

City of Chiloquin, Oregon  
Minutes of a regular meeting  
10/11/2010

Mayor: Mark Cobb

Recorder: Teresa Foreman

Public works: Mike Jenkins

Council Members:

Kay Graham

City Engineer: Doug Adkins

Raymond Kirk

City attorney: Sam Ramirez

Jeff Mitchell: 6:45

Donna Depoian: absent

Floyd Hescoock

Jill Prewitt

6:30 The Mayor read the opening statement. Further to add to the opening statement: Because the last few meetings have been disruptive, he is not going to tolerate disruptions. He will ask members, if they are disruptive, to cease disrupting two times. If he has to ask a third time it will be to leave the premises. If they do not leave he will call the authorities and have them removed. He will not put up with the disruptions any more.

Mayor Cobb called roll: Kay Graham, Ray Kirk, Jill Prewitt and Floyd Hescoock. Also present is the City Engineer, City recorder and public works laborer Mike Jenkins.

**Motion to accept the agenda of Oct 11, 2010 was made by council member Hescoock, seconded by council member Kirk. Ayes: Graham, Kirk, Hescoock, and Prewitt.**

**Motion passed.**

Public input: none

Regular business:

**Motion to dispense with the reading of the minutes of 09/28/2010 was made by council member Graham, seconded by council member Hescoock. Ayes: Graham, Hescoock, Kirk. Abstained: Prewitt because she has not read them.**

**Motion passed.**

**Motion to accept the minutes of 09/28/2010 as presented was made by council member Graham, seconded by council member Hescoock. Ayes: Graham, Kirk, Depoian, Prewitt and Hescoock.**

**Motion passed.**

**10/11/2010**

City bills: Discussion. Prewitt is concerned about the bill to Yankee designs for sweatshirts and hats and jackets. She feels this is too much.

The Mayor asked that before ordering in the future that this is passed before council.

Council member Prewitt asked clarification of the bills. The recorder explained that the one folder was for current invoices or expenditures that the council is unaware of. The other file is for unpaid bills such as the phone or electric bill. Prewitt asked for explanation of the fuel bills. The recorder showed the receipts that are signed and the list of card numbers by the individual names.

**Motion to pay the bills in the amount of \$5,307.51 was made by council member Hescock,**

Council member Graham pointed out that the needed to add the bill for precision engineering \$400.00 bringing the total for the bills to \$5,707.51.

This was a pre approved bill for inspecting the grandstands at the rodeo grounds.

**Motion to pay the bills in the amount of \$5,707.51 was made by council member Hescock, seconded by council member Kirk. Ayes: Graham, Kirk and Hescock. Abstained: Prewitt.**

**Motion passed.**

Council member Prewitt wanted an explanation of the form that was laid out in a format to show the company the date ordered the product ordered and whether or not it had been received. Also there is a column to show if it had been paid for or billed to the City.

The recorder explained the form.

Prewitt would like to see the gas purchases on the form also.

City Correspondence: There is a letter from Mr. Twamley, City resident Baker Av. Mr. Twamley is concerned about the water lines and the fire hydrants. He would like the City to consider upgrading so that his home insurance is not so high.

Council member Hescock explained the situation with the water lines and the hydrants. He explained to council that the line going to the hydrant on Juda Jim is on an 8 inch line, not a 2 inch line. On Baker Av. there is a 2 inch line not a 1 ½ inch line. There is no hydrant on that line. What the City could do to make a good fire protection is to run about 120 feet of pipe and a fire hydrant on Baker Street.

Hescock explained.

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6:45 Council member Mitchell arrived.

Discussion.

The recorder was directed to write Mr. Twamley a letter explaining that the council is considering placing a hydrant down there and then have the public works bring cost estimates. Hescock asked if this was for the City to do it. The Mayor replied yes.

Discussion.

The recorder was asked to also request of Mr. Twamley to clarify what his request is.

Discussion.

Council member Mitchell asked the engineer about City or State codes requiring hydrants or how close they need to be to each other. The engineer stated there are no State mandated codes.

More discussion.

The second concern of Mr. Twamley is about a vacant lot that has some stored construction materials. He would like to know if this violates any City codes.

