

# CITY OF PILOT ROCK

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## **Council Meeting**

**November 19, 2013**

**7:00 PM**

### **A. Called to Order**

The Regular meeting was called to order by Mayor Carnes at 7:00. Council members present were Kacie Moss, Jim Hinkle, Bob Deno and Michael Baleztana. Also present were City Recorder Teri Porter, Public Works Director Steve Draper and Chief Richman. Citizens present were Pat Doherty, Pastor Jeffers, Jody Bronson, Stephanie Tipton, Edgar Perrine, Anthony Bushong, Viktor Klimenko, Raymond Doherty, Phil Wright, Tom Callahan and Nick Claussen.

### **A. INVOCATION**

Pastor Jeffers gave the invocation.

### **B. PLEDGE OF ALLEGIANCE**

### **C. APPEARANCE OF INTERESTED CITIZENS**

### **D. PRESENTATIONS**

None

### **E. ACTION ITEMS**

#### **F-1 Public Hearing - Re-zone the property at 326 NW 4th (the old Motel)**

Mayor Carnes opened the public hearing to Re-zone the property at 326 NW 4th (the old Motel) from commercial to residential. Teri Porter asked for any abstentions, there were none. Teri explained that the proper notification has been sent. Comments from the city officials in response to the notice were listed on the staff report and read as well. Mrs. Bronson addressed Council with her concerns, and addressed each item on the list. She stated that you can walk in and out of all the motel rooms and she would not change that and that she is using them as sheds. The motel sign is unplugged. There was discussion about removing the sign. Mrs. Bronson stated that the county has not shown up to inspect anything. There are vehicles with expired tags on the property that she agreed to address. Steve Draper explained that she will need to cap the sewers in the motel rooms and he will need to inspect it. Jody stated that most of them have already been capped and she acknowledged that Steve will need to inspect them. This will reduce her sewer charges. Mr. Claussen a property owner, asked how much of the building is being used as a private residence? Mrs. Bronson stated that just the front half. Mr. Cluassen has property near the Motel that is being looked at for possible sale and questions have come up as to how many people live there, because they see a lot of traffic and vehicles. Jody stated that 7 people live there. Mr. Claussen stated that he would like to see vehicles on any property licensed and that we do what we can to clean up the properties. Chief Richman suggested that the City has a storage permit that would allow her to store the vehicle up to a year, which would give her time to figure out what she wants to do. Mayor Carnes asked Mrs. Bronson what type of time line she would need. Mrs.

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Bronson did not have an answer. There was further discussion about the sign. Mrs. Bronson would like to keep the sign. Steve pointed out that if you are going to go from Commercial to residential you will have to remove the sign. Jody stated that she does not know why that matters, it is an antique and everyone knows it is not a motel. Teri suggested that she apply for a variance to have a sign that large in a residential area and Council can make that determination. Mayor Carnes asked again for a time line that Mrs. Bronson would need to address some of these concerns and Jody agreed to 3 months. Steve Draper suggested that Council wait until a later date for Council to make a decision, giving time for some of these things to be addressed. Councilor Moss stated that she feels that the rezoning and ordinance violations are two separate issues. Tom Callahan addressed the issues stating that they have no relevance in the zoning issue, he is in favor of the rezoning and feels it should have been taken care of a long time ago. Mayor Carnes asked if there were any other comments at this point. There were none. Mayor Carnes then closed the hearing. **On a motion by Councilor Moss and seconded by Councilor Baleztina, Council agreed approve the application to rezone the property at 326 NW 4th with the stipulation that the motel room sewer lines be capped and inspected. All present voted yes.**

## **F-2 Public Hearing - Annexation of NW Cedar**

Mayor Carnes opened the hearing and Teri Porter asked for any abstentions, there were none. Reading from her staff report, Teri Porter read off the list of concerns that came back after notices were sent out. Mr. Doherty stated that the only reason he wants to annex is to get City sewer or water. Mr. Doherty addressed each of the concerns. Regarding traffic and mud and debris on the roadway, Mr. Doherty stated that during construction there may be some but once the construction is done it will be considerably less. Councilor Deno, asked if there is excess mud on the road will Mr. Doherty be responsible for cleaning it up? Mr. Doherty stated that if Steve asked him to clean it up he would. There are already plans for a fence around the property that would address the security issue. There will be some lighting around the building. Part of the area will be covered by gravel, so the dust control will be better. Steve explained that there should be no contaminants such as oil or grease, leaching from his property to any other property. Mr. Doherty understands that he will pay any recording or document fees. Mr. Claussen who has adjoining property, stated that he and Mr. Doherty have discussed a property trade to address pinch points on the configuration of their lots. There was discussion that any property trade should be done prior to the annexation to ensure that the legal descriptions are accurate. There was discussion about supplying service to Mr. Claussen, Steve Draper explained that he would have to annex his property into the City limits. Mayor Carnes asked if there were any further comments, there were none. Council Moss does not see any serious issue with annexing the property, but would feel more comfortable making the final decision after the legal descriptions are amended. Council agreed to table the matter until the legal descriptions are amended.

