

CITY OF PILOT ROCK

COUNCIL MEETING

September 6, 2011

7:00 PM

A. ROLL

The regular meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were Kacie Moss, Annie Tester, Mike Baleztena, Ray Corwin, George Hall and Shawna Kirk. Also present were City Recorder Teri Porter, and Public Works Supervisor Steve Draper, Police Chief Darren Richman, Steve Haddock, Mary Lue Slabik, Ryan Cecil, Officer Michael LeGore, Michelle Casady and Pastor Harley Jeffers.

B. INVOCATION

Pastor Harley Jeffers gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS

Michelle Casady addressed the Council asking them to consider reducing the speed limit on Alder St. dropping it down into a school zone. She stated there are 7 children that live in that 1 block area under the age of 12 some only 2 that ride their bicycles. Chief Richman stated that the speed limit in front of her house is 25 and the school zone would be 20. Councilor Hall pointed out that parking has also been an issue in that area and that it is a major school crossing because it is at the bottom of the steps and would like that to be consider as well. Chief Richman asked Council if this could be addressed as part of the Safe Routes to School program. Council agreed that the Safe Routes to School Committee should address Michelle's concerns. Chief Richman asked Michelle if she would consider being on the committee and she agreed.

E. PRESENTATIONS

None.

F-1 Public Hearing: Ryan Cecil Variance

Teri Porter stated that Mr. Cecil is wanting to build a storage / shop building and is wanting a variance because he wants to build it 7' from the property line rather than 10'. At the last hearing Council decided to delay any decisions until Mr. Cecil could produce evidence that he held the deed to the property and could make decisions regarding the property. In the Council packet is a copy of Mr. Cecil's deed to the property. Teri Porter also stated that there were concerns at the last meeting regarding Mr. Cecil's running a business out of the shop and that such a business would create a

lot of vehicles parked by his house as well as his neighbors. Teri Porter stated that Mr. Cecil has been by City Hall and they discussed the several ordinances that relate to this subject. Mr. Cecil has received copies of these ordinances and has signed off on his permit application that he will comply with these ordinances. Councilor Hall requested that we get a copy of engineered plans and Mr. Cecil said that he cannot get his State building permit without giving them a copy of engineered plans and said he would bring us a copy as well. Councilor Hall stated that since we are the quasi planning commission we also have to be concerned with the construction standards as well and the only way we have of doing that is through the State building codes permit. On a motion by Councilor Baleztena and seconded by Councilor Hall Council agreed to grant the variance to Mr. Cecil all present voted yes.

F-2 Resolution #532 Approval to Apply for Planning Assistance Grant

Teri Porter asked Council for approval to apply for the \$1000 Planning Assistance Grant which comes around every 2 years. She stated that she would like to use it for new maps and or Land Use training for herself. On a motion by Council Hall and seconded by Councilor Tester Council granted permission to apply for the DLCD grant. All present voted yes. On a motion by Councilor Kirk and seconded by Councilor Tester Council passed Resolution 532 to approve the application for the grant. All present voted yes.

F-3 Retirement of Sergeant Stallings

Chief Richman addressed Council stating that Sergeant Stallings has submitted his resignation. The Chief read Sergeant Stallings letter of resignation (attached to these minutes). The resignation was submitted on Sept. 1, 2011. Chief Richman asked Council to accept Sergeant Stallings resignation and to allow him to move forward in the process to hire a new officer. The Chief would like to advertise for 2 weeks starting September 7 through the 23rd in Saturday's and Sunday's paper and then close it. He would then review the applications to come up with the top 3 or 4 that will then need to take a written test and they would have to pass DPS's drug screening test. The pay scale would be advertised at \$3,082 to \$3,800 per month with lateral preference (an officer who is already certified in the State of Oregon). There would be a savings to City as the new officer would be paying 5% toward their insurance. On a motion by Councilor Hall and seconded by Councilor Tester Council agreed to accept the resignation of Sergeant Stallings all present voted yes. On a motion by Councilor Hall and seconded by Councilor Kirk Council agreed to allow Chief Richman to place the ad in the paper all present voted yes. Councilor Hall stated that there were some questions regarding the procedure we are doing this time as opposed to what we have done in the past. Chief Richman stated that we would require the candidate to come before an oral board which would consist of 1 department head, 1 Councilor, 1 citizen and the Chief. The candidate would also take a written test that costs the City \$10 for each test, the candidate must pass with at least 80%. We would only be testing the top 3 or 4. Councilor Hall asked if there are some tests that we are not doing. Chief Richman's stated that we would not be subjecting the candidates to psychological tests.