Mayor's report: The Mayor has attempted to call Mr. Baker with ODOT concerning the water line of the City's connected to the bridge that is going to be replaced. ODOT had requested an action plan from the City about moving that line.

Discussion.

The Mayor will fill out the form and get it sent in.

**Motion to accept the Mayor's report was made by council member Graham, seconded by council member Kirk. Ayes: Hescock, Prewitt, Kirk and Graham.**

**Motion passed.**

City engineer report: ODOT bridge project. There are a couple of things to do. One is to get out from under ODOT completely so that in the future the City does not have to worry if the bridge needs any work done in the future. The second is to set the tone for a second crossing of the river, therefore not relying on a single crossing.

Discussion.

**Motion to have the City engineer Doug Adkins handle this was made by council member Hescock, seconded by council member Graham.**

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Council members asked for clarification of motion.

**Hescock withdrew his motion with agreement from Graham, so that the motion could be made more clearly.**

The Mayor explained the letter from ODOT about the City having to remove the water line at City's expense and they have requested a plan of action.

Discussion.

**Motion to Have the City engineer, Doug Adkins, respond to the preliminary notice of conflict on the Williamson River Bridge from ODOT was made by council member Hescock, seconded by council member Kirk. Ayes: Hescock, Kirk, Graham and Prewitt.**

**Motion passed.**

The engineer has submitted the Special Cities allotment grant application. They have not heard anything back.

**Motion to accept the City engineer report was made by council member Prewitt, seconded by council member Kirk. Ayes: Graham, Prewitt, Mitchell, Hescock and Kirk.**

**Motion passed.**

City attorney report: The attorney reported that he has all of the deeds, now, to finish up on the annexation.

The rest of his report needs to go in to executive session.

Public works report: Most of the report has been discussed earlier in the meeting. Hescock would like council permission to put in a hydrant on Baker Street. It will take about 120 feet and the hydrant. He will get the cost estimates but he is concerned about the weather.

The engineer stated a typical contractors cost is going to be about 5-7 thousand. The Mayor pointed out that there would need be engineering costs. The engineer agreed. That would be approx. 2-3 thousand dollars.

Discussion.

Behind the Catholic Church there is an ally that a resident has placed a fence against. It appears it is on City property but the owners are sure it is not. Hescock would like to have this surveyed.

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Discussion.

The Mayor feels the burden of proof is on the resident. They need to remove the fence or prove it is not on City right of way.

Council agrees, the recorder will send a letter.

The guys will be hauling sludge on Wednesday.

Discussion.

**Motion to accept the public works report was made by council member Graham, seconded by council member Kirk. Ayes: Graham, Kirk, Hescoock, Prewitt and Mitchell.**

**Motion passed.**

City recorder report:

Delinquent water bill: Mayor wants to discuss this in executive session.

The recorder is bringing up a problem she has with the voting on motions. When the mayor asks for the vote, she can not always hear the individual voices. If no one speaks under the opposed or abstained she assumes all have voted yes. This is how she has done it in the past and wants to make sure the council is in agreement with that.

The Mayor stated that he will make a point to say the opposed and abstentions and otherwise it is all yes.

City liens: The office has been working on the lien book to get updated information and owners names.

The recorder explained the City policy. It has been policy for the office to place a lien on the property for any unpaid city water or sewer charges. City Ordinance states it is the Owners responsibility to pay for theses charges. If a renter moves out or if the owner moves out and leaves a bill, it goes as a lien. When the property sells, the lien is paid at that time.

The Mayor pointed out that the problem is that the owners have not been notified prior to the lien being placed. His suggestion is to notify those owners with a 30 day notice. He does not feel that this dissolves their obligation for paying that water bill. It is their obligation to take a security deposit from their renters. The owners of the property has 31 days to check any charges against the property before refunding the deposit.

Jennifer Wampler from Crater Lake Property Management asked the council why the water deposit is returned after six months. It should be held indefinitely.

**10/11/2010**

Discussion.

Tom Prewitt asks how they could have a bill for two or three months.

The ordinance states that we can shut water off at 25 days. That will be half the town. What it has been is we wait until they are delinquent into the second month. We do shut off notices and then people make payment arrangements. Most people keep their promises but others will come in and make a payment and then skip a payment and then make excuses and it just goes on. Then they leave.

