

# **CITY OF PILOT ROCK**

## **COUNCIL MEETING**

**August 2, 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 and Pastor Harley Jeffers.

### **B. INVOCATION**

Pastor Jeffers gave the invocation.

### **C. PLEDGE OF ALLEGIANCE**

### **D. APPEARANCE OF INTERESTED CITIZENS**

None.

### **E. PRESENTATIONS**

None.

### **F-1 Permission to Paint Mural and Release**

Mike Zojonc could not be present so Teri Porter read from the staff report: The Downtown Association is asking permission from Council to paint a mural on the East wall of Jer and Ter's. They would also like permission to be on the property at 172 W. Main for the purposes of painting the mural. The Downtown Association has also submitted a release which states that the Downtown Association agrees to indemnify and save harmless the City of Pilot Rock from all damages and claims. Steve Draper explained that it is a common wall and both Jer and Ter's and the City are responsible for it. Councilor Hall asked if we had a release from Jer and Ter's and Steve Draper stated that we did. Councilor Kirk stated that she wanted to clarify, because she had a call from a community member, that the money funding the murals is from the PP&L Grant that was for beautification and it has already been approved by Council. The community member stated that she would prefer to have the money spent on better microphones. Council explained that the grant was for beautification and could not be used for technology. Councilor Hall asked Teri Porter if she had called CIS regarding the concerns of the grant money. Teri Porter stated that she had called CIS to be sure that we are treating this matter ethically. CIS indicated that as long as PP&L is aware of how we are spending the money there is no issue. Teri stated that PP&L has received a letter stating what it is used for and by what organization. CIS also advised

that as long as no one person or family member connected with the City, or Downtown association is profiting from the grant there are no ethical issues. Councilor Hall stated his reasons for suggesting Teri call CIS is that those of us who were around know there was some question back then as to whether we were acting in accordance with the rules and if we were giving the money away. Councilor Baleztena stated that it is the same argument as it was back then. The grant was specifically for the murals and that is what it should be used for. On a motion by Councilor Baleztena and seconded by Councilor Tester Council agreed to grant permission to the Downtown Association to paint the mural on the East wall of Jer and Ter's and to be on the property at 172 W. Main St. for such purposes. All present voted yes.

### **F-2 Juvenile Crime Prevention Grant**

Chief Richman addressed Council stating that during the budget process we budgeted \$9000 to receive the Juvenile Crime Prevention Grant. Right now the amount is \$4000 that they are granting but Kim tells me it could be more, depending on how many people apply for it. The grant would be used for the Accountability Board to buy a lap top for use by the Accountability Board and to buy supplies for the kids that do street work. On a motion by Councilor Kirk and seconded by Councilor Baleztena Council agreed to allow the City to apply and accept the grant to be used by the Police Department in association with the Accountability Board. All present voted yes.

### **F-3 Safe Routes to School Committee**

Chief Richman addressed Council and stated that last year at the beginning of the school year he contacted ODOT and they came out and looked at the intersection of SW 4<sup>th</sup> and SW Birch which is right by the old school where the kids are crossing. We tried to come up with solutions to make that intersection safer. Some of the suggestions they brought up were moving cross walks, putting lights up and even closing the whole intersection and doing something else. Chief heard back from the Chairman of Safe Routes to School and they suggested that we put together a committee involving the City, the Schools and some citizens and come up with a study then apply for funds of \$200,000 because that is what they prefer to fund. This would reflect back to the stairs to High School, new sidewalks going down to the Elementary School in addition to the cross walk. Chief Richman asked permission from the Council to develop a Safe Routes to School Committee that is associated with the City and when we come up with our finding we would come back to Council with these findings and have the Council buy off on it. On the committee would be Chief Richman, Teri Porter involved with some of the financials and Steve Draper because of Public Works he would like to see one Council member on the committee, concerned citizens and the School is already on board. Councilor Hall asked Steve Draper what impact this would have on utilities? Steve stated that he did not feel there would be any negative impact but the positive would be that the power poles on Alder would be moved out wide enough that it would be ADA approved, right now it is too narrow. Councilor Hall asked that there would be a new surface in some areas to improve the intersections, would