The Chief has talked this over with Stewart Rogers and Lieutenant Swanson and they said the psychological test is a waste of money. If you do a proper back ground check you will find every problem there is. Councilor Hall asked if the psychological tests are part of our process right now. The Chief stated that it is. Councilor Hall stated that the Council needs to address this either now or later when staff has had an opportunity to put together a staff report. Chief Richman asked that Council vote on it tonight as there are other items in the employee handbook that staff will be bringing before Council. On a motion by Councilor Hall and seconded by Councilor Kirk Council agreed to change the process to exclude the psychological test pending a staff report. All present voted yes.

F-4 Mike LeGore Step Increase

Chief Richman addressed Council stating that he hired Officer LeGore January 2009 at a wage of \$3,082 per month. He completed his 18 month probationary period as of June 27, 2010 and has received satisfactory evaluations from the Chief. Officer LeGore has never received a step increase after completion of his 18 month probation period. The Chief is requesting to give Officer LeGore a \$200 a month increase for his completion of his probation. The Police Department budget would not be affected. The difference between what Sergeant Stalling was earning and what the new officer would be earning plus the employee paid portion of the medical benefits would save the Police Department Personnel budget about \$400 a month. The Chief stated that Officer LeGore would be taking on more responsibility while we are recruiting as well as helping to train the new Officer. On a motion by Councilor Hall and seconded by Councilor Baleztana Council agreed to give Officer a \$200 step increase. All present voted yes.

F-5 Cascade Natural Gas Franchise Agreement

Steve Draper addressed Council stating that at the last meeting Council asked staff to put together some numbers showing the potential revenue at different fee percents. Teri Porter has gone back 5 years and put together the attached report showing the actual numbers that the City collected and what it would have been at the various different fee percentages. Steve pointed out that the revenue has decreased in the last 5 years rather than going up, so you will always want to use your lower numbers. The decrease is due to less usage. There was some discussion regarding the mills usage of the gas fired boiler and that if it was used more the numbers could improve. Back in February Council had asked Steve to negotiate a 5% fee agreement with Cascade Natural Gas. Now that Council has this information in front of them, Steve asked Council how they would like him to proceed. Steve stated that if you want to increase it you may want to do it now as the agreement is due to be settled this month. Although in the agreement it states that we can increase the franchise fee up to 8% at anytime as long as we do so in writing. Steve stated that this is the only agreement with that type of flexibility; the others could only be changed when they come due. Councilor Hall stated that all the utility franchise fees could be raised to 8% above where they are right now; we just need to wait until the current contract is up and negotiate a new

one. Councilor Hall stated that we are revenue poor, for us to be able to have sustainable income and still provide services; we have to be able to take advantage of sources of sustainable income. After some discussion Council agreed and a motion was made by Councilor Hall and seconded by Councilor Tester to draw up the agreement with an 8% franchise fee. Councilors Moss, Corwin and Kirk voted yes, Councilor Baleztena voted no. Steve Draper asked Council to make a motion that all future agreements be negotiated at the 8% so that he will know what the Council wants before he goes into negotiation. On a motion by Councilor Hall and seconded by Councilor Kirk Council agreed that all future Franchise agreement should be negotiated at 8%. All present voted yes.

F-6 Resolution #533 Approval to Apply for the City Allotment Grant

Steve Draper approached Council for approval to apply for the City Allotment Grant. On a motion by Councilor Kirk and seconded by Councilor Moss Council agreed to allow Steve Draper to apply for the City Allotment Grant. On a Motion by Councilor Hall and seconded by Councilor Kirk Council approved Resolution #533 approval to apply for the City Allotment Grant.

F-7 Back Sewer Fees for the Round Up Room

Steve Draper addressed Council with the issue that Jerry Boag is asking the City to waive back sewer fees for the Round Up Room in the amount of \$720.25. Staff recommends that we do not waive the fees as we have not waived them for anyone else. On a motion by Councilor Kirk and seconded by Councilor Tester Council agreed not to waive or reduce the back sewer fees. All present voted yes.

