

CITY OF PILOT ROCK
REGULAR COUNCIL MEETING
FEBRUARY 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 Annie Tester, George Hall, Glen Snively, Michael Baleztena, John Taylor and Shawna Kirk. Also present were City Recorder Jackie Carey, Chief Darren Richman, Public Works Supervisor Steve Draper, Kim Bedard, Mike Nelson, Jim Carey, Brad Baird, Kathee Moffett, Alma Day, Karl Lyon, Mary Lue Slabik and Dave Hughes.

B. INVOCATION

Mike Nelson gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS

Mary Lue Slabik wanted to know about the changes in the Agenda regarding the Bike Pit Letter of Support and Bike Pit 501c3. Mayor Carnes replied that those items have been removed from the Agenda by Mr. Taylor.

E. PRESENTATIONS

Mayor Carnes stated that Dave Hughes from Agape House would be arriving later to give his presentation.

F-1 CITY RECORDER JOB DESCRIPTION

Chief Richman addressed the Council regarding the changes of the City Recorder's job description that came as a result of the Staff's meeting with three Councilors this morning. Richman stated that the changes made were four years of customer service instead of five years, must have a valid Oregon driver's license, add administrative or management experience and additional education or experience will be considered.

On a motion by Hall and seconded Baleztena the Council approved the City Recorder job description with proposed changes. All members present voted yes.

Chief Richman stated the second part of this would be to approve the posting and advertising of the position announcement.

On a motion by Kirk and seconded by Tester the Council approved posting the announcement to the East Oregonian and League of Oregon Cities. All members present voted yes.

Councilor Hall stated that he wanted to make sure that resumes were being sent with the applications. Chief Richman replied that it could be added to the announcement.

F-2 PILOT ROCK ARCHERY CLUB SOCIAL GAMING PERMIT

Councilor Baleztena declared a conflict of interest as he is a board member of the Archery Club and removed himself to the audience.

Karl Lyon addressed the Council regarding the Texas Hold'em Tournament that the Pilot Rock Archery Club had held this last month. Lyon stated that it was a great success and they would like to ask the Council for permission to hold the Tournament twice a year with the same provisions that the Council gave them for the first one.

On a motion by Kirk and seconded by Tester the Council approved the Pilot Rock Archery Club having bi-annual events and keep the City informed as to when they will be having the events. Councilors Tester, Snively, Taylor, Hall and Kirk voted yes. Councilor Baleztena abstained due to a conflict of interest. The motion passed.

F-3 BUDGET COMMITTEE MEMBERS

City Recorder Carey stated that there were four Budget Committee applications turned in for three positions, Mary Lue Slabik, Kacie Moss, Kay Thorne and Misty Rowe. Recorder Carey stated that Mayor Carnes has the ballots and that by law each Councilor has to put their name on the ballot and vote for three.

Councilors Kirk, Snively, Hall, Baleztena, Taylor and Tester voted for Kacie Moss.

Councilors Kirk, Hall, Baleztena, Snively, Taylor and Tester voted for Kay Thorne.

Councilors Kirk, Hall and Baleztena voted for Misty Rowe.

Councilors Snively, Tester and Taylor voted for Mary Lue Slabik.

Mayor Carnes broke the tie between Misty Rowe and Mary Lue Slabik by voting for Misty Rowe.

Kacie Moss, Kay Thorne and Misty Rowe were appointed Budget Committee Members by vote of the Council.

F-4 BUDGET SCHEDULE

Recorder Carey stated that she had tentatively worked up a Budget Schedule and that she had scheduled the first Budget Committee Meeting for March 21, 2011. Councilor Tester questioned if that is during Spring Vacation. Recorder Carey suggested March 28th instead. The Council agreed to March 28, 2011, for the first Budget Committee Meeting.

G-3 WAGE NEGOTIATION FOR BUDGET PURPOSES

Each year the Council gives the budget officer a percentage to use for the proposed budget for staff wages. The employees did not receive a raise last year. Staff needs some direction from the Council on what percentage wage increase to use in next year's budget.

Recorder Carey stated that it isn't set in stone it is just a figure to start the budget process with. Carey added that she used 3%. We used to use 5%, but because of the economy she is suggesting 3%.