that surface go over any of our existing utilities. Steve Draper answered, No. Councilor Hall stated that we need to look at the possibility that this project could affect or uncover areas of infrastructure that also need improvement and that we should add those needs to the list as you are looking for funding. Chief stated that we would have to come up with a full plan before we brought it back to Council this is what we want to apply for and this is what we want to change and that is why the Chief wanted Steve involved with this project. Mayor Carnes suggested that the Chief contact Lela Thieme. The Chief stated that he needs Councils approval to put together this Committee. Councilor Hall was appointed to be on the Committee. On a motion by Councilor Hall and seconded by Councilor Kirk Council agreed to allow the police department to start a Safe Routes to School Safety Committee that is associated with the City. All present voted yes.

#### **F-4 Wal-Mart Foundation Grant**

Chief Richman addressed Council stated that last year the Police Department was asked by Marion Schuening to participate in the Shop with a Cop Program during the month of December 2010 the program was funded by the Church and private donations, Chief Richman included he donated more than \$150 towards it himself. During the program there were not sufficient amount of gifts or funding for all the children and families. The program is held for two days at the fire station, the Chief feels it is a very successful program and only applies to the less fortunate families and children. Chief Richman stated that Mrs. Schuening told him that the Church does not have the 501C3 necessary to apply for this grant. Mrs. Schuening asked the Chief to come before Council to ask if the City could apply for the grant to be used for the Shop with a Cop Program. Chief Richman stated that he talked with Teri Porter and she said that we could put a line item into the budget that would be used for this grant and this program. The Chief stated that he is thinking about putting a \$2000 limit and just see if we can get it, there is a lot of restrictions on this grant. Councilor Baleztana asked what could you use the money for? The Chief answered, the money would be used for gifts for the kids and maybe some food baskets for the families. Councilor Moss also suggested that the Chief look into the Wal-Mart Community Grant a \$1000 grant which is fairly easy to get. On a motion by Councilor Kirk and seconded by Councilor Tester Council agreed to allow the Police department to apply for the Wal-Mart Foundation Grant. All present voted yes.

#### **F-5 Community Days Permits**

Chief Richman informed Council that he has received permits for all the events being held during Community Days including the OLCC for the Boosters Club. The new Street Closure/Parade permits have all been signed off by the Fire Dept, Public Works and the Chief and all aware of the routes the Parade will be taking. The Chief has not found any problems with any of the permits and everything is going the same as last year. The Chief is asking for approval from Council to turn the permits over to the Community Days board so that they can move forward. On a motion by Councilor Hall and

seconded by Councilor Kirk Council approved all permits submitted to the Police Department, including the OLCC permit from the Booster Club along with banning bikes and skateboards from Main Street during Community Days. All present voted yes.

Councilor Kirk asked what happened with Chris Bodewig's event? The Chief explained that the original person to provide the alcohol fell through and Mr. Bodewig has decided not to do the event. The Chief suggested that Mr. Bodewig put it all together for next year and come before the Community Days board with his proposal and then Council for approval.