F-8 Replacement Motor for City Vehicle

Steve Draper addressed Council with the need to purchase a motor for the '98 Ford pickup. Councilor Kirk asked where in the budget would that money come from? Steve stated that he felt there was enough in the Water, Sewer and Street fund but if not we could take some from the Utility Reserve Fund. Teri Porter agreed. Councilor Corwin cautioned Steve to be sure to get the warranty in writing. On a motion by Councilor Kirk and seconded by Councilor Hall Council directed Steve Draper to purchase a replacement motor at a cost no more than \$4000. All present voted yes.

F-9 Work Session for Council and Staff

Teri Porter stated that at the last Council meeting Council asked Staff to come up with a date and time to conduct a work session with Staff and Council. Staff is recommending meeting at 6:30pm on Tuesday September 20, 2011. Councilor Hall felt that a half hour before the Council Meeting would not be enough time. On a motion by Councilor Moss and seconded by Councilor Hall, Council agreed to meet at 6 pm on September 20, 2011 to conduct the work session. All present voted yes.

F-10 Land Partitioning of City Property

Steve Draper and Steve Haddock addressed Council following up on the previous Public Hearing regarding mapping out the various easements on the property. Steve Haddock presented a larger map for Council with all issues clearly indicated. **GENERAL UTILITY EASEMENT AND EXISTING SEWER EASEMENT:** The sewer easement is only 10' wide we would like to increase the size of the easement so that there is more room to work on the sewer line and a water line in the future. On a motion by Councilor Hall and seconded by Councilor Baleztana Council approved the widening of the Utility Easement. All present voted yes. There was additional discussion that as the sewer line continues North it leaves City property and runs under the rail road. Councilor Hall asked Steve to ensure that we have the Right of Way Use agreement with the Rail Road. **EXISTING EFFLUENT MAIN:** The old line has been replaced. We need a statement on the plat stating that the City has abandoned the easement for the old pipeline. There was discussion whether or not the water line went under the rail road. Steve Draper explained that in years passed they pulled the old one out and put the new one in under the rail road in the same existing line it made an elbow that went up around the Northeast edge. Councilor Hall stated that an abandoned line underneath a railroad needs to be plugged. Steve Draper stated that we are not abandoning that part of the line. Councilor Hall asked to be sure that we have a permit with the Rail Road for that pipe to go under the rail road. On a motion by Councilor Hall and seconded by Councilor Baleztana Council approved the abandoning of the old line. All present voted yes. Councilor Hall asked that it be included in the notes the exact part of the line that is being abandoned. *As you look at the Partition Plat map dated 9-6-2011 the water line is indicated by a diagonal line on the upper third part of parcel 2. It runs north west from the hashed lines to the existing power lines indicated by E___E. The abandoned line will start west of the hashed line to just before the existing power line.* **EXISTING POWER LINE:** The power line crosses on to parcel 2, so an easement will needed to allow the new owners of parcel 2 to have access. It is being suggested that we include in the easement the entire area up to the railroad track. On a motion by Councilor Hall and seconded by Councilor Baleztana Council approved the Power line easement to include the area to the rail road track. **EXISTING WATER SUPPLY TO THE FIRE HYDRANT:** This line is part of the water system from the mill side that runs across parcel three and heads east to the hydrant in parcel 3. An easement would be needed for the future owners of parcel 3 to maintain their water line. Councilor Hall raised a concern that we have a PVC water line probably on top of our sewer line, which would put our sewer line at risk if that water line should break. To protect our infrastructure, it may not be a bad idea to abandon it, while it is still ours. Steve Draper disagreed, while there may be a possible threat to our sewer line, it would definitely cut out any fire suppression for parcel 2. Councilor Hall still concerned with a threat to our sewer line asked what we can do to eliminate the threat. Steve Draper said we would have to move it. Councilor Hall asked for an estimate as to what it would cost, if it would be worth it. Steve Draper stated that he would go down

