned up in the time allowed and Mr. Callahan was to be assessed a fine for each day the property was in violation, in lieu of the fine the Court agreed to reduce the amount of the fine to the amount of attorney fees (\$7,369) the City has incurred while dealing with this case. Callahan appealed and the case was remanded to circuit court where the judge found in favor of Callahan on the basis that the municipal court did not have legal authority to impose legal fees. Teri asked City attorney David Blanc if he would ask the Circuit Court Judge if she would allow us to go back after the daily fines our ordinance does allow. We were told we could not. Councilor Perkins asked if the property has been cleaned up and satisfy the ordinance? Teri explained that Chief Richman had been ramroding the issue and got it cleaned up to the point that it is and between he and the judge and the attorneys they felt that it was suitable. Councilor Perkins asked who determines who is in violation of a cleanup ordinance. Steve and Teri explained it would be the Chief of Police and the municipal Judge. There were concerns expressed regarding our legal counsel.

POLICE:

1. Sherriff Rowan called on Monday August 10, to let us know that he did make a call to DPSST and it looks like they will be able to get Officer Badal into the September Academy. I received the confirmation letter from DPSST on August 19, 2015.
2. Officer will be attending a Firearms class with the Pendleton PD on September 3, 2015, from 8a-4p.
3. Have received background packet from one of the Chief candidates. The packet has been forwarded to Chief Roberts. Chief has stated that it could take up to 3 weeks.
4. Officer Badal has contacted Wal-Mart for a donation of bicycle helmets. If all goes well he will be able to acquire approx. 7 helmets that the police can distribute to children who need one and maybe can't afford to purchase one.
5. Working on ordinance violations. Encouraging residents to clean up their yards of weeds and debris.

PUBLIC WORKS:

1. Met with County Commissioner and County Road Master, to discuss possible funds for the replacement of the stairs project. All of their funds have already been dedicated to Pendleton projects.
2. Have completed exercising the valves. 7 valves need to be replaced.
3. Will be jetting Ukiah sewer lines
4. Servicing the police cars.
5. Getting downtown ready and cleaned up for Community Days.
6. Still in negotiation with American Tower regarding terms for the extended lease.

Steve Draper added to his report stating that yesterday afternoon a squirrel blew a transformer and we lost both well #1 and #2. They are manually operating the wells until we can get them put back together. Parts will be in tomorrow morning. The fire department has been notified.

G-2 Social Media Question

At the August 11, 2015, Council asked Teri to get more information from the League of Oregon Cities regarding responding to the "Pilot Rock Community Watch" facebook page. Teri presented Council with a staff report which included the directors response. If an individual Councilor or staff member responds to a facebook page it is an individual act. The city would not be at risk. Teri stated that her initial intent in presenting the issue to Council was to inform them of the citizens feeling the need to create such a facebook page and to get direction as to how Council would like to respond to emerging issue that came up on the page. After the August 11th Teri felt that overall among Council and citizens, folks are not comfortable with

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facebook and she is happy to limit her communications to minutes and newsletters. Councilor Perkins felt that was a wise decision.

H. CONSENT CALENDAR

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

Bills Total: \$50,237.12

I COUNCIL COMMENTS

Councilor Hinkle regarding the Marijuana retail store presentation, stated that he is not in favor and he is going with the citizens vote. Councilor Perkins stated that he felt misled, he was not prepared to hear a proposal to open a marijuana dispensary within the city limits. Pilot Rock has spoken in the election, but we need to be open minded. He feels that the social cost does not make up for the \$140,000 in revenue that it could bring into the city. Steve stated that he felt there were deaths in Colorado that were marijuana related.

Councilor Moss stated that when we heard from Charlie Carnes on this issue it was nearly 2 hours. We need to know ahead of time what people will be discussing and a time frame.

Councilor Corwin, referring to Officer Badal attending the September academy asked how long it would go. Teri explained he would graduate in mid January.

Councilor Perkins, referring to the candidates for Chief asked about the background check packets. Teri explained that only one of the two had returned the packet and Chief Roberts of Pendleton is now in the process of completing that background check. Teri stated that she asked the other candidate to turn in his packet by the end of the week. (giving the candidates nearly a month to turn in their packet)

Council Perkins asked for an update on the stairs to the high school. Steve stated that he and Teri will meet with Steve Haddock on what we need to do to clear up the title issues on the property below the bluff. Councilor Corwin stated he heard a lot of negative comments because people have to walk around.

Councilor Deno stated that he spoke with the organization putting on the lawn mower races during community days, and they would like to come back but would like to be closer to downtown. Steve suggested that SW Delwood was recently paved and may be a good alternative.

At the Mayors request Jackie reported that she deposited \$3,700 from community days \$1,200 was start up money. Mayor Carnes stated that it was so cold out that they shut down the beer garden early.

J. EXECUTIVE SESSION:

None

K. ADJOURNMENT

Council agreed to adjourn at 8:04 PM.

APPROVED _____

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ATTEST _____