Councilor Hall stated that the figure to begin with should be 0%, he realizes that it is a hard thing to talk about but the circumstances being what they are we wouldn't have the money to do it.

Councilor Tester wanted to know if we start the process at 0%, won't it be hard to put it back in there after the budget has already been started.

Recorder Carey stated that she felt that the employees deserved a raise this year.

On a motion by Kirk and seconded by Snively the Council approved a 0% wage increase for budget purposes only. Councilors Snively, Kirk, Hall, Baleztena and Taylor voted yes. Councilor Tester voted no. Motion passed.

Councilor Hall stated that he would like to set up a separate time to discuss this with staff.

The Council scheduled a Special Meeting for February 22, 2011, at 6:00 PM for a Special Meeting to discuss wage increases.

F-6 CROSS CONNECTION ORDINANCE NO 546

On a motion by Baleztena and seconded by Kirk the Council approved the second and final reading of Ordinance No. 546, An Ordinance Establishing Regulations for Cross-Connections to City Water Supply. All members present voted yes.

G-1 DEPARTMENT HEAD REPORTS

CITY HALL: Jackie is continuing to train Kim in some of the recorder's duties. Staff will begin the preparation of the budget. Steve Draper and Cheryl Lopez will cover City Hall tomorrow afternoon, so Jackie, Kim and Angel can attend Brody's funeral.

PUBLIC WORKS: The bark company has expanded their product by another 5 acres, which is an increase of \$500 more per month for a total of \$4500 per month. Staff is still working on negotiating a lease with AT&T.

POLICE DEPT: They are working on ordinance violations. Staff is finishing cleaning the evidence room. Staff is working on getting a pickup donated to the police department.

G-2 SENIOR CENTER LEASE

The City has leased a city owned building to the Pilot Rock Senior Center Board at no cost since 1997. The present lease expired on March 1, 2009. The proposed lease is exactly the same as the last lease with the exception of the length of the lease.

City Recorder Carey stated that the proposed lease is for 5 years instead of 3 years.

Alma Day wanted to make sure it was alright for the Lion's Club to meet there. Recorder Carey replied that it had been brought to the Council a while back and was approved.

On a motion by Snively and seconded by Kirk the Council approved the five year lease with the Senior Center. All members present voted yes.

G-3 PILOT ROCK CHAMBER OF COMMERCE LEASE

Last year the Council approved a Lease Agreement with the Pilot Rock Chamber of Commerce for a term of one year. The term of the Agreement was from January 1, 2010, to December 31, 2010. Recorder Carey stated that the proposed lease is exactly same as last year with the exception of the dates.

Councilor Kirk informed the Council that she is no longer the President of the Pilot Rock Chamber of Commerce.

On a motion by Baleztena and seconded by Tester the Council approved the Pilot Rock Chamber of Commerce Lease for \$60 a year. All members present voted yes.

G-4 PILOT ROCK ARCHERY CLUB LEASE

Councilor Baleztena declared a conflict of interest as he is a board member of the Archery Club.

Due to the continuous negotiations with the Pilot Rock Industrial Park property, the Pilot Rock Archery club has asked the Pilot Rock OHV Park Board, if they could move their shooting range out to the motocross site. The OHV board agreed to allow them to locate at the motocross a year ago.

However, the property is still owned by the City of Pilot Rock and has not been deeded to the OHV board yet. Therefore, the lease needs to be between the City of Pilot Rock and the Archery Club

Recorder Carey stated that the lease is the same as last year but the cost goes up 10%.

On a motion by Kirk and seconded by Hall the Council approved the Pilot Rock Archery Club lease. Councilors Tester, Snively, Taylor, Hall and Kirk voted yes. Councilor Baleztana abstained due to a conflict of interest. The motion passed.

G-5 JIM HINKLE EASEMENT

Brad Baird, from Anderson/Perry, addressed the Council regarding the Jim Hinkle Easement, Baird stated that he understood that there was some misunderstanding regarding the agreement with the Jim Hinkle Easement and he has prepared a letter for Council that outlines the agreement of what the City would do, because he was present at the meeting with Steve Draper and Jim Hinkle. The letter will be attached to the minutes as Exhibit A.

