

**CITY OF PILOT ROCK**

**REGULAR COUNCIL MEETING**

**JULY 20, 2010**

**7:00 PM**

**EXECUTIVE SESSION**

**6:30 PM**

**EXECUTIVE SESSION**

The Council went into executive session under ORS 192.660(2)(e) Real Property at 6:33 PM. Those in attendance were Mayor Carnes, Councilors Standley, Lankford, Snively, Baleztena, Alderman, and Kirk. Also present City Recorder Jackie Carey, Public Works Supervisor Steve Draper, Chief Darren Richman and Bill Woodfin.

The Council came out of executive session at 6:55 PM.

**A. ROLL**

The regular meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were John Standley, Shawna Kirk, Nancy Lankford, Glen Snively, Dawn Alderman and Michael Baleztena. Also present were City Recorder Jackie Carey, Public Works Supervisor Steve Draper, Chief Darren Richman, Jim Carey, Mike Nelson, Kerry Fitzgerald, Tom Fitzgerald, Phil Borngraeber, Troy Holman, Robert McCoy, John Taylor, Lori Newberry, and Lorin Newberry.

**B. INVOCATION**

Mike Nelson gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPEARANCE OF INTERESTED CITIZENS**

**E. PRESENTATIONS**

Chris Bodewig was not present to give his presentation.

**F. ACTION ITEMS**

**F-1 FEMA FLOODPLAIN ORDINANCE**

FEMA has redone the floodplain maps for their flood insurance program. It is also required that the floodplain ordinance be updated. We received a sample ordinance

from the state, which has been adapted for our city. Councilor Standley stated the deadline for residents to obtain floodplain insurance has been extended.

Mayor Carnes read Ordinance No. 542, a flood damage prevention ordinance in title. On a motion by Lankford and seconded by Baleztena the Council approved the first reading of Ordinance No. 542, with an emergency clause. All members present voted yes.

Mayor Carnes read Ordinance No. 542 in title for the second and final time. On a motion by Kirk and seconded by Baleztena the Council approved the second and final reading of Ordinance 542 with an emergency clause. All members present voted yes.

### **F-2 CRIME PROPERTY ORDINANCE**

In the past the City of Pilot Rock Police has had to deal with renters and landowners in attempts to keep the community peaceful. The Crime Property Ordinance will allow the City to take further steps with landowners and tenants to obey the law, keep peaceful and neighbors to live in harmony.

Mayor Carnes read Ordinance No. 544, a crime property ordinance in title. On a motion by Kirk and seconded by Lankford the Council approved the first reading of Ordinance No. 544, with an emergency clause. All members present voted yes.

Mayor Carnes read Ordinance No. 544 in title for the second and final time. On a motion by Lankford and seconded by Baleztena the Council approved the second and final reading of Ordinance 544 with an emergency clause. All members present voted yes.

### **F-3 ROBERT MCCOY VARIANCE**

Mr. McCoy is requesting a minor variance to place a manufactured home at 113 SW 2<sup>nd</sup>. However, his lot is 5500 sq. ft. and the minimum lot size for R-2 Limited Residential is 7500 sq. ft. He would be covering more than 30% of his lot with structures. He is asking for a variance to cover 38% of his lot with structures and a variance to place a manufactured home on a smaller lot than what is required for R-2 zone.

Staff noticed the application Mr. McCoy filled out refers to a double wide mobile home. Mobile homes are not allowed in an R-2 zone. Mobile homes are not allowed in an R-2 zone. However, manufactured homes are allowed. The prior dwelling was destroyed by fire. The lot size is small, but he meets all he setbacks with the size of structure he is planning on placing on the lot.

Councilor Snively asked if he was going to place the home on a foundation. Mr. McCoy advised he would be placing the home on permanent foundation. He has contacted a contractor, Aaron Hadden.

Nancy Lankford declared a conflict of interest, because she is a board member for the Pilot Rock Housing units, which is adjacent to this property. Lankford moved from the council table and sit in the audience. Lankford stated she had a concern that the structure would be too close to the housing units on the east side. Her concern was fire danger. Carey advised it meets the zoning ordinance setbacks on the side.

Phil Borngraeber representing 130 SW 3<sup>rd</sup> presented a letter in opposition to the variance. The letter had four property owners in opposition. They would like to see a stick built home. They thought it was a mobile home and felt it would devalue their home values. Kerry and Tom Fitzgerald also stated they were in opposition as well.

Councilor Standley asked if they deny this variance what would be allowed on that lot. McCoy advised the garage would be stick built with siding. Standley stated this manufactured home would be an improvement to what was there before.

On a motion by Baleztena and seconded by Snively the Council approved the variance request at 113 SW 2<sup>nd</sup> with the conditions it is placed on a foundation and has a stick built garage. Standley, Snively, Baleztena and Kirk voted yes. Alderman voted no and Lankford abstained. The motion passed.

