

CITY OF PILOT ROCK

COUNCIL MEETING

February 7, 2012

7:00 PM

A. Call to Order

The regular meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were Kacie Moss, Annie Tester, Michael Baleztena, George Hall and Shawna Kirk. Also present were City Recorder Teri Porter, and Police Chief Darren Richman.

B. INVOCATION

Pastor Harley Jeffers gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS

E. PRESENTATIONS

Mayor Carnes asked for a vote to add 2 items to the agenda. F-4 Archery Club Social Gaming License and F-5 Purchase of the Slabik Property. On a motion by Councilor Kirk and Seconded by Councilor Tester, Council agreed to add F-4 and F-5 to the agenda. All present voted yes.

F-1 AT&T Lease Assignment to American Tower

Steve Draper addressed Council stating that the lease between the City and AT&T allows AT&T to assign their interest to another company. AT&T is asking Councils consent to assign their interest in the lease to American Tower Corporation. Councilor Hall if this action would have any bearing on other towers we have in the area, and wanted to be reassured that there were no encumbrances on the property. Steve stated that the tower sits solely on City property. On a motion by Councilor Kirk and seconded by Councilor Baleztena, Council agreed to consent to the assignment of AT&T's interest in the lease to American Tower Corporation. All present voted yes.

F-2 Resolution #536 Transferring Funds in the Economic Development Fund.

Teri Porter stated that while going through the process of partitioning the industrial property, the County required the City to pay all current taxes on that property before the partition could be recorded. She stated that since this was not an expense that was budgeted for there was not enough money in the property tax line item of the Economic Development Fund. Teri paid the taxes out of the Capitol Improvement line item. A

resolution is required moving funds from the Capitol Improvement line item to the property tax line item. Mayor Carnes read Resolution #536 in title. On a motion by Councilor Kirk and seconded by Councilor Baleztena, Council approved Resolution # 536. All present voted yes. Councilor Hall asked where we are in the Economic Development Fund as far as having money to move around. [Teri said she could not give him an exact figure but she would get it for him.](#)

F-3 Resolution #537 Appropriating Credited Funds from Umatilla County

Teri Porter stated that payment of the Industrial Property taxes was necessary to process the land partitioning. A payment of \$21,174.85 was made to Umatilla County Assessor's office. Since then the property was re-assessed and the property taxes were lowered creating a credit of \$10,827.70. A check for this amount has been received from the County. A resolution is required appropriating these funds to the proper revenue account. Mayor Carnes read it in title. On a motion by Councilor Hall and seconded by Councilor Baleztena, Council approved Resolution #537. All present voted yes.

F-4 Archery Club Social Gaming License

Chief Richman addressed Council stating that on February 3rd, the Police Department has received a social gaming application from the Pilot Rock Archery Club. The application is for the annual Texas Holdem poker tournament, used as a fund raiser for the Archery Club, which is a non-profit organization. The event will be held on March 24th from 5pm until midnight at Archie's. Staff recommends that Council by motion approve the Social Gaming Application and waive the application fee for a non-profit organization. By approving the permit it will allow the Archery club to gain revenue for the year. An investigation has been done and find know issues with their license. The event will be held in the center room of Archie's if the event needs more room they will expand into the bar area not the dining room. They will also have monitors at the doorway that goes into the dining room so that no one under 21 can enter if they need to use the rest room they will be escorted in and out. Council approved this event last year at the Community Center with no issues. It is a good for the Archery club to also promote Archie's because they will gain revenue for food and alcohol. They understand that they cannot get any revenue from the tables. Chief also stated that he redid the application which went into more detail. Councilor Baleztena abstained sighting a conflict of interest. On a motion by Councilor Hall and seconded by Councilor Tester, Council agreed to approve the Social Gaming application for the Pilot Rock Archery Club for March 24, 2012. All present voted yes.

