

City of Chiloquin
City Council Meeting
8/23/2014

Those Present:

Others:

Teresa Foreman: Recorder
Pete Pate: Public Works

Mayor: Joe Hobbs

Council members:

Jeff Mitchell
Raymond Kirk: leave of Absence
Jill Prewitt
Kathy Erion
Carolyn Blackmon
Julie Trevino

Mayor: Joe Hobbs

Mayor Joe Hobbs read the opening statement:

It is the 23rd day of Aug 2014, and the time is 6:32. As presiding officer, I hereby call this regular meeting of the Chiloquin City Council to Order. Please note that this meeting is being recorded. Following the confirmation and approval of the agenda the council will consider business coming before it.

Public input shall be limited to matters pertaining to the business of the City, and to the transactions of City business. In the event you have matters of personal business, or issues involving personality or performance they should be submitted in writing to the City Hall office to be forwarded to the City Council for further review. Under no circumstance is public input or comment permitted during the period of council deliberation.

During the period of public input, public comments are limited to three (3) minutes per person, no more than ten (10) minutes per topic. Maximum time for all public input shall be limited to thirty (30) minutes total.

As presiding officer I reserve the right to limit all input and to rule 'out of order' persons, whom by testimony are deemed to be abusive, disruptive or obscene. In addition I shall not accept testimony of a discrediting nature.

Roll Call: Carolyn Blackmon, Jeff Mitchell, Jill Prewitt, Julie Trevino and Kathy Erion.

We do have a quorum; I officially call this meeting to order.

Council member Blackmon stated that we need to add to the agenda. At our last meeting the council had a motion on the table and the vote had been called when we lost our quorum. This needs to be the first order of business at this meeting.

Motion to place the discussion about Medical Marijuana Dispensaries on the agenda as the first order of business was made by council member Blackmon, seconded by council member Trevino.

Discussion: Council member Erion asked about the legalities of the motion to extend the moratorium. Blackmon explained that was the way the council wrote it up. The Ordinance stated the council could extend that date if they chose. The Mayor stated that the time to discuss that, would have been at the last meeting when the motion was made. His determination, at that time, was that it was a legal motion.

The mayor asked if there was any further discussion. Erion asked to have the motion repeated.

The Motion is to place the discussion about Medical Marijuana Dispensaries on the agenda as the first order of business.

Ayes: Blackmon, Mitchell, Prewitt and Trevino. Opposed: Erion.

Motion passed.

The Mayor asked if there were any other additions or comments for the agenda.

Council member Erion stated she would like to add under new business, a report about the economic summit she attended.

Motion to approve the agenda with additions was made by council member Blackmon seconded by council member Mitchell. Ayes: Mitchell, Prewitt, Blackmon, Trevino and Erion.

Motion passed.

Medical Marijuana Dispensaries: Council member Blackmon explained that at the last meeting, the motion to extend the moratorium to May of 2015 had been made and seconded. There was discussion, the question was called for. The Mayor asked for the vote and two voted for, council member Erion was leaving but still in the room and had stated she wasn't going to vote. Trevino did not vote because she did not think there was a quorum any more.

Council member Mitchell stated that if the motion was on the table, the vote had been called for, you can't change your business. You have to complete that business and then the Mayor can recognize the loss of a quorum. Erion stated the vote was never recognized. She is not sure if you can re-vote or what. It was in the middle of the vote, not finished.

Council discussed how to resolve this. What is the City policy? Blackmon stated that Roberts rules of Order states that if you lose your quorum while voting, the action needs to be the first order of business at the next meeting.

Council member Erion stated that Robert Rules of Order are the City's second set of rule. They cover what the City Ordinances do not.

Council decided to move forward. For the record the motion needs to be read with the name of the first and second.

Council member Mitchell read the motion.:

Motion to extend the moratorium on medical marijuana dispensaries to May 1, 2015 was made by council member Trevino, seconded by council member Prewitt.

Mayor Hobbs re iterated the motion and called for a vote.

Ayes: Mitchell, Blackmon, Prewitt and Trevino. Opposed: Erion

Motion passed

Council member Erion is concerned about the council not doing any research and not following through to make decisions. She would like to see a schedule developed for workshops to discuss the rules and regulations that the City may want to impose that are in addition to what the State is proposing.

Discussion: Council discussed whether or not to wait to start the workshops until after the election. There will be some issues on the ballot.

People were talking over each other. The recorder asked that they not do that because of the tape recording. Council member Trevino stated that she would like us to look into microphones.

The medical marijuana dispensary issue will be on the next agenda.

Motion to accept the minutes of 8/26/2014 of the Regular council meeting was made by council member Trevino, seconded by council member Prewitt.

Council member Erion questioned when the motions were official. She would like to discuss this sometime during the meeting. The recorder stated that they could bring that up during the recorders report.

