

# CITY OF PILOT ROCK

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## COUNCIL MEETING

June 19, 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, Ray Corwin and Shawna Kirk. Also present were City Recorder Teri Porter, Public Works Director Steve Draper (arrived at 7:25) and Police Chief Darren Richman. Citizens present were Ray Slabik.

### B. INVOCATION

Pastor Harley Jeffers gave the invocation.

### C. PLEDGE OF ALLEGIANCE

### D. APPEARANCE OF INTERESTED CITIZENS

Pastor Jeffers asked Council for use of the City Park on June 28 to put on a carnival with games and food and to also show a movie around 9pm, that is family appropriate. Councilor Kirk asked if it was open to the public and free of charge. Pastor Harley stated that there was an ad and it would be done through their VBS program but would be open ended. **Councilor Kirk made a motion to allow the Baptist Church to use the park on Thursday June 28<sup>th</sup> for their carnival and movie night. The motion was seconded by Councilor Baleztena, all present voted yes.**

### E. PRESENTATIONS

None

## ACTION ITEMS

### F-1 Ordinance NO. 555; Approval to Receive State Funds

Teri Porter explained that each year it is necessary to pass this ordinance in order to receive state funds. The ordinance was read in title only 2 times. **On a motion by Councilor Kirk and seconded by Councilor Baleztena, Council agreed to approve Ordinance No. 555 an Ordinance declaring the City's election to receive state revenues and declaring an emergency. All present voted yes.**

### F-2 Resolution Establishing Water Service Connection Fees.

Steve Draper was helping fight fire at the bark plant. In his absence Teri Porter explained that the materials needed for new water connections has gone up, therefore it is necessary to increase the Water Service Connection fees. **On a motion by Councilor Baleztena and seconded by Councilor Kirk, Council agreed to approve Resolution #541**

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Establishing Water Service Connection Fees, all present voted yes.

## **F-3 Changes for the fiscal year 2012-2013 Budget, Adopting the Budget and Levying**

Teri Porter explained that there are some changes to the 2012-2013 approved Budget, due to cash carryover estimates (see attached). Resolution #543 adopting the budget reflects those changes (see attached). On a motion by Councilor Kirk and seconded by Councilor Baleztena, Council agreed to adopt the budget as presented. All present voted yes.

## **F-4 Little League Revocable License Agreement**

Referring to the sale of the property at the park Teri Porter explained that there was a stipulation that the Little League be allowed to maintain use of a portion of that property., which necessitated the need to grant a Revocable License Agreement to the Little League. Teri stated that Mr. and Mrs. Slabik had some concerns with the wording in the Agreement, and have asked to have it rewritten to better describe the their intent. Teri has supplied Council with both the original agreement and the revised agreement (see attached). Ray Slabik addressed Council stating that his legal Council was not present and wanted to cancel this discussion until such time as his attorney could be present. Teri stated her concern that the \$1,200 payment for this property is budgeted for in the current years budget, not the next fiscal year which is due to be in effect July 1<sup>st</sup>. Councilor Moss suggested that since we have a special meeting scheduled for Thursday June 21<sup>st</sup>, that we could address this issue then if Mr. Slabik could have his legal Council present. Mr. Slabik agreed. This issue was tabled.

## **F-5 Council Meeting on July 3, 2012?**

Teri Porter pointed out that the next meeting is to be held on July 3, 2012 the day before July 4<sup>th</sup>, and asked if Council was still going to meet? She also stated that she would be on Vacation, but that would not pose a problem as Angel is ready to step in if needed. Angel is prepared to compile the bills for payment, Council will need to stop by to sign off on them. Mayor Carnes stated that she felt that Council has more than made up for Council meetings this year and felt we could miss this one unless there was something crushing that needed to be addressed. On a motion by Councilor Tester and seconded by Councilor Moss, Council agreed to cancel the July 3<sup>rd</sup> meeting. All present voted yes. Councilor Moss asked Teri to ask Angel to send out an email reminding Council to stop by City Hall to sign checks.

## **G-1 Department Head Report (attached)**

Teri Porter added to her department head report regarding the fees for the audit. She stated that upon further examination of the issue, she found that while we had asked for proposals for 3 years the actual contract was for 1 year. It would not be necessary to go out for bid again if we chose to stay with Read and Bose, but we do have a choice. Councilor Corwin asked what it cost last year. Teri stated that Read and Bose charged us

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\$7,000 and Jenson and Spratling \$1,750, a total of \$8,750. (This year they looking at charging us \$9,800.) Teri stated that when she went out for bid last year she only received two proposals, the other was from a firm in Hermiston that bid at \$9,900. Teri also stated that she feels it is important to get the best price possible, but feels that there is value in establishing a relationship with an auditor that has done our audit. Council directed Teri to continue to negotiate with Read and Bose and bring the info back to Council for a decision.

Teri also added that she has had two bids so far for the speaker system in Council Chambers and will have a third next week. She will bring all to Council for review.