The Easement Description for the waterline wasn't written where it was designed and a new Description was prepared. Mr. Hinkle had an issue with this so Draper and Baird met with him and the letter describes exactly what was discussed. Baird stated the new pipeline is 16" diameter the old one was 10", the new line is bedded properly and the joints are locked up. Baird also stated that Mr. Hinkle's concern was that if the water line breaks then the water would wash out his house. Baird stated that the chances of that are slim to none compared to what they were before the new water line.

Councilor Hall wanted to know if the change of the Easement location, because of the pipe was moved from one spot to another and the City has agreed to put a berm on it, is Hinkle getting the same level of protection as he would have if the pipe was in the initial easement? Baird replied that he is getting more.

Councilor Snively would like Hinkle to get a copy of the letter. Councilor Hall would like the letter hand delivered and he would like Steve Draper to be there.

On a motion by Hall and seconded by Baleztana the Council accepted Anderson/Perry's letter as a final resolution to Mr. Hinkle's concerns of the relocation of the water line. All members present voted yes.

Councilor Hall requested that Public Work's Supervisor to set up a date to meet with Mr. Hinkle before February 28th. Councilor Snively stated that he would like to be present as well.

E. PRESENTATIONS

Dave Hughes from Agape House addressed the Council regarding his organization and their activities. Agape House is based in Hermiston and they have donated shelving and other items to the Pilot Rock Food Pantry. They are working on a homeless shelter for families in Hermiston that would also serve the Pilot Rock area. He would like the Council to consider sending a letter of support or a small donation.

H. CONSENT CALENDAR

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

I. COUNCIL COMMENTS

Councilor Hall stated that Councilor Taylor mentioned a list of things that were either done illegally or out of order at the meeting last night. Hall continued that in order for the Council to be able to do their job, if there is that kind of information he would like to press to ask for that list. Councilor Taylor responded that Hall could press all he wants but he was not going to get it.

Councilor Hall stated that as a point of order he would like to request a consensus of the Council to request that Taylor provide that information to the Council.

Mayor Carnes asked for clarification and stated she was unfamiliar with Hall's procedure.

Councilor Hall stated it can be done as a motion or consensus, if there is something that impacts Council's ability to do their job, especially if it is a risk to the Community and if that information is brought to light in an open meeting. Hall continued that he sees nothing wrong with his request.

Councilor Snively stated that it is Taylor's list and is private property. Councilor Hall responded that is not if it relates to City business, the Council and employees. Hall stated that he would not withhold information from the public, that this has been a bone of contention and at some point it needs to stop.

On a motion by Hall and seconded Baleztena the Council approved requesting Councilor Taylor release his information to Council. Councilors Baleztena, Hall, Tester and Kirk voted yes. Councilor Snively voted no.

Councilor Tester stated that it is the Council's obligation as the governing body if they have issues that they need to deal with facts and not hearsay.

Councilor Taylor stated that he would make it real easy, that he would like to resign. Councilor Taylor gave a handwritten letter of resignation to Mayor Carnes and left the meeting.

Councilor Snively made a motion to not accept Councilor Taylor's resignation. Motion died for lack of a second.

On a motion by Hall and seconded by Kirk the Council approved tabling a response to Taylor's resignation for a cooling off period until the next open meeting. All members present voted yes.

J. EXECUTIVE SESSION

The Council went into executive session under ORS 190.660(2)(a) Employment of Public Officers, Employees and Agents at 8:27 PM. The Council came out of executive session at 8:52 PM.

On a motion by Kirk and seconded by Tester the Council instructed Jackie Carey to send the Memorandum of Understanding to the City Attorney with the changes as stated. All members present voted yes.

Councilor Snively stated that he felt that someone should let Councilor Taylor know that his resignation was not accepted and was on the Agenda for the next meeting.

The Council by consensus requested that Councilor Snively deliver the message to Councilor Taylor.

ADJOURNMENT

On a motion by Kirk and seconded by Tester the meeting was adjourned at 9:00 PM. All members present voted yes.

APPROVED _____

ATTEST _____