tomorrow and dig it up to see if it was installed properly. Councilor Corwin asked if we did dig out that water line what does that do to the value of the property we would like to sell? Steve Draper stated that that is the fire suppression that is in place and should go with that property. Councilor Corwin stated it would be more appealing to the customer to have it in place. Steve Draper stated that at one point or another that water line has to cross the sewer line. Councilor Hall also brought up a concern whether or not the new property owners may turn that line into potable water, then we may be at risk of contaminating their potable water system if our sewer line breaks. Councilor Hall stated that he does not want potential liability. Steve Draper stated that he would dig it up. EXISTING GAS MAIN AND EXISTING PHONE LINE TO THE MILL: On a motion by Councilor Baleztena and seconded by Councilor Tester Council agreed to grant a 10' easement for both utilities. EDGE OF PAVED PARKING: Steve Haddock pointed out that there is an encroachment onto the parking lot area. As potential sellers we have the responsibility to disclose this issue. Steve Haddock stated that it will be shown on the new plot map. Councilor Kirk arranged with Steve Draper for a tour of the area. Councilor Hall wanted it to be clear that we as the property owners are not required to provide fire suppression to the potential new owners. Councilor Hall wanted to ensure that the Fire Marshall was sent a letter regarding this issue.

G-1 DEPARTMENT HEAD REPORTS

Teri Porter stated that Mary Lue Slabik was here to address the issue of the Slabik property at the City Park. Teri stated that staff was of the understanding that Mr. Haddock would be representing the Slabik's in this issue and that we should negotiate with him. Teri send a letter to Mr. Haddock to negotiate the price and terms, Mr. Haddock replied stating that he would only be representing the Slabiks as it relates to the boundaries. Teri then sent a letter to Mr. and Mrs. Slabik and they responded in a letter stating that they were firm on their price of \$1200 and that the City would assume all legal, recording and surveying fees. Teri stated that staff will confer and reply to Mr. and Mrs. Slabik this week.

Steve Draper stated that we have received a bill from Hatley Construction.

H. CONSENT CALENDAR

Councilor Kirk asked what the DG charge was for. Steve Draper said it was for decals and florescent T shirts.

Councilor Moss asked for a change to the minutes of last meeting page six, states that Councilor Tester asked Chief Richman for Background. It should be Councilor Moss.

I. COUNCIL COMMENTS

Councilor Moss asked if there was anyone that might be willing to provide training to the Council regarding planning and zoning issues so that issues like were just discussed for the past 45 minutes are understood by all Council members. Steve Haddock stated

that he would be willing to sit down with Council to explain the ordinances etc. Councilor Tester agreed it would be helpful.

Councilor Hall stated that we need to give permission to Teri to get training in Planning and Zoning. On a motion by Councilor Hall and seconded by Councilor Moss Council agreed to allow Teri to get training in planning. All present voted yes.

Mayor Carnes asked for permission to use the Council Chambers on Sept 23rd and 30th and Oct. 7th and 14th The Pilot Rock Foundation and the Pendleton Art Center are sponsoring Art classes for ages for 13-18. Also Rite aid is sponsoring Flu clinics out here October 12th from 10-12 and October 15th from 5-8. On a motion by Councilor Baleztana and seconded by Councilor Kirk Council approved the use of the Council Chambers. All present voted yes.

J. EXECUTIVE SESSION

Teri Porter stated that Steve Draper had asked her to keep the executive session on the agenda in-case something should come up unexpectedly. Steve Draper stated that there was nothing new to discuss.

K. ADJOURNMENT

On a motion by Councilor Kirk and seconded by Councilor Baleztana Council adjourned at 9:20pm.

APPROVED _____

ATTEST _____

089.

Greg Stallings
84947 Hwy 339
Milton-Freewater, OR 97862

Date: 09-01-11

Darren Richman
Chief of Police
City of Pilot Rock
144 N Alder
Pilot Rock, OR 97862

