

CITY OF PILOT ROCK

Council Meeting

January 5, 2016

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 Deacon Perkins, Terry Womack, Jim Hinkle, and Bob Deno. Also present were Teri Porter and Steve Draper Citizens present were Mary Lue Slabick, Jackie Carey, Gerrie Porter, Legaya Bernabe, Charles Fitzgerald, and Sheila Buckley.

B. INVOCATION

Pastor Jeffers gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. PRESENTATIONS

E. APPEARANCE OF INTERESTED CITIZENS

- a) Sheila Buckley asked Council to address the concern regarding the drive that runs alongside the creek between 2nd and the back alley. The drive is used by the residents in the area and the new property owners on the far end closest to the creek have parked their vehicles so that it is difficult to use the drive. Cpl. Lehnert explained that the drive is on private property. Sheila stated that her parents had previously owned the property for 54 years and had always allowed folks to use the drive. Several years ago she had asked Chief Richman about prohibiting the use of the drive and she was told that she was not allowed to block it off that it was a public access. It was explained that since then we have found that the drive is on private property and the City had discontinued the use of the drive for some years now. When asked if the owners could post "No Trespassing" signs to make everyone aware, Cpl. Lehnert stated the owners are not required to post trespassing signs but Cpl. Lehnert will speak to them to see if they would post the signs to clear up any confusion. There was discussion regarding the owners dogs and complaints that would go back and forth. Cpl Lehnert stated he would be happy to try to mediate with the affected parties to help resolve the issue.
- b) Mary Lue Slabick referring to the minutes from the last meeting, asked for clarification regarding the proposed Ad Hoc committee. It was explained that Mr. Taylor had a list of names he had proposed for the committee, but Council had stated that they would like to have those members attend a meeting and explain their purpose for being on the committee. Mary Lue then asked who determines who is on this committee. Teri Porter explained that we are adding an agenda item that will ask Council to consider the Ad Hoc committee (staff report is provided at the podium).
- c) Regarding ordinance violations. Mary Lue stated that in Oklahoma, when a person has yard that is full of trash or debris, the city sends them notice and gives them a date to clean up their yard. If they do not clean it up within the time frame, the City cleans it up and adds it to the property owner taxes. Steve stated that we have done that but you have to have a police department to enforce it.

CITY OF PILOT ROCK

F. ACTION ITEMS

On a motion by Councilor Perkins and seconded by Councilor Hinkle, Council agreed to add F-7 Ad Hock Committee for the Required Wastewater Facility Upgrade.

F-1 Resolution #584: Transferring Funds in the General Fund to pay for the Server.
On a motion by Councilor Deno and seconded by Councilor Womack. Council agreed to approve Resolution # 584. All present voted yes.

F-2 Appoint Council President and Add as Signer

On a motion by Councilor Deno and seconded by Councilor Hinkle, Council appointed Councilor Corwin as Council President. All present voted yes.

On a motion by Councilor Perkins and seconded by Councilor Deno, Council appointed Councilor Hinkle as Council Vice President.

On a motion by Councilor Hinkle and seconded by Councilor Womack, Council appointed Councilor Corwin as an additional signer for the City checking account.

F-3 Appoint a Budget Officer

On a motion by Councilor Perkins and seconded by Councilor Deno, Council appointed Teri Porter as the budget officer. All present voted yes.

F-4 Approve a Conditional Use Permit for Byrnes

Teri Porter explained that notice was posted and sent to affected parties and the Planning Commission held a hearing on December 21, 2015, to consider this issue. The Planning Commission is recommending to Council that they approve the conditional use permit. **On a motion by Councilor Hinkle and seconded by Councilor Womack, Council approved the Conditional Use Permit at 425 NE Elm. All present voted yes.**

There was discussion that Byrnes had already started building prior to this approval. Councilor Perkins pointed out that it needs to be made clear that folks are not to start the process until the permit is approved.

F-5 Approve a Conditional Use Permit for RV Storage at Pilot Rock Hardware

This item was tabled until Steve Draper approves the layout of the trailers to be stored. He is requiring enough room so that he can come in with a back hoe if need be to clean the creek out. **On a motion by Councilor Perkins and seconded by Councilor Hinkle, Council tabled this item. All present voted yes.**

F-6 Resolution Addressing Deficiencies in the Audit

Teri explained that starting this year the State is requiring that Council review the Control Deficiency letter and pass a resolution describing corrective action. The staff report addressed each deficiency listed in the audit. Teri had presented Resolution No. 585, that was a result of consultation with the auditors. **On a motion by Councilor Deno and seconded by Councilor Womack, Council approved Resolution No. 585 a Corrective Action Plan for Audit Deficiencies.**

CITY OF PILOT ROCK

F-7 Ad Hoc Committee for the Required Wastewater Facility Upgrade.