Ayes: Blackmon, Prewitt, Trevino and Erion. Abstained: Mitchell because he was not at the meeting.

Motion passed.

Motion to pay the bills for 8/26/2014 in the amount of \$ 2563.31 was made by council member Mitchell, seconded by council member Prewitt.

Ayes: Blackmon, Mitchell, Prewitt, Erion and Trevino.

Motion passed.

Council member Erion asked if ‘approving’ was the same as ‘paying’ the bills. The Mayor stated that Yes, it is the same.

The bills of August 10th meeting, that was not held due to a lack of quorum, had been approved by the Mayor and several council members looked over them as well. A copy of that document was inadvertently left out of this bill folder. The recorder will bring that document to the next meeting.

City Correspondence: Council went over the correspondence. Discussion. Nothing to take action on.

There will be a meeting at the County Commissioners Workshop session tomorrow to discuss the nuisance abatement issue. Mayor Hobbs has a previous obligation, so he won’t be there. Council members Trevino, Blackmon and Erion will be there as well as the recorder and Pete Pate of Public Works.

Mayors’ report: Mayor Hobbs stated that he had been speaking with a few people around town and it seems the concerns have stayed consistent. People would like to see law enforcement. Specifically the store owners. The other thing is the rodeo grounds. People are concerned about what is going to happen with that. The Mayor explained that it is waiting to go before the judge for his/her determination.

Discussion.

City Engineer report: Jeremy is not here tonight so Mr. Pate is filling in on that report. They have met with the County about the crack sealing that needs to be done. They seem very favorable to that project. Brian at Adkins is putting together that proposal. We are still in negotiation with them. The only bid that we had gotten for that project was \$34,000.00. We had estimated \$15,000.00

The Water Master Plan: We are still seeking more money. We are half way there. It is considered started but we still need \$30-40-thousand.

I and I study: We are in contact with private businesses to find the cost of the flushing and camera part of our sewer lines.

Public Works Report: Pete pointed out that he had given them a written report. If they have any specific questions he would be glad to discuss with them.

Erion asked about the results of the meeting with the Forest Service Engineers. Pate replied that the meeting was about the pump station at the rodeo grounds. They will be sending us a letter stating the they want to place a pump station at the rodeo grounds. It will pick up the forest service building to the City sewer. Melita’s will connect into that line. It will help with the Restaurants issue we have been working on for some years.

Three year water survey. The officials of the Oregon Health Authority come in and do a comprehensive look at our water system about every three years. They look at quite a few things. They were very pleased with some of the advancements we had made but we will receive a letter pointing out where they want improvements.

We are in a penalty phase for not having the Water Master Plan in place. We are four years overdue. This is what we have been working on and have been aggressively looking for money. We have been awarded a \$30,000.00 grant and we need aprox. \$40,000.00 more.

Discussion.

We will continue this discussion when Jeremy, from Adkins Engineers, will be present. Presumably the next meeting.

Council member Trevino asked about the cameras. There was a recent incident that brought this to her attention by way of the Sheriffs' Advisory Committee meeting..

Discussion. We will get a cost estimate of one camera and the hardware.

Discussion about the Tribal grant money that is by application in March. There are two other Tribes, The Grand Ronde and Cow Creek, that also have a grant process for community entities.

The Baker Street culverts are finished. Pete explained how they had moved the culvert and where they extended them so there wasn't a shoulder issue.

Council member Mitchell asked about the fence on highway 422 that was started by the Sierra project kids. It isn't finished. Erion answered that she was involved through that organization, not the City. There were some issues about placement. There is a group of people coming in October to move the fence to the correct placement and to finish it.

Council member Prewitt stated that there is an issue of houses with garbage. She is wondering how the council can help. We have spoken in the past about getting a large dumpster for the community.

Discussion. Erion said that will be one of the things we will speak to the commissioners about tomorrow.

Motion to accept the Public Works Report was made by council member Blackmon, seconded by council member Prewitt. Ayes: Mitchell, Blackmon, Prewitt, Erion and Trevino.

Motion passed.

Motion to accept the Engineers Report was made by council member Erion, seconded by council member Prewitt. Ayes: Mitchell, Blackmon, Prewitt, Erion and Trevino.

Motion passed.

Recorders Report: Quorum vote: Council member Erion would like to address when a motion becomes in effect. Erion had copied some passages of Roberts Rules of Order. The reason this came up is because of the motion for council member Kirks' leave of absence was not recognized as being official until the minutes were approved. Erion pointed out that when the motion to pay bills or to adjourn is made, it is immediate, not waiting for the minutes to be approved, which happens at the next meeting.

Why not other motions? She is not asking to change anything from the past. She just wants a policy stated for future.. The Mayor stated that there are different types of business.

