

**CITY OF PILOT ROCK**  
**REGULAR COUNCIL MEETING**  
**OCTOBER 5, 2010**

**A. ROLL**

The regular meeting was called to order by Mayor Virginia Carnes at 7:00 PM. Council members present were John Standley, Nancy Lankford, Glen Snively, Michael Baleztena, and Shawna Kirk. Also present were City Recorder Jackie Carey, Public Works Supervisor Steve Draper, Chief Darren Richman, Jim Carey, Victor Ellis and John Taylor.

**B. INVOCATION**

Glen Snively gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPEARANCE OF INTERESTED CITIZENS**

None

**E. PRESENTATIONS**

Victor Ellis, a representative for AT&T, addressed the Council regarding placing a cell tower on City property located near the water reservoir and the US Cellular tower. The US Cellular tower will not with stand the weight of the AT &T tower. Ellis would like to start the process. They will require access on a monthly basis for maintenance. It will service the downtown area, south, north and rural areas around Pilot Rock. They are doing this to provide service to the Pilot Rock area.

Ellis purpose for being here is they are submitting an application to Umatilla County for a conditional use permit. As land owners, they need approval from the City of Pilot Rock to start this process. They also presented a zoning permit that they would like approved to start this process.

Councilor Standley has a list of questions as follows:

1. Permanent Open Space, are protecting it or we promoting it, that's a question that need to be addressed.
2. The responsibility of the property owners that have been affected by the permanent open space. There have been opportunities missed because of the POS designation.
3. The conditional use permit for the first tower was for a mono tower and other users would attach to the tower. Mr. Ellis stated there are 3 users on that tower.

Standley was not sure of the process since the City is the property owners and also the planning authority for that property. We have due process, and Standley is not sure of the due process.

Standley asked if there would be adverse effects to the US Cellular tower, by the AT&T tower being so close to their tower. Mr. Ellis stated as long as they stay out of the line of sight there would be no problem. Standley asked if there was other property that would not be so unsightly. He wanted to know how close to the US Cellular tower? Mr. Ellis stated they would be 40 to 30 feet from the US Cellular tower.

Councilor Snively stated we need to define POS. Recorder Carey addressed the Council regarding POS. The Council amended their zoning ordinance to allow utilities in the POS designation under the conditional use process. Because the location for the tower is in the county they will have to go through a conditional use permit through the county and the surrounding property owners will be notified of the process. Due process will be done at that time and the questions Standley asked will probably be answered during that process.

Mr. Ellis is asking permission to start the process. Councilor Baleztena made a motion to allow AT&T to start the conditional use process and zoning application. The motion was seconded by Glen Snively. Councilor Lankford abstained from voting because she is an adjacent property owner. Councilor Standley did not want to vote because he does not have enough information. With Lankford and Standley not voting there was not a majority vote. Carey advised she did not think Standley could not vote. He needs to vote yes or no. Standley withdrew his desire not to vote. Standley, Baleztena, Snively, and Kirk voted yes. Lankford abstained.

The Council took a short break, to allow Carey to sign the applications for Mr. Ellis.

### **PARLIAMENTARY PROCEDURE**

Mayor Carnes asked Recorder Carey to explain the new parliamentary procedure regarding limiting public comments. Carnes stated Mr. Taylor is requesting instead of the beginning of a motion for public comment, have public comments after the motion is made and seconded, and opened up for council discussion that we make a time for citizen participation. Mayor Carnes believes that is a Council decision.

Councilor Standley stated there needs to be a statement that public testimony are closed. Carey stated that is done for public hearings.

Councilor Standley stated we are a small town that meets twice a month and for twenty years we have a way if people want to say something they are allowed to say it. Carey the City has lost council members because the meetings have gone too long.