Councilor Perkins asked Council to consider his handout (attached) regarding the pros and cons of an Ad Hoc committee. The following was discussed:

- 1) There have been committee formed but the members had an agenda.
- 2) The Water Master Plan committee and the Water Improvement Ad Hoc was well done, but it was repetitive. Whatever was discussed or reviewed by the committees then would have to be discussed and reviewed again by the Council.
- 3) We have held all of our Wastewater Facility Upgrade meeting in public, notice has been posted and several articles explaining the issue in detail have been in the newsletter. Folks have been allowed to be part of this process since the beginning.
- 4) Concern was expressed on getting more citizens involved and attending meetings. Meetings are advertised in the bi-monthly newsletter, posted in the Post Office, City Hall and Council Chambers as well as in the EO.
- 5) A Councilor expressed his opinion that we should not have to go out and beg folks to attend.
- 6) The Lagoon upgrade is a big issue for just Council to make a decision, they need more input from the citizens. Council would welcome input and a larger attendance.
- 7) Will this be a duplication of efforts for Anderson Perry and who will pay the their added time.
- 8) Anderson Perry have been to several of our public meetings where citizens had the opportunity to ask questions of these experts.
- 9) The citizens may feel like they have more ownership in the decisions if they are on a committee.
- 10) The City hired a reputable engineer firm, Anderson Perry, who are very knowledgeable and experienced with this process. Is the purpose of this committee of citizens to second guess what the engineers work?
- 11) Anderson Perry presented us with 3 options. The City then asked them to consider a 4th. Since then we have narrowed it down to options 1 and 4.
- 12) The question was asked if Council know what the best option is and what is most cost effective. Council explained that we must first attend the One Stop meeting to determine what type of funding is available for each option. After we have all the funding information we will be able to tell which is more cost effective.
- 13) The cost difference between option 1 and option 4 is about \$1 million. But we must also consider the difference in cost of operation and maintenance over the course of 20-30 years.
- 14) A citizen stated that we are only being given the total costs of each and not the O&M, why isn't it in there? It was explained that it has all been explained in detail in different handouts at different meetings. In addition, detailed articles have been posted in the newsletter outlining the costs of each.
- 15) When Council considered all 4 options, Council was leaning very heavily toward option 4. It was citizen input that made Council take another look at option 1 and put it back on the table. So we have been getting and listening to the citizen's input.
- 16) The city policy states that we should establish advisory committees as necessary. The question is... Is it necessary?
- 17) Some expertise and a different set of eyes may find something that we have missed.

CITY OF PILOT ROCK

- 18) The Ad Hoc committee would give time away from Council to review the information. Councilor Womack, who has an engineer degree, stated that if you read the book it will answer every question. It is very well laid out.
- 19) If we get more people to attend can we give them the information needed to get them up to speed. It was recommended that the newsletter article could be handed out as they outlined each option and the process along the way.
- 20) It was pointed out that when the City did the Water Project, Anderson Perry told the City that we could get the project financed through the State, but a couple of citizens who did not have a clue convinced Council to go another way, getting a loan from Banner Bank, which cost the City a whole lot more money. If we would have listened to the experts we would have saved the tax payers a lot of money. Sometimes when you bring in some citizens they have an agenda they only want to go one way. They don't know how things work, like the City Staff or the engineers.
- 21) All for citizen involvement its good to educate them. But it is usually the negative ones that get involved. The rest of the citizens are content with Council decisions.
- 22) We have posted meetings, open for citizens to attend and have discussed this issue in public with all the information available along with slides and pictures that clearly explain what is going on.
- 23) Creating a group now that has not been part of the process since the onset will be difficult.
- 24) When asked what is the worse that could happen if we did form the committee, the following was stated: more charges from Anderson Perry to provide the books and materials, staff time, more questions to bring the committee up to speed.
- 25) A citizen asked which Councilor to talk to if she has questions regarding the lagoon upgrade. Council directed her to contact Steve or Teri.

On a motion by Councilor Perkins and seconded by Councilor Perkins and seconded by Councilor Womack, Council agreed to table this item until it bears fruit. All present voted yes.

G INFORMATION ITEMS, REPORTS AND PRESENTATIONS

G-1 Department Head Report

CITY HALL:

1. Have recorded the partition for the industrial property.
2. Have not been able to record the deed yet as one of the owners did not have their signature notarized properly. It should be resolved after the holidays.
3. Have applied for IFA reimbursement for the cost of the Wastewater Facility Plan.
4. Researching other city ordinances regarding Mobile homes and Manufactured home.
5. The Planning Commission met on December 21st to consider Conditional Use permits for the Mini Storage and Hardware store.
6. The Planning Commission also met with the neighbors and owner of the property at 334 S. Alder. The lot that had a sale pending and asked for variance reducing the setbacks. The lot had been thought to be unbuildable because it is only 43 feet wide. The commission reviewed the Non-conforming Use ordinance and conferred with other city planners as well as the County planners, and finds that since the lot was created prior to the 2001 zoning ordinance, it is a buildable lot. If owners wish to encroach on the setbacks they would have to go through the variance process and notice given to the neighbors and a hearing held. Since it is a narrow lot approving a setback variance is not likely.
7. Spoke with John Fenton. He has asked to address Council in February to request relief of utility bill as he remodels a house on Fir that has sat empty for 6 years.

