

# CITY OF PILOT ROCK

## Regular Council Meeting SEPTEMBER 1, 2009

### A. ROLL

The meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were Kacie Moss, John Standley, Nancy Lankford, Bob Montgomery, Michael Baleztena and Shawna Kirk. Also present were City Manager Paul Koch, City Clerk Kim Bedard, Chief Richman, Public Works Supervisor Steve Draper, Dennis Olson, Jim Whitney, Scott Callahan, Jennifer Callahan, Mike Nelson, Harley Jeffers, Mary Lue Slabik, Samantha Bates, Bill Woodfin, Linda Woodfin and John Taylor.

### B. INVOCATION

Lay Leader of the Assembly of God Church, Mike Nelson led the invocation.

### C. PLEDGE OF ALLEGIANCE

### D. APPEARANCE OF INTERESTED CITIZENS

There were no citizen comments at this time.

### E. PRESENTATIONS

Dennis Olson appeared before the Council to discuss the Natural Hazard Mitigation Plan. Olson advised the Council to allow him to forward the Natural Hazard Mitigation Plan to FEMA for review. This would allow FEMA to nit-pick the plan, and then it would be sent back to the Council to make changes before adopting it.

Councilor Standley stated that every community needs to keep in mind their telephone central offices, main power sub-stations and gas transmission facilities, as interruptions to these would be critical. Standley stated that we should be able to make those changes at the local level.

Mayor Carnes wanted to know when the Council could expect to have the plan back from FEMA.

Olson stated that it usually takes around 45 days.

On a motion by Standley and seconded by Lankford the Council approved forwarding the Natural Hazard Mitigation Plan to FEMA for review. All members present voted yes.

#### F-1 BID FOR PAVING MAIN AND ALDER STREETS

City Manager Paul Koch informed the Council that the engineer had to extend the schedule for receiving bids for the street paving project. Staff recommends that the Council authorize staff to grant the contract for award to the most qualified low bidder for the paving project not to exceed \$129,000 for engineering and paving and that the Mayor be authorized to sign the award and the contracts to ensure this project is completed on time and within budget.

Councilor Standley stated that he was concerned that there is no finalized proposal and wanted to know how the landscaped medians and planters fit into the paving project.

City Manager Paul Koch stated that this is just for 1½ inch overlay, and the landscape medians would not be in the plan unless the funding is there.

Standley wanted to know if the paving was within the right of way.

Manager Koch responded that the paving is within the curb line, except for at the Market where the sidewalk is broken.

Councilor Lankford questioned if the City was paying for this.

Manager Koch stated that the owner has agreed to a contract to reimburse the City for this portion consistent with the City's policy on sidewalks.

On a motion by Kirk and seconded by Moss the Council authorized granting the contract for award to the most qualified low bidder for the paving project not to exceed \$129,000 for engineering and paving and that the Mayor be authorized to sign the award and the contracts to ensure this project is completed on time and within budget. All members present voted yes.

## F-2 INDUSTRIAL WATER RATE

Staff has researched the use of an industrial water rate in other communities and has measured the impact of such a rate on the only existing industrial firm. This item has been discussed 2-3 times with City Council and Council has indicated its support for such a concept. It is recommended that the new industrial water rate be .95 cents per 100 cubic feet of water after an initial standard consumption fee for the first 1500 cubic feet. That rate would go into effect on October 1, 2009. It is further recommended that all current industrial customers not be charged the new rate.

On a motion by Baleztena and seconded by Montgomery the Council adopted Resolution No. 494 establishing an industrial water rate of .95 cents per 100 cubic feet after the initial 1500 cubic feet, and assessing the new rate for new industrial water users and not existing water users and that the new industrial water rate go into effect October 1, 2009. All members present voted yes.

## F-3 ROCKET ESPRESSO LEASE

City Manager Koch advised that Scott and Jennifer Callahan have purchased the Rocket Espresso business from Nancy and Jim Hinkle. A revision in the lease is now required.

Koch stated that he used the existing lease, but added the revision of an automatic renewal clause.

John Taylor stated that there is nothing in the lease that indicates who is responsible for the property taxes on the lot, nor is there any requirement listed for standard liability.

Taylor also stated that all leases should have a legal description of the property, or at least a tax lot number.

Councilor Kirk asked Jennifer Callahan if she had the City listed as an additional insured on her policy.

Callahan replied that she wasn't sure, but she would find out.

Councilor Standley stated that when the City leases property, someone has to pay the taxes. The lease needs to state who will pay the taxes.

City Manager Koch advised that the Council could approve operating under the current lease until staff can come back with a revised lease.

On a motion by Baleztena and seconded by Montgomery the Council approved operating under the current Rocket Espresso Lease until a revision is brought before them. All members present voted yes.