### **F-6 Slabik Owned Property at the City Park**

Steve Haddock addressed Council on behalf of Ray and Mary Lue Slabik. The Slabik's have been requesting for some time that Steve to do the survey work necessary to present this information to Council. Steve indicated that the Slabik's are asking the City to purchase tax lot 9700 which essentially is part of the Park. Steve stated that everyone assumes it is part of the park and referred to the drawing attached to the staff report. He stated that he has seen kids using the foot bridge like a jungle gym and dropping into the creek from the underside. The foot bridge is a publicly encouraged access across private property, the Slabik's feel it would be better if the City owned the property. The only contention is the Slabik's would like to create an easement for the Little League that would allow them access and continued use of their facility. The Slabik's are requesting that the City purchase the property for \$1200. The \$500 is the surveying fee. Steve stated that that is 1/3 of what he would normally charge, but has cut his fee considerably because it is his community. Two documents would need to be drawn up, 1 for the easement document for the Little League and 1 for the deed conveying the property to the City. Steve would provide the legal description for that. So the cost to the City would be the \$1200 cost of the property, the \$500 surveyor fee and the cost of the attorney to draft the easement document and the deed document conveying the property to the City. Mayor Carnes asked if Steve could estimate those costs. Steve stated that he does not get into that but felt that it would behoove the City to talk to Council and see what ramifications there may be. The City is assuming a piece of property at present and Mr. Slabik's concern is that if he passes away and all of the normal probate procedures go on, he has a piece of property that is encumbered by the City's use and so the title issues would show that there is a problem here and he will have a hard time dealing with that. Mr. Slabik would like to get this taken care of now while we all know what is going on. It is a problem getting property insurance with a public walkway crossing your ground. Steve is suggesting that the City ask Council what the issue may be there and find out what the cost would be to draft the documents. Councilor Balezteni stated that that property has been used like that for a very long time, how was it allowed that the Park be built on private property? Steve stated that a lot of people are not aware of actual property lines and sited several other examples, it is a common mistake. The Slabik have been aware of

this since 1997 when Steve surveyed for the School. Mr. Slabik came to Steve 2 years ago but Steve has been so busy he did not get around to it until now. Steve mentioned some litigation concerns with kids playing in the area. Councilor Hall made a motion that Council direct staff to negotiate with the Slabik's for a reduction in cost of the transaction and return to Council with all the cost associated with the transaction. The motion was seconded by Councilor Kirk. All present voted yes. Steve Haddock felt that the \$3000 in the staff report would more than enough cover any costs.

## **G-1 DEPARTMENT HEAD REPORTS**

Police: Chief Richman stated that our City attorney has sent a letter to Mr. Callahan's attorney because nothing has been done out there since we last met at the property. They are trying to get a date before he is fined for violation of City ordinances. The Chief is still trying to locate a camera system for the park, right now we have prices between \$2300 and \$4000. The Chief is weighing options between wireless and ethernet. The Chief is requesting permission to attend Sexual Assault Training October 2-4, 2011 in Scappoose, Oregon. Training is free and the motel is approximately \$97 a night for a total of \$194. There would also be food costs. Also requesting permission for Officer LeGore to attend free training at the Sheriff's Office August 15-18. Class is ICS 300 and 400, which are required as part of DPSST. Chief had another request to attend Criminal Justice Information Services in Pendleton September 26-29 2011. The cost of the class is \$185 and will be taken from the Training line item. On a motion by Councilor Kirk and seconded by Councilor Tester Council agreed to grant the Chief request for training.

City Hall: Teri Porter reported that she is working on a couple of Planning and Zoning concerns. There is the land partitioning at the Masonite property in preparation for a pending sale. Teri stated that there is a request for a variance in the works and she is learning a lot about the processes. Regarding the need for new auditors Teri sent out a couple more requests for proposal and should have them by the 12<sup>th</sup> for review and consideration at the next Council meeting. Teri attended a Notary class and should have her certification by the end of the month.

Public Works: Steve Draper requested permission from Council to allow Tim Britain to take vacation time from August 15-19, 2011. On a motion by Councilor Baleztana and seconded by Councilor Tester Council agreed to allow Tim Britain to take vacation time. All present voted yes.

## **G-2 City Recorder Training Progress**

Councilor Tester stated that she had met with Teri and Jackie as requested by Council. Jackie felt that Teri is doing very well in all areas the only area that Teri would need the most work at would be the treasury part, budgeting and balancing which is a very important part of her job. She also stated that she handed Teri the books in balance as they were handed to her 20 years ago. After that meeting Teri informed me that she had balanced at the end of the month and that she had taken all the books out and