POLICE:

CITY OF PILOT ROCK

1. Received a call from Mr. Derrick Bowan of Ukiah who wanted to appreciate Daniel Badal. He said that he blew a tire between here and Pendleton and was on the side of the road trying to get his spare tire down. Daniel and his wife were on their way to a family function, stopped to help him. Mr. Bowan says Daniel went above and beyond, trying to release his tire, under his vehicle in the dirt and snow in his good cloths. Daniel even tried his own spare. He offered to drive him back to Pendleton ready to do whatever it took. Eventually they got his tire replaced and Mr. Bowan went on his way, Daniel would take nothing in payment only asked that he pay it forward. He was so impressed he said you just don't see that kind of concern for a fellow human being, he had to let us know how impressed he was with Daniel. I told him I would let Council know as well.
2. Daniel has been home the last two weeks as the academy closed for the holidays. He has been doing ride alongs with Pendleton PD and says he really appreciates the help the officers are providing him. He knows it is a wonderful opportunity for him.
3. Cpl. Lehnert stated the Daniel is motivated and eager to learn the right way to do things. Pendleton will be taking Daniel through the FTP process. He will be training both in Pilot Rock as well as Pendleton giving him exposure to various situations making him a more rounded police officer trained to handle a wide range of situations. He is on the right track. Daniel is graduating January 22nd.
4. As far as coverage here in Pilot Rock there are times that Cpl. Lehnert has to be pulled back to Pendleton. When he returns he is working to get caught up on calls. There have been times when folks have called dispatch and the calls have been held for a time when Cpl. Lehnert is working. He will work with the County to see if they will address some of these calls even with just a call from an officer. He has concerns that the citizens are feeling like they are not getting the proper response.

PUBLIC WORKS:

1. Two sewer mains plugged up and needed repair.
2. Dealing with snow and ice removal
3. Completed quarterly sewer sample.
4. Did a Nitrate sample for both wells.
5. Monitoring well one had a fecal hit of 2500 which is up about 8 or 9 over the limit. He is discussing with DEQ and will probably have to resample.

G-2 Proposed Changes to Mobile/Manufactured Home Standards

Teri Porter's informed Council that she is looking into amending the zoning ordinance that relates to relocating mobile and manufactured homes into Pilot Rock. Currently a mobile home that was built as earlier as 1976, (40 year old mobile), can be brought in and placed on a lot in an R-1 zone. Teri would like to include language in the ordinance that states the mobile or manufactured home must have been constructed in the current or previous 10 years. She is doing the research but wanted Council to know that she will ask the Planning Commission to consider the change, then if it passes the planning commission will bring it back to Council for final approval.

G-3 Ordinance Violations When an Office is not Present

Cpl. Lehnert addressed concerns relating to his notes in his department report from the last meeting, which addressed citizens required to sign a complaint when an officer is not present to see the violation. He explained that violations such as traffic violation, barking dogs, or loud music are often heard by a citizen but are no longer occurring when an officer arrives. If an officer does not witness the violation he cannot sign the citation, so we must rely on the citizen to sign it and be willing to

CITY OF PILOT ROCK

testify in court. If the issue goes to court and there is no one present that actually witnessed the violation the judge will just throw it out. A crime is different because there is evidence and witnesses. Cpl. Lehnert stated that he is more than happy to talk to the violator, but ultimately if the issue is to be resolved it will require that the citizen who is filing the complaint take ownership in the peace and tranquility of their neighborhood. This is nothing new.

H. CONSENT CALENDAR

Bills Total: \$38,611.22

Councilor Perkins pointed out an error in the minutes. Action item 10 the relocation of the bike pit should be option #1 not option #4.

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

I COUNCIL COMMENTS

Councilor Perkins complimented Anderson Perry and the binder they provided on the Wastewater Facility Plan. Everything that has been discussed is in the book and very well done. Mayor Carnes stated that the calendars are available to be picked up at City Hall. Complimented Jackie and Sheila for the pictures they provided and also appreciate the efforts of Janette Hall and Lela Thieme.

When asked where we are regarding looking for a Chief of Police. It was explained that we actually had an interview today that went well, but we still have to see how it all pans out.

J. EXECUTIVE SESSION:

None

K. ADJOURNMENT

Council agreed to adjourn at 9 PM.

APPROVED _____

ATTEST _____