## **F-3 Planning Commission**

Teri Porter stated that the City has not had a planning commission for many years, which puts a large part of the responsibility of planning issues onto the Council. Teri suggests that the reason it is difficult to keep a planning commission is because the current ordinance for the planning commission states that there must be

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7 voting members. Teri suggests reducing that number to a minimum of 4 and a maximum of 7. She feels this may help to keep the commission running even if the numbers diminish from time to time. Teri also stated a concern from a citizen that having a lower number may make it difficult to have a quorum. **On a motion by Councilor Baleztana and seconded by Councilor Hinkle, Council agreed to Amend the ordinance to a minimum of four and no more than 7. All present voted yes.**

### F-4 Staff Evaluations

Teri Porter reminded Council that back in May, Council adopted a new process for evaluating staff, and will be handing out the evaluation forms this week. She will collect them and have them ready to turn over to Council at the next meeting, giving council time to formulate the formal evaluations.

### F-5 Vacation Pay Out

Chief Richman explained that since he is short staffed he has been unable to use any of his vacation time, which has 322 hours of vacation and 18 hours of admin leave that he cannot use. Chief asked council to consider paying out 162 hours of vacation and 18 hours of admin which would get him down to the limit. He will then try to burn an hour here and there every month to try to keep it down to the 160 hours maximum. If he cannot he asked Council to consider paying out his 10 hours accumulated each month. Tom Callahan commented that he spent a lot of time in Idaho and they have a lot of towns just like Pilot Rock. They don't have City police, let alone three, and he feels that it is a terrible waste of resources when we have streets that are in poor condition. We don't need that much law enforcement. You need someone to make sure a kid does not get run over during the day, you don't have to have someone here in the evenings. If the officers did not have to spend so much time on ordinance violations and supporting the whiners club he would have more time to spend on real law enforcement. Councilor Baleztana reminded Mr. Callahan that the reason we have 3 police officers is because we had town meetings and the town voted for the safety of the town first. Councilor Moss respects Mr. Callahan's opinion then stated that there are lots of opinions and her opinion is that she appreciates the officers and is glad that if she has an emergency in the middle of the night or in the afternoon she has that protection. Councilor Hinkle asked if the money to pay for the Chief's vacation is available in the budget. It was explained that there is money from the payroll not used due to the lack of patrolmen. **On a motion by Councilor Deno and seconded by Councilor Moss, Council agreed to pay the Chiefs vacation. All present voted yes.**

### F-6 A&V Request to Sublet

At the time of the sale of the industrial property to A&V Investments, the City was leasing a portion of the property to Mountain West. The City was also in negotiations with T-Mobile to place an antenna on the water tower at the industrial property. When the sale of the property was final Mt. West continued to lease the ground and negotiations with T-Mobile continued with A&V. Per section 5.1 of the contract of sale, A&V must get written consent from Council allowing them to sub lease the property. In an effort to not deviate from the express terms of the contract, Anthony with A&V Investments, are here to request the **written consent** from Council. **On a motion by Councilor Baleztana and**

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**seconded by Councilor Hinkle, council agreed to approve the sublease and directed Teri to give A&V written consent. All present voted yes.**

## **F-7 Request to Re-Zone 110 N. Alder St.**

Teri presented the application from John Fenton the owner of the property located at 110 N. Alder that will be turning the building into a duplex and has asked to have it rezoned from a commercial property to a residential, which would allow a duplex. Teri is asking Council to review and accept the application and set a public hearing date for January 21, 2014. **On a motion by councilor Moss and seconded by Councilor Hinkle Council agreed to accept the application to rezone and set a date for the public hearing. All present voted yes.**

## **F-8 Conditional Use Request**

Mr. Perrine addressed Council asking them to approve his application to build a 30'x45' shop to have a place to park his motor home, he would work in it and build living quarters on one side. The property is zoned commercial and would require a conditional use permit to live in it (the home would be secondary to a business). On a motion by Councilor Baleztana and seconded by Councilor Deno, Council agreed to accept the application for a conditional use and set the public hearing for December 3, 2013. All present voted yes.