Discussion.

The Mayor asked the attorney how the changes can be made. The attorney said it has to be done by resolution. The Mayor asked to have a resolution drawn up and brought back to council.

Hescock stated that he was a property management company and they just had the owners pay the water bills with their rent. They never had any problems. He explained further.

There is a property owner that has a lien on their property from three years ago that they were not notified of. They are contesting the process and are asking the \$73.00 to be refunded back.

The Attorney told council member Prewitt that she needed to disclose her conflict. The Mayor stated that this is a council member and that Jill needs to refrain from any discussion on this matter.

Hescock asked what has been done for other people. The recorder explained that when a title search has come through this office, they send a copy of the lien to the title company and it gets paid.

Prewitt stated that people need to be notified.

The Mayor stated that we are in the process of bringing a change of policy to the table at this time.

The Mayor stated that we have a policy that is being followed. Prewitt asked to see the ordinance. The recorder had the City ordinance and gave it to the mayor. He looked over the ordinance.

Prewitt stated she did not have a problem with the bill, she had a problem with not being notified.

The Mayor read the portion of the ordinance. (Attached).

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Mitchell stated this sounds like an issue we dealt with about six months ago. The City has a set of laws on the books, we need to follow them. He is willing to consider change.

The attorney stated that he feels this needs to be discussed into executive session.

Mitchell asked if we required the renters to notify the office that they are not the owners.

No we do not.

**Motion to accept the recorders report was made by council member Hescock, seconded by council member Kirk. Ayes: Hescock, Graham, Kirk, and Mitchell. abstained: Prewitt.**

The mayor stated to Prewitt, that by law, she needed to state a reason. Prewitt answered that she was abstaining because she was wanting to ask a question of the recorder. She wanted to know about the trip the recorder took and wanted to see the receipts. The recorder stated she paid for the gas and meals herself. There are no receipts for the city to pay.

**Motion passed.**

Old Business:

Betty Riley and Christina Ingram from South Central Oregon Economic Development District (SOEDD) are here tonight to bring the council an updated on projects.

Christina told the council that we do have the release of funds. She went on to explain what is being done and what needs to be done. There is one thing she needs the council to address. When they had to re-published the critical action notices they were contacted by Perry Chocktoot of the Klamath Tribe about having cultural monitors at that project site. That was not included in the initial budget. We need to decide who will pay for that. She explained what the process needs to be.

The City needs to come up with a contract between the City and the monitors. It will have to be done after the project is out for bid.

Discussion.

The Mayor will get in touch with Perry Chocktoot about the monitors.

More discussion.

The next step is to go out to bid. The construction will start next Spring.

**10/11/2010**

Water Master Plan: Betty Riley. They did apply for a USDA grant. They will come up with \$10,000. We need to pursue coming up with a balance. The State wants more than a water master plan. They want a Water management and conservation plan which adds to the cost. She has not got a total cost for that yet. We are asking for \$25,000. at this time.

Discussion.

They will issue an RFP for an engineering company. That person will work with the City in identifying the components of the plan.

She is also pursuing other grant possibilities. She is gathering information.

More discussion.

The Mayor thanked Betty and Christina and they left the meeting.

New business: Has already been discussed.

5 minute break. When they come back they will go into executive session.

8:15 Council went into executive session. ORS 192.660B and ORS 192.660(1)(h)  
\*Council member Prewitt sat out of the executive session.

8:33 Council is back in regular session, no decisions were made during executive session.

**Motion to go with the recommendation of forgiving the \$73.00 bill was made by council member Hescock, seconded by council member Mitchell. Ayes: Graham, Hescock, Kirk and Mitchell. Abstained: Prewitt.**

**Motion passed.**

8:37 Council went into executive session. Personnel ORS 192.660B and possible litigation ORS 192.660(1)(h)

9:46 Back in regular session: no decisions were made during the executive session.

**Motion to adjourn was made by council member Prewitt, seconded by council member Kirk. Ayes: Hescock, Graham, Kirk, Prewitt and Mitchell**

9:46 Meeting adjourned

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Mark Cobb Mayor  
**Signed: 10/26/2010**

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Attest: Teresa Foreman Recorder