

**CITY OF PILOT ROCK**

**COUNCIL MEETING**

**November 15, 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, Ray Corwin, Michael Baleztana, George Hall and Shawna Kirk. Also present were City Recorder Teri Porter, and Public Works Supervisor Steve Draper, Police Chief Darren Richman, Judy Campbell, John Taylor, Josie and Eric Forster and Shelby Waite.

**B. INVOCATION**

Pastor Mike Nelson gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPEARANCE OF INTERESTED CITIZENS**

None.

**E. PRESENTATIONS**

None.

**F-1 Ordinance No. 552 Vacating a Public Right of Way**

Mayor Carnes opened the public hearing and asked for public opinion. Mayor Carnes read Ordinance No. 552 in entirety. On a motion by Councilor Baleztana and seconded by Councilor Kirk, Council accepted Ordinance No. 552 vacating a public right of way. All present voted yes. Mayor Carnes then read Ordinance No. 552 in title only. On a motion by Councilor Kirk and seconded by Councilor Tester Council accepted Ordinance No. 552 vacating a public right of way. All present voted yes.

**F-2 Public Hearing: Conditional Use Permit for a Therapeutic Massage Business.**

The public hearing remained open. Teri Porter stated that in the last meeting Josie Forster gave council a good description of her business and how it would operate. At that meeting we were asking Council for a variance, Councilor Hall felt that it might be a conditional use permit that she is needing and asked Teri to look into it further and return with the proper request. Teri stated that she felt that a conditional use permit would fit this situation. Councilor Kirk asked if there was opposition from the community ? Teri stated that she had not heard of any opposition. On a motion by

Councilor Kirk and seconded by Councilor Baleztena, Council agreed to grant a conditional use permit to Josie Forster to run a Therapeutic Massage business from her home at 126 SW 3rd St. All present voted yes.

### **F-3 Development Permit for T-Mobile Antenna**

Teri Porter stated that T-Mobile has been working with A&V investments regarding mounting an antenna on the existing water tower at the Masonite site. T-Mobile has been looking into the possibility since August 2, 2011. Councilor Baleztena made a motion to accept the development permit allowing T-Mobile to place an antenna on the water tower. Steve Draper expressed concerns that he had not seen any construction plans for this antenna. Mayor Carnes suggested that we stipulate that the construction plans must first be approved by Steve. Councilor Baleztena withdrew his motion. Councilor Baleztena then made a motion to accept the T-Mobile development permit to place an antenna on the water tower, pending the approval of construction plans by Steve Draper. The motion was seconded by Councilor Moss all present voted yes.

### **F-4 Use of Council Chambers.**

At the last Council meeting Councilor Hall expressed concerns regarding the use of the Council Chambers and asked staff to research the rules for uses of the Council Chambers. The guidelines are attached to the staff report. Mayor Carnes stated that the Council Chambers has been used for many classes and did not feel that using it for an exercise class would be any different. The exercise group fits in class 2 of the guidelines. Councilor Kirk declared a conflict of interest and asked to vote, Council agreed to allow Councilor Kirk to vote. On a motion by Councilor Tester and seconded by Councilor Moss Council agreed to allow the use of the Council Chambers for exercise class Monday, Wednesday and Friday from 5:30 pm to 7:00 pm. All present voted yes.

### **F-5 Moving the Pavilion.**

Shelby Waite and Judy Campbell of the Downtown Association/ Farmers Market approached Council asking them to consider moving the location of the Pavilion from the empty lot on Main St. to the lot on Hwy 395 next to Rocket Espresso. Shelby stated that Karen Wagoner of the Farmers Market Association of East Oregon will be working with the Pilot Rock farmers market and felt that the Hwy 395 location is much more visible to the public. Councilor Kirk asked if we need to change permits. Teri Porter stated that she did check with the State and we do not have to reapply as long as we are building the same structure, the location permit is up to the City. Shelby also requested to use City employees and equipment to set the post to ensure that they are set properly. Mayor Carnes asked for clarification regarding if that lot did sell could the pavilion be removed. Steve Draper stated that it will be built in such a way that it can easily be taken down. Judy Campbell stated that the Hwy 395 location was vital in attracting both customers and vendors. Councilor Tester asked about the work that had already been done on the lot on Main St. Shelby and Steve stated that only holes have been dug and no concrete has been poured. On a motion by Councilor Kirk and

seconded by Councilor Baleztana Council agreed to allow the use of the lot on Hwy 395 next to Rocket Espresso for the use of the Pavilion. All present voted yes.

#### **G-I DEPARTMENT HEAD REPORTS**

Steve Draper stated that the City is putting out a public notice to the community regarding the recent water tests that showed higher levels of coliform bacteria."Steve stated that the Health department requires the City to send out a public notice, it is not a health at risk notice it is just an indicator that something might be wrong in the system. The follow up tests have come out clean, but we still must send out the public notice. Steve suggested that if there is anything Council would like to inform the community about, this might be a good time to do it since we are going through the time and expense of mailing out these letters we can add other items to this mailing. Mayor Carnes asked when the letter would be going out? Steve stated it would be the end of the month. Council agreed that there may be several items they would like to include such as Winterphest events or state of the City. Steve said to get it to Angel one week before month end. Steve also brought up that he is going to start negotiating the franchise agreement for Charter Cable. Councilor Tester asked if he was going to negotiate at the 8%. Steve said that is the direction he received from Council, but FCC regulates the franchise fee for cable at 5%. Councilor Tester thought the letter that is being sent out might be a good opportunity to explain the increase of the franchise fee's. She said that this type of stable income is such an important part of our budgeting. Steve added that this type of dependable revenue will help the City get rid of the public safety surcharge.

Mayor Carnes asked Chief Richman about the cameras. Chief said he is ready to go just waiting for the company to call him.

Steve Draper said he spoke with Jim Hatley and he plans on starting the storm drains behind the church next week.

Mayor Carnes asked if all the fire hydrants have been exercised. He said yes just one that needs to be repaired.

#### **H. CONSENT CALENDAR**

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

#### **I. COUNCIL COMMENTS**

None

#### **J. EXECUTIVE SESSION**

Council went into executive session at 7:25 pm under ORS. 192.660 (2)(e) Real property, ORS 192.660 (2)(i) Performance evaluation and ORS 192.660(2)(a) Employment of a public officer. Present in executive session were Kacie Moss, Annie

Tester, Mike Baleztena, Virginia Carnes, Shawna Kirk, Teri Porter and Chief Richman. Chief Richman left after discussing the hiring of the police officer.

Council came out of executive session at 8:50 pm. Council was asked if a motion was needed regarding the hiring of the police officer. Council did not feel a motion was necessary.

**K. ADJOURNMENT**

On a motion by Councilor Tester and seconded by Councilor Kirk, Council adjourned at 8:51.

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

**ATTEST**