Councilor Snively stated the Council Rules encourages public participation. If people are not allowed to speak they will quit coming to meetings. Carey stated the public are

allowed to speak in the procedure Mayor Carnes has set up the agenda. Councilor Lankford read the Council Rules regarding public comments. It is up to the Mayor's discretion how long she is going to let someone speak. Lankford said if you do not allow the public to comment after a motion is made the Council may make a mistake because they don't have all the information.

Mayor Carnes asked if the Council wanted to abide by the sign in rule to address the Council. The Council agreed.

### **F-1 PACIFIC POWER & LIGHT GRANT**

Mayor Carnes read Resolution No. 519 in title. Resolution No. 519, is a resolution appropriating Pacific Power & Light grant for downtown enhancements. Councilor Lankford made a motion to adopt Resolution No. 519 regarding the Pacific Power & Light grant. The motion was seconded by Councilor Baleztena. Under discussion, Councilor Snively asked what the money was going to be used for.

Mayor Carnes stated it originated from the Downtown Association. It is going to be used for the Kiosk, trees, and mural. There is a list of what it is to be used for.

Councilor Standley asked who applied for the grant. Mayor Carnes stated she did under the City's logo. Standley asked if the Council approved it. Carnes stated no, she didn't even think about it. Snively stated it is wrong not to advise the City Council before applying for grants. Carnes admitted she was wrong. Standley advised there is a proper process when you are representing the City that needs to be followed.

Carey stated when she developed the resolution all she knew about was the mural. She was not aware of the kiosk, trees, etc. She recommended that the resolution be changed to include specific items to meet budget law regarding grants for specific purposes.

Snively is not comfortable with money being spent and not being aware of it. The problem is the Mayor is not the City of Pilot Rock. Lankford wants to know if we can fix it and meet budget laws.

Carey suggested tabling it until we can get the specifics of the grant and redo the resolution so it is more specific.

Lankford withdrew her motion.

On a motion by Snively and seconded by Standley the Council tabled Resolution No. 519. All members present voted yes.

On a motion by Kirk and seconded by Lankford the Council requested the grant information be provided for the next council meeting. All members present voted yes.

## **G-1 DEPARTMENT HEAD REPORTS**

Carey advised the Council that she had answered some of the questions Mr. Callahan had at the last meeting. Mr. Callahan called to advise he would not be here for the Council meeting and he would reschedule in the future.

## **G-2 BIKE PIT 501C-3**

Draper advised the Bike Pit Group has contacted a CPA to do the 501C-3 and it should be done by the first of the year.

## **H. CONSENT CALENDAR**

Snively made a motion to approve the consent calendar. Baleztena seconded the motion. Kirk questioned the Pioneer Construction bill. Draper advised it was the balance owed on the Main & Alder Street projects. Kirk also questioned the bill from Sherwin-Williams. Draper stated it was for sealer for the signs around town. Snively asked when the City 's pickup will be done. Draper advised he got it back today. All members present voted yes on the motion.

## **I. COUNCIL COMMENTS**

Councilor Snively advised he will be ordering more bracelets for solders that have been deployed, if anyone wants to order some.

Mayor Carnes announced there will be a flu clinic tomorrow at 10:00 am.

Councilor Standley asked about the activities of A & V Investments. Draper stated they are still shipping equipment in and working with other companies to locate here. They are scheduling a meeting with the state regarding financial help with the utilities.

Councilor Snively asked for some assistance in understanding Steve Draper's comp-time balance. Carey explained that most of Draper's balance is in the sick leave totals, which the City does not pay out when an employee leaves.

## **J. EXECUTIVE SESSION**

The Council went into executive session under ORS 192.660(2)(e) Real Property. The Council came out of executive session at 8:34 PM.

On a motion by Baleztena and seconded by Snively the Council instructed Steve Draper to proceed with negotiations. Baleztena, Snively, Kirk voted yes. Lankford and Standley voted no. The motion passed.

## **K. ADJOURNMENT**

On a motion by Kirk and seconded by Baleztena the meeting was adjourned at 8:36 PM.

All members present voted yes.

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

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