Council member Trevino stated that she feels it needs to be as it has been. She feels this is a safer policy. Blackmon pointed out that other organizations we deal with will not act on any motion until we present them with the approved, signed minutes with that motion. She feels that is a good policy for all motions.

Council member Mitchell asked if there was an action being disputed. Erion said no Blackmon said yes. (Blackmon is referring to Kirks' leave of absence).

Mitchell went on to say that we do not wait to pay the bills, however other things need approved minutes. If Erion wants to pursue this(Erion nodded her head) it is up to the Mayor to put this on the agenda when he wants to do that. It is also up to the Mayor if he does not want to pursue this.

Erion stated that the procedure is unclear. We do not have a written approved order as to when the motion is official.

Mitchell asked if this was a dispute about an action taken.? Erion answered no, just her concern for the future.. Mitchell differed to the Mayor who stated that to him, there was no issue. There are different orders to different parts of the business. Mitchell agreed. He stated yes, we have usual and customary ways of dealing with issues.

Old Business:

City Council Survey results. Moved to the next meeting.

New Business:

Ben from Waste Management. There is going to be a rate increase. Ben passed out a schedule. Council discussed the increase. The Mayor expressed his concern of the economic hardship of our community.

Discussion. Council would like to look over our contract and address this at the September 23rd meeting.

Council member Erion: Economic Summit. Erion reported that she had gone to a rural economic vitality conference in Klamath Falls at the Ross Ragland Theatre. What Kathy learned was that there are many opportunities for the council to get assistance for free. She picked up a book that she feels every one on the council should read.

Erion stated that there is support for our community. She briefly went over a few areas that might help.

Public Input:

Wade Johnson, City resident. Mr. Johnson had a written complaint about an employee that he passed out to the Council. Council read the complaint and stated they would look into this and take it under consideration.

Julie Wolf, City Resident. Ms. Wolf is concerned about the 3% water/sewer bill increase. She does not remember seeing it on the budget. That is money that could be used for the water master plan. Also when is the next budget committee meeting. Trevino answered that we will look at the budget about the increase and also we usually start meeting after January. Ms. Wolf would also like to see the City get a microphone for these meetings. The audience can not hear. The Code enforcement issue: She can not make the meeting tomorrow but her concern is the Planning official. She feels the City needs a trained official covering the City's planning department.

Wade Johnson, city Resident. He would like to see the City Bills on a computer spread sheet.

Richard Twamley, City Resident. Concerned about the Trees in the park. It was discussed in the past but no one has followed up on it. Twamley also asked who was going to the commissioner's workshop tomorrow. He asked if it was only the Mayor. He was answered there were five people going. Mr. Twamley asked the City to consider getting a microphone for the meetings. He can not hear the motions or the discussions. The recorder replied that she will be bringing that information back to the council at the next meeting.

Twamley stated that the Mayor has the authority to appoint committees. He feels council wastes time. It's in the Charter. Twamley is also asking about the Crack sealing bids. They came in low but the City has money to add to that. He feels there is a lot of money. He doesn't understand why the City doesn't spend it.

Dennis Jefcoat, County resident. Dennis is the head of the Vector control. He is pointing out that the Vector control is required to have a resolution in place stating the powers of the chairman, the vice chairman and the secretary and how the body legislates. This was just brought to his attention and he is in the process of doing this. He would like to suggest the City Council do the same thing.

Wade Johnson, City Resident. Wade has spoken to the schools about planting trees. He went to the nurseries in Klamath Falls and they are willing to donate trees. Wade is very concerned that the City accepted one bid for the chip seal project. He feels there should be more than that.

The recorder explained that bids are advertised in the paper and on line etc. Mr. Johnson feels there is a communication problem.

Trevino stated that if he can get large trees donated the council would be glad to pursue that. If he has a connection it would be good for him to pursue that.

Wade would like to see this in conjunction with Arbor Day.

Richard Twamley, City Resident. Mr. Twamley wanted to point out that as long as the bids were advertised appropriately, the City can accept one bid. If that's all that comes in the council can accept or not accept.

Twamley asked, also: If there is a problem with the numbers on paper that was filed with the County or the state, how does the council want to handle that. On the Budget. The Mayor said he would be glad to go over the numbers with him. Mr. Twamley stated it was a huge addition error. The Recorder stated that he needed to bring it to her. The State has a process. We work with them to fix the mistake and then she brings it to council to show how the error was corrected.

Council member Mitchell stated that if there is a problem we can fix it. There are procedures just for that purpose. It doesn't sound that it was a malicious act.

Motion to adjourn was made by council member Erion seconded by council member Mitchell. Ayes: Mitchell, Erion, Blackmon, Trevino and Prewitt.

Meeting adjourned 9:05

Signed

Joe Hobbs, Mayor

Attest: Teresa Foreman, City Recorder