**On a motion by Councilor Baleztana, Councilor Moss, Council agreed to add F-9 to consider the application for City Councilor. All present voted yes.**

## **F-9 Consider the City Councilor application of Raymond Doherty.**

Raymond Doherty approached council. Councilor Deno asked if he had any set agenda for being on Council. Mr. Doherty assured Council that he did not. Teri Porter stated that it needs to be understood that if Mr. Raymond Doherty were appointed to Council he would have to abstain from any vote relating to the annexation of his brother Patrick Doherty's property. Mr. Doherty said that was fine with him. Teri also stated that we meet twice a month and asked if there would be any scheduling conflict preventing him from being at meetings. He said that should not be a problem. **On a motion by Councilor Hinkle and seconded by Councilor Baleztana, Council agreed to accept Raymond Doherty onto the city council. All present voted yes.** Council agreed that he would sworn in at the December 3rd meeting. Teri asked him to come by City Hall and she would give him the handbook and walk him through anything he may need to know or have questions about.

## **G INFORMATION ITEMS, REPORTS AND PRESENTATIONS**

### **G-1 Department Head Report**

#### **CITY HALL:**

1. Letter to PP&L letting them know that we will be increasing the franchise fee.
2. Have posted patrolman position with Washington employment office and have placed an ad in the Idaho Statesmen as well as on career builder.
3. Susan is working on updating the Pilot Rock profile.
4. Concluded open enrollment for city employees medical insurance.
5. Doing the preliminary paperwork and research to abate the property at 334 S. Alder.
6. Will be attending training for Oregon Planning, on December 5th , in Salem.

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7. Sent green form to DLCD regarding rezoning the motel and Doherty annexation.
8. Wanda's training is going very well. She is a self starter and fast learner.

*Teri added to her report stating that Cheryl Lopez, our part-time librarian, will be moving and her last day is December 17, 2013. Teri also asked for a motion from Council allowing her to increase the pt librarian wage from \$8.90 (which is below minimum wage) to \$9.00 for the base starting wage. **On a motion by Councilor Baleztena and seconded by Councilor Moss, Council agreed to raise the pt librarian starting wage to \$9.00 per hour. All present voted yes.***

## **POLICE DEPARTMENT:**

1. I have advertised for the police officer position in the Boise, ID paper at a cost around \$1,000, Police One is a nationwide distribution, East Oregonian, Washington Employment, Oregon Employment, Washington Law Enforcement and Idaho Law Enforcement Websites.
2. Continuing to work on ordinances as time allows.
3. We have had several agency assist calls.
4. Impala had an electrical issue and had to be towed to get it fixed.

## **PUBLIC WORKS:**

1. Have contacted city engineers. They will be here on the 19th to evaluate the condition of the stairs to the high school.
2. Doing winter maintenance and repairs.
3. November will be Adams last month until Spring.
4. Getting ready for winter. Attaching the snow plow, the sander, insulating etc.

*Steve added to his report stating that the City has received a \$50,000 Street grant. We will be able to use half of that money to fix the stairs to the high school. Steve has met with the engineer regarding the steps and they will submit a report declaring them a disaster. Then we can take care of the easement issues, then the funding issues. Steve stated that we might be also able to get money from the ODOT and from the Safe Routes to School program.*

## **H. CONSENT CALENDAR**

**On a motion by Councilor Moss and seconded by Councilor Hinkle, Council agreed to accept the consent calendar with the described changes. All present voted yes.**

## **I. CITY COUNCIL COMMENTS**

Mayor Carnes asked for Council's thoughts on the City holiday potluck. It was decided to have the pot luck on December 15, 2013.

## **J. EXECUTIVE SESSION:**

At 8:20pm Mayor Carnes stated that they would not be going into executive session and asked Council president Moss to read the motion. **MOTION:** The council will now meet in executive session for the purpose of consultation with legal counsel concerning legal rights. This consultation comes via a letter addressed to council from legal counsel. The executive session is held pursuant to ORS. 192.660. (2)(h) which allows the Council to meet in executive session to consult with legal counsel. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return

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to open session and welcome the audience back into the room. The motion was seconded by Councilor Deno. All present voted yes.

Council returned to regular session at 8:35. **On a motion by Councilor Moss and seconded by Councilor Deon, Council agreed to resume the Koch payments. All present voted yes.**

**On a motion by Councilor Moss and seconded by Councilor Baleztena, Council agreed to have legal Council present at the December 3rd council meeting for further discussion. All present voted yes.**

### K. ADJOURNMENT

On a motion by Councilor Hinkle and seconded by Councilor Baleztena, Council agreed to adjourn at 8:37. All present voted yes.

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_