## **H-1 Consent Calendar**

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

### **I. City Council Comments**

Councilor Rowe, stated that she had been reading through all the old minutes in an effort to get caught up on City business. Back in 2010 regarding the Drainage issue at the Assembly of God Church she read that the original bid from Hatley was \$8,000 and after going through the bills see's that the City's half of Hatley's bill is \$5,000 making the total bill \$10,000, and wondered why he billed more that he bid. Steve Draper stated that he added to the job, asking him to lay the pipe a bit longer and went into another storm drain which cost more money. Councilor Rowe stated that it was her understanding that if a staff member needed to spend that kind of money they needed to bring to Council for approval and she could not find in the minutes where Council had approved spending the additional money. Councilor Kirk asked that next time he would bring it before Council instead of them finding it in the bills. Steve stated that sometimes when you are in the middle of a job you have to make quick decisions. Council Rowe also stated that the water project also came in way over budget. She doesn't understand how Council approves a job at one price and then it comes in over without the approval of Council, she feels that all the responsibility should not rest on Steve's shoulders. Steve stated that you have to give the employee the ability to make the decisions that need to be made right then and there Council needs to trust their employee. Councilor Rowe also asked why it has taken 2 years to get this done. Steve stated that he had hounded Hatley but he could only get to it when he did. Councilor Kirk stated that she appreciates the fact that employees may need to make those types of decisions to make the City better, but if it is going to go over budget then Council should be made aware as soon as possible, before we get the bill. Councilor Corwin asked what it would have cost to dig it all back up to get the extra feet. Steve guessed it would be double in price. Councilor Rowe suggested that maybe we could have called an emergency meeting. She is concerned because she is hearing from the public how things are spent or overspent that are not approved and it's seems to be an issue for some citizens. Steve stated that if you look

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back over history you will see that this is very rare. He also stated that Councilor Rowe is right he should have brought it to Council's attention sooner. Teri asked for clarification that what Council is saying is that if you are dug in as Steve was and we have to make a spur of the moment decision we can do so, but come back to Council with it as soon as possible. Councilor Corwin stated that he understands that there may be times when these types of decisions need to be made, in this case it may have saved us \$2,000, but agrees that it should be brought to Council as soon as possible. Chief Richman asked Council to make a motion on the dollar amount that we can actually spend. It was stated that it already exists. Teri stated that she cannot find it. She has found one that stated \$2500, but understands that it is now \$1,000, but cannot find that in writing. **On a motion by Councilor Kirk and seconded by Councilor Tester, Council agreed to direct staff to return to Council with a staff report proposing new limits for spending. All present voted yes.**

Councilor Balezteni asked Council to allow camping at the Archery range during the All Star tournament. Teri Porter stated that she requires a certificate naming the City as second insured. **On a motion by Councilor Kirk and seconded by Councilor Tester Council agreed to allow dry camping at the archery grounds and football field as long as Teri is satisfied with the insurance coverage, Councilor Balezteni abstained the remaining Councilors voted yes.** Councilor Balezteni also asked to waive the City ordinance which would allow folks to park and use their motor homes in front of homes. Chief Richman stated that the Police department would not have a problem with it as long as the trailers are back away from intersections not blocking the road at all. This is a special event that will benefit the City. **On a motion by Councilor Tester and seconded by Councilor Kirk, Council agreed to waive the ordinance and fee that would allow people to have trailers in front of their house from Friday June 22nd through Thursday June 28th All present voted yes.** Councilor Corwin asked if they need more room can they use the Bike Pit would they have to come to Council. Steve stated that the Bike Pit came to Council in the spring to cover the events for the entire year, that included camping. Councilor Rowe asked Steve to clarify that the Bike Pit has their own insurance and they are not on the City's. Steve said that she was correct.

Councilor Kirk asked about the clean up issue with the Callahan property has he had to do anymore clean up at either of his properties. Chief Richman stated that on July 26<sup>th</sup> the judge and the attorneys are going out to look at it to make a final decision. He has to show some kind of progress.

Councilor Kirk asked if the fire at the bark plant had any impact on the City. Steve Draper stated that there was damage done to a primary power line that belongs to the City, 3 transformers, 2 power poles, the lead coming across (3 phase power), over head lights, rail road ties, a roof, window and door off of a concrete building, and some fencing. They had a meeting today with one of the boss of the bark company and the Fire Chief. The bark plant are getting hold of their insurance company they will notify us where we go from there. Mayor Carnes thanked Steve and the Chief for their help driving the loader and helping combat the fire. Mayor Carnes stated that a mutual aid call went out and

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those that responded were East Umatilla Rural Fire Dept, Echo, Oregon Dept. of Forestry, Pendleton, Hermiston, Stanfield, Heppner, Tribal, Raymond and Packy Doherty, Boise Cascade, Robert Vaughn and Bill McLaren. Councilor Kirk asked if they thought it was spontaneous combustion or arson as it stated in the paper? They felt it was spontaneous combustion. Mayor Carnes stated that we will probably continue to see smoke down there for weeks before it is completely out.

Councilor Tester presented the proposed evaluation form for the City department heads. Mayor Carnes asked how Council would like to handle the process once a form is accepted. It was suggested that each Councilor fill out an evaluation on each department head and turn it in to be compiled. Mayor Carnes suggested bringing the filled out forms to the Thursday meeting. **On a motion by Councilor Kirk and seconded by Councilor Baleztena, Council agreed to approve the evaluation form as presented and for all Councils to fill them out and bring that back to Council at the Thursday meeting. All present voted yes.**

## J. EXECUTIVE SESSION

Council went into executive session at 7:53 pm.

Present were Councilors Moss, Tester, Corwin, Baleztena, Rowe and Kirk, Teri Porter, Steve Draper, Chief Richman and Mayor Carnes.

Council came out of executive session at 8:35

**On a motion by Councilor Baleztena and seconded by Councilor Kirk, Council agreed to direct staff to speak to David Blanc and get clarification on the contract. All present voted yes.**

## K. ADJOURNMENT

**On a motion by Councilor Moss and seconded by Councilor Kirk, Council agreed to adjourn at 8:38. All present voted yes.**

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

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

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