#### **F-4 CITY RECORDER TRAINING**

Each year the Oregon Association of Municipal Recorders has an annual conference. This year the conference is in Keizer. This is excellent training for city recorders that is relevant to the many duties required for this position. City Recorder Carey is asking permission to attend the conference. The total cost to attend the conference plus the academy class would be approximately \$650. If she does not go to the academy it would be \$430.

Council asked Carey if she thought the academy class would be good training. Carey advised she has attended prior academy classes and they have always been excellent, however she has not attended this academy class before.

On a motion by Lankford and seconded by Baleztena the Council approved the training for the city recorder for a total cost of \$650. All members voted yes.

#### **F-5 UTILITY RESERVE FUND**

The Utility Reserve Fund has been established to set money in a reserve fund for a specific purpose. This fund is overdue to be extended. The funds can only be used for water and sewer.

The Council approved a moratorium for one year on the \$2.50 fee, but would like to continue the Utility Reserve Fund. After staff contacted the auditor he stated the Council would need to pass a resolution to continue the Fund but not assess a fee for the budget year 2010-2011. Next budget year 2011-2012, it would revert back to the \$2.50 fee unless the Council wishes to continue the moratorium.

On a motion by Baleztena and seconded by Snively the Council approved Resolution No. 513, a resolution to continue the utility reserve fund. All members present voted yes.

### **F-6 READY TO READ GRANT**

The library is seeking permission to apply for the Ready to Read Grant. The amount of the grant is \$1000. The purpose of the grant is to establish, develop or improve the public library early literacy services for children from ages birth to 5 years and to provide the statewide summer reading program for children from birth to 14 years.

On a motion by Kirk and seconded by Baleztena the Council gave their approval to apply for the Ready to Read grant. All members voted yes.

### **F-7 COMMUNITY GARDENS**

Lori Newberry addressed the Council regarding the community gardens. They have received a grant from CAPECO for \$1500. They would like to install a deer fence at the community garden on Elm Street. Newberry gave the Council an overview of the community garden purpose. Newberry stated they operate under the umbrella of the Downtown Association and the Chamber of Commerce. One quarter of their produce must go to the food pantry. This is a requirement from CAPECO.

On a motion by Alderman and seconded by Baleztena the Council approved the deer fence for the community garden on Elm Street. All members voted yes.

### **F-8 SOFTWARE BID**

On June 1, 2010, the Council approved Ordinance No. 541, a public safety surcharge ordinance. The ordinance went into effect on July 1, 2010, so it will show on the utility bills the end of July.

In order to have this charge show on the utility bill the software company will have to do a programming change, which they charge for because it is specifically only for Pilot Rock.

The bid for a custom billing change is \$900. On a motion by Kirk and seconded by Baleztena the Council approved the software change for \$900. All members present voted yes.

### **G-1 DEPARTMENT REPORT**

Recorder Carey presented a letter from Jenson and Spratling for the cost of their services for fiscal year 2009-2010. The total cost would be \$5700, which is the same as last year.

On a motion by Lankford and seconded by Kirk the Council approved the audit expense of \$5700. All members present voted yes.

Carey advised that she has been contacted by AT & T regarding placing a cell tower on city property. Standley suggested when it comes before the Council that a meeting is scheduled just for this item.

Draper advised he met with Gordon Munck from the school district. He agreed to pay the city to do the work to correct the storm drainage problem. Draper would like to place a catch basin and a storm drain system to eliminate this problem. Draper will come back to the Council with a staff report.

Draper advised a squirrel got electrocuted, which burned out two transformers. Staff is required to manual operate the wells to make sure the reservoir is left full. The cost to for repairs is estimated at \$1033. PP&L are going to install guards by the transformers to prevent squirrels from knocking the transformers out. The fire department has been advised of the issue.

### **G-3 TOM CALLAHAN**

Tom Callahan did not show.

### **G-4 SELLABLE PROPERTY**

Council received a list of sellable property that the City owns along with maps. The Council would like a list of only residential and commercial lots.

### **H-1 CONSENT CALENDAR**

On a motion by Kirk and seconded by Baleztena the Council approved the consent calendar. All members present voted yes.

### **I-COUNCIL COMMENTS**

Alderman advised the City's website and newsletter is not being updated.

Baleztena suggested putting a donation box next to the RV sewer dump station. Draper stated it would have to be very secure.

Lankford asked what the Council wants to do about putting something on the ballot in November. Alderman would like to wait and see what happens with the selling of property. Lankford would like to see the funding for the police department to be self-funding. She doesn't like to see the City selling off property to support the police department.

Snively stated there are at least 9 people being deployed in August and September. He would like to do something to recognize them. Standley stated some may not want people to know they are gone for the safety of their families.

**K- ADJOURNMENT**

On a motion by Baleztena and seconded by Kirk the meeting was adjourned at 8:45 PM. All members present voted yes.

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

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