#### F-4 STREET LIGHT PROGRAM

At the request of some citizens, the City has included the costs to install street lights in the 2009-10 budget. This request and idea were reviewed by the Budget Committee and included in the Committees recommended budget. The funds (\$3,000) for this program come out of the Economic Development Fund and the proceeds from the Kinzua lease. The expenditure is in the Street-General budget (Account 001-450-525150). This issue comes to City Council for action at this time.

Upon receipt of a citizen's request for a street light, City staff will do an analysis and cost projection. The request shall be reviewed with Pacific Power so as to be as accurate as possible. This information will be shared with the citizen prior to presentation to City Council for formal action. Staff would then review the costs and other factors with Pacific Power, then present research findings to City Council with staff recommendation regarding proceeding with the installation or denying the request.

City Manager Koch advised that the program and form would give citizens a process for applying to receive these funds.

On a motion by Kirk and seconded by Baleztena the Council approved the street light process and form as proposed by staff. Councilors Kirk, Baleztena, Lankford, Montgomery and Moss voted yes. Councilor Standley voted no.

#### F-5 DATE FOR MISSION/VISION REVIEW

Last August, the City Council met at the Community Center with staff to develop the vision, mission and priorities of the City. That effort became the backbone of the 2009-10 Budget. It is time again for the City Council to plan to review the adopted vision, mission and priorities. Many of the priorities have been done and the City has moved one year closer to its desired vision.

City Manager Koch advised that Council should consider setting a date to review the Vision/Mission.

Councilor Lankford stated that this time it should only take one day.

On a motion by Kirk and seconded by Baleztena the Council approved September 30, 2009 7:00 PM at the Council Chambers, for the review of the Mission/Vision update, using the same format as last year and inviting the Community to participate. All members present voted yes.

#### F-6 BOISE CASCADE LAND TRADE PROPOSAL

Bill Woodfin appeared on behalf of Boise Cascade to propose a land trade negotiation.

Councilor Kirk declared a conflict of interest and removed herself from the table.

Woodfin stated that Boise is interested in trading a land locked piece of property owned by the City for a 20 x 200 section that Boise owns along Highway 395, that the Downtown Association has designated as an area for a small park, information kiosk and off highway parking. Boise would also like to negotiate allowing the City to use the scales that Boise maintains as part of the agreement.

The property traded to Boise would be used to build a storm water drain.

Councilor Standley wanted to know how security would work with the scales.

Woodfin stated that Boise currently lock the gate at night and could continue to do so as part of the negotiation.

Councilor Standley wanted to know if ODOT had been contacted in regards to the plans for the property along Highway 395.

Public Works Supervisor Steve Draper advised that in preliminary discussions with ODOT, no problems have come up.

Councilor Standley wanted to know if the City could just grant an easement for the storm drain.

Woodfin stated he thought that Boise would agree to an easement.

John Taylor wanted to know if the City had plans for the Highway 395 property.

City Manager Koch stated that in the adopted Downtown Association Plan, that area was designated as a small park.

On a motion by Standley and seconded by Lankford the Council approved proceeding with the process for an easement or an exchange, whichever would make it easiest, but first contact ODOT to check for any issues. All members present voted yes.

Standley stated that the issue of the scales should be tabled for further information.

On a motion by Standley and seconded by Baleztena the issue of the scales was tabled until the next meeting for further information. All members present voted yes.

#### F-7 EXECUTIVE SESSION

The Council went into executive session under ORS 192.660(2)(e) Real Property Transactions at 7:50 PM by direction of Mayor Carnes. The following people were present for the executive session: Bill Woodfin, Jim Whitney, Kim Bedard, Steve Draper, Chief Richman, John Standley, Nancy Lankford, Michael Baleztena, Bob Montgomery, Virginia Carnes, Kacie Moss, Samantha Bates and Paul Koch.

The Council came out of executive session at 8:44 PM.

On a motion by Standley and seconded by Baleztena the Council directed City Manager Paul Koch to continue with the procedures regarding procedures regarding Kinzua LLC and the strategies discussed in the executive session. All members present voted yes.

#### G-1 CITY MANAGER'S REPORT

City Manager Paul Koch reported that DEQ will be in town tomorrow to inspect the landfill on the former Masonite property.

The water project will begin tomorrow at 7:00 AM; there will be weekly updates on progress.

Koch stated that there should never be a complete closure of Main Street.

Councilor Montgomery wanted to know if the Fire Department would be kept informed of any street closures.

Koch stated that the Fire Department and local businesses would be kept informed of any street closures.

H. CONSENT CALENDAR

On a motion by Lankford and seconded by Montgomery the Council approved the consent calendar approving the August 18, 2009, minutes and approving the bills. All members present voted yes.

I. COUNCIL COMMENTS

Councilor Kirk wanted to know if the Fire Department had responded to the City regarding the sidewalk paving.

City Manager Koch stated that he still had not heard back from the Fire Department.

Mayor Carnes reported that Community Days was hugely successful.

ADJOURNMENT

On a motion by Kirk and seconded by Baleztena the meeting was adjourned at 8:50 PM. All members present voted yes.

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_