F-5 Purchase of Mr. and Mrs. Slabik's Property at the Park

Teri Porter stated that she had been approached by Mary Lue Slabik and Steve Haddock regarding someone they had in mind to do the paperwork and filing of the Slabik property. This person is David Hadley out of Hermiston who they were told would do it for \$500. Staff asked the City's attorney for an estimate of what he would charge and was told \$500 to \$600. Staff also asked the City attorney what he would charge to review

documents drawn up by Mr. Hadley, and was told \$250 to \$300. Staff feels that the City would be ahead cost wise to use the City Attorney as we would not have to pay additional costs to have him review another person's work. On a motion by Councilor Kirk and seconded by Councilor Hall, Council agreed to [direct staff to have City Attorney David Blanc proceed with the necessary documents to finalize the Slabik property sale.](#) All present voted yes.

G-1 Department Head Report

H-2 Consent Calendar

On a motion by Councilor Kirk and seconded by Councilor Baleztena Council agreed to accept the consent calendar all present voted yes.

John Taylor referring to the minutes of January 23, 2012 and the motion made after executive session, stated that the motion could have been clearer. Teri asked for clarification in her position as recorder, is it her responsibility to type the motion as it was spoken, or to interpret what was actually intended. Those of us who were in executive session understood the motion. Mr. Taylor was most concerned with the motions reference to \$90,000 in escrow. Councilor Baleztena suggested to change the word from escrow to in question. So now it would read, direct Staff to have the City attorney draft a letter to A&V paying attention to the \$90,000 in question... Councilor Hall followed up by saying that if staff is not comfortable with the motion they should question Council until it is understood and not leave it open to interpretation. There was a consensus to change to wording as Councilor Baleztena suggested.

I. COUNCIL COMMENTS

John Taylor addressed Council stating that in the minutes of January 17, 2012, F-3 *Clarification of Motion to Extend the A&V Lease.* Mr. Taylor felt it would be clearer if it said addendum rather than lease. On advice from Councilor Hall, Teri Porter stated that his concern is duly noted.

Councilor Kirk, asked Teri if this was the time we start setting budget dates. Teri and Steve agreed, and will be discussed at the next meeting.

Councilor Kirk also suggested having Lindsey Warnnes of Boise Cascade who is a political analysis, come and speak at a Council Meeting. Mayor Carnes said that she had heard her speak as well and has a [tentative date of March 6, 2012 for her to speak.](#)

Councilor Tester, stated that she thought that \$60 a month for the rugs to be cleaned each month is ridiculous. [Staff stated that they would look into the contract to see when the contract time is up before it automatically rolls over.](#)

Councilor Hall stated his concerns regarding following up on issues discussed in Council Meetings he suggested some kind of ticker. Teri stated that as she is typing up the minutes and comes across items that need follow up, she tries to ensure that it is addressed in the next meetings department head report or will add it to the futures agenda.

Councilor Hall asked Steve Draper what the status was regarding the Bike Pit 501c3. Steve stated it was \$850 to file with the feds and felt that it should be filed within 30 days. Then it is in the Feds hands as to how long before the 501c3 is issued. Councilor Hall asked Steve to let Council know if the Bike Pit does not file in 30 days.

Councilor Hall suggested that in the absence of a Planning Commission that perhaps we could have a Planning item on the agenda that is constantly on the agenda. Teri said she would look into it.

J. EXECUTIVE SESSION ORS 192.660 (2)(e)

Council went into executive session at 7:41 pm under ORS 192.660 (2)(e) Real Property. Present were Mayor Carnes, Councilors Moss, Tester, Baleztena, Hall and Kirk. Also present were Teri Porter, Steve Draper and Darren Richman.

Council came out of executive session at 8:33 pm.

On a motion by Councilor Kirk and seconded by Councilor Baleztena Council agreed to direct staff to have the City attorney draft a letter to A&V's attorney regarding the tax discrepancy. All present voted yes.

J. ADJOURNMENT

On a motion by Councilor Baleztena and seconded by Councilor Tester Council agree to adjourn at 8:34. All present voted yes.

APPROVED _____

ATTEST _____