worked through the process of how the money is debited and credited. Councilor Tester stated that Jackie seemed real confident that Teri would be fine, there is a huge learning curve. Mayor Carnes asked if there is any recommendation on how the Council could help. Councilor Tester stated that we need to continue to look closely at her monthly balancing. Another thing that Jackie mentioned is that Angel has been an absolute intricate part of this and Jackie was hoping that Council would consider a wage increase for her soon. They have gone from 3 employees down to 2 and she has done an excellent job and that was a recommendation that came from Jackie. Teri Porter agreed. Councilor Kirk asked are we close to her 6 month or are we looking to do something outside of that. Teri Porter stated that her 6 month evaluation would be in September. Staff has talked about it and agree that she has done a very good job and Staff does feel that the budget would allow us the increase because the budget was made for 2 full timers and 1 part timer and we are down to 2. On a motion by Councilor Kirk and seconded by Councilor Tester Council directed staff to bring back a recommendation to the next meeting. In discussion Councilor Hall would like to see a recommendation from Staff as oppose to just Teri and asked that the staff report include weather this would affect the part time/ temporary position. All present voted yes. Mayor Carnes asked Teri Porter if there is anything Council can do to help. Teri stated that she feels comfortable that she could ask anyone on Council for help and would feel comfortable if Council would like to make an appointment to come and let her show them what she has learned. It is still an everyday learning experience. Mayor Carnes asked if flex time would be helpful. Teri stated that she feels as she learns more the easier it becomes but admitted that she has struggle in the past with time issue, because there are times when there is a lot on your plate and do not have the time to get it all done. But then there are other times when you have lots of time on your hands. Teri stated that right now you may ask me the simplest thing but if I don't know I have to research, read and dig for the information, I don't know right off the top of my head. But feels that as she learns more the time thing wont be an issue. Councilor Hall stated that Council needs to recognize that Teri just got here and also that the simplest questions can also breed a tremendous amount of research in the public sector that is not common in the private sector. Councilor Hall addressing Teri stated that if you put us off for one reason or another none of us should take it as procrastination or efficiency we should take it as good people trying to do the job right. Councilor Hall stated that Teri can not be embarrassed to ask for help. The City has to recognize that there are some budget implications for having a new person in your position and we have to be willing to spend the money to assist you. Councilor Hall also brought up the concern that Councilor Kirk will be leaving us and that she was appointed as the primary contact person for Teri. Councilor Hall recommended that that responsibility be transferred to Councilor Tester. On a motion by Councilor Hall and seconded by Councilor Baleztena Council agreed to appoint Councilor Tester to be the contact person for Teri.

## **H. CONSENT CALENDAR**

On a motion by Councilor Tester and seconded by Councilor Moss Council agreed to accept the consent Calendar. All present voted yes.

Councilor Baleztena stated one correction to the minutes regarding the Archery Shoot. The Oregon Hunting Association is putting on the event in conjunction with the Pilot Rock Archery Club.

**I. COUNCIL COMMENTS**

Councilor Kirk asked for a status update regarding the Round Up Room. Councilor Kirk stated that she had heard the Jerry Boag had been inquiring about purchasing the property behind the Round Up Room and asked if the Round Up Room was his again. Chief Richman answered by stating that he can not touch it for 60 days the first offer goes to Mike Bilyeu but that is unlikely. The time period is 60 days to 6 months from last weeks sale and then it will be back in Jerry's hands again. Councilor Kirk asked about the Hinkle project. Steve Draper stated that we have still not received a bill from Hatley.

Councilor Tester made a statement that Tim Britain had taken her into the City water building next to her house and she was so impressed at how well taken care of it is, she was so impressed at how neat and tidy and organized it was that she is going to suggest to the Social Studies teacher to take their class on a tour of and show them what our little municipality has and how well taken care of it is.

**J. EXECUTIVE SESSION**

Steve Draper stated that an executive session is not necessary A&V is just asking for permission to allow T-Mobile access to the property to see about putting a cell tower on the water tower. On a motion by Councilor Baleztena and seconded by Councilor Corwin Council agreed to allow T-Mobile access to the property for purposes of testing the area for a cell tower on the water tower. All present voted yes.

**K. ADJOURNMENT**

On a motion from Councilor Kirk and seconded by Councilor Tester the meeting was adjourned at 7:58pm. All present voted yes.

**APPROVED** \_\_\_\_\_

**ATTEST** \_\_\_\_\_