Dear Chief Richman,

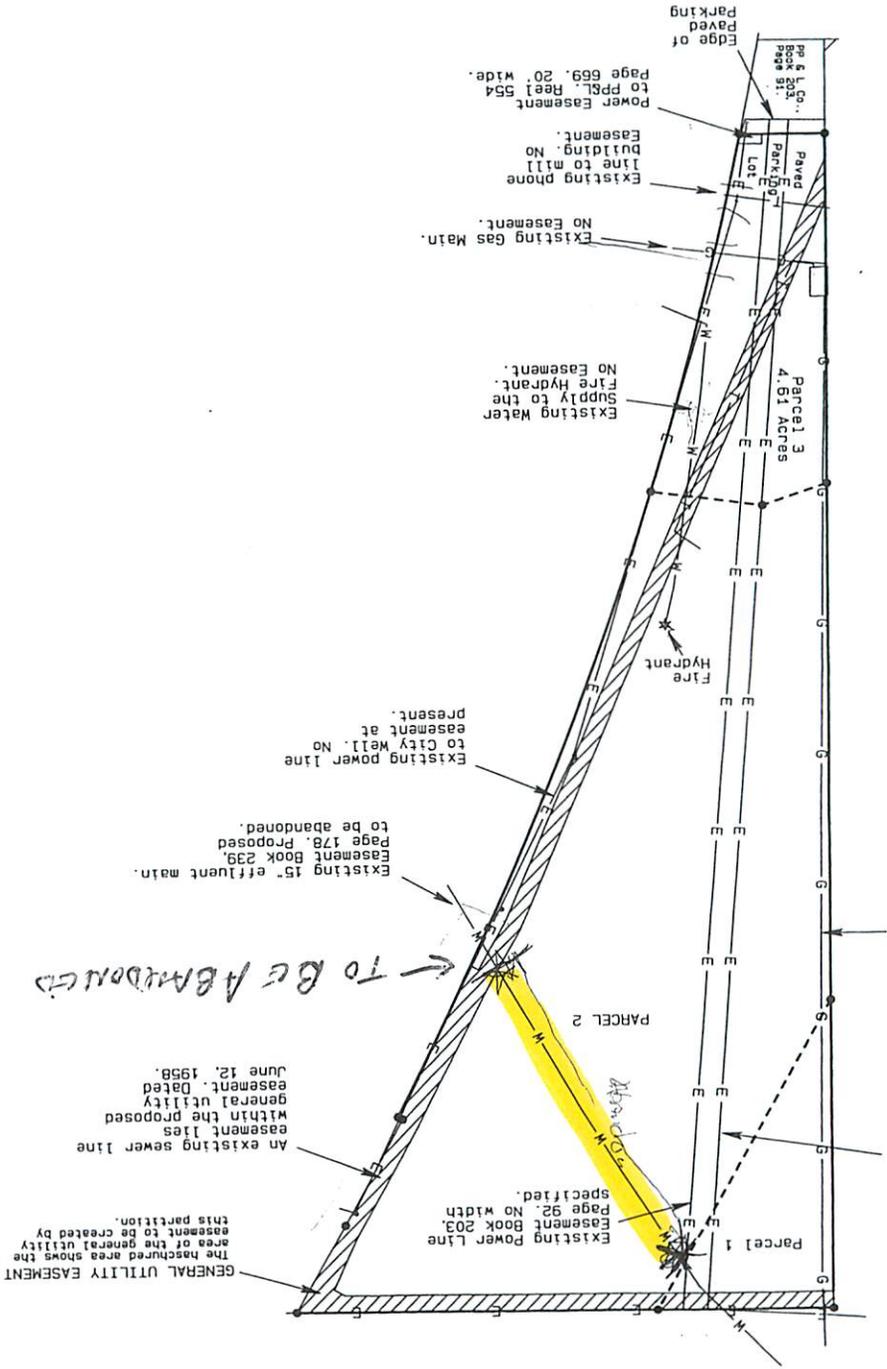
I would like to inform you that I am retiring from my position as Sergeant with the Pilot Rock Police Department, effective September 20, 2011.

Thank you for the opportunities for the professional and personal development that you have provided me over the years. I have enjoyed working for you and the agency and the support you have provided me during my tenure with the police department.

While I look forward to enjoying my retirement, I will miss working with you and the department. If I can be any assistance during this transaction, please let me know.

Sincerely,


Greg Stallings



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CITY OF PILOT ROCK

AGENDA FUTURES

Purpose: To identify and document information and decision issues for future City Council meetings.

October 2011

1. On June 7, 2011, Councilor Snively requested a discussion of an employee's medical insurance cap to be considered for the following years budget.
2. Wage schedule.
3. Results of Audit.
4. Report from Teri on the City Records Conference.