

City of Chiloquin
City Council Meeting
2/22/2011

Those Present:

Others: Teresa Foreman: Recorder
Michael Jenkins: Public Works

Council members:

Floyd Hescock
Raymond Kirk
Kay Graham
Jill Prewitt: absent
Kathy Erion
Carolyn Blackmon

Mayor: Mark Cobb

Mayor Cobb read the opening statement.

The Mayor called the meeting to order at 6:30 PM.

The Mayor called the roll. Present: Kay Graham, Kathy Erion, Carolyn Blackmon, Raymond Kirk, and Floyd Hescock.

Also the City Recorder Teresa Foreman and City Engineer Doug Adkins.

Motion to accept the agenda as presented was made by council member Hescock, seconded by council member Kirk. Ayes: Graham, Hescock, Hamilton, and Kirk.

Motion passed.

Public Input: Mike Redd: Oregon Department of Transportation is here tonight to give the council an update on the replacement of the bridge. He gave each of the council members a copy of a drawing of how the bridge and temporary bridge was going to be laid out. He gave several options and spoke about the water line that is hanging on the bridge now that the City will have to move. The temporary bridge will be one lane one way traffic with a light regulating the flow.

The council had several questions and concerns.

Discussion.

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Eva Montoya is here tonight to voice continued concerns about the Baker Av. neighborhood. Frank Montoya, RD Twamley and Wade Johnson are all here also to voice concerns about a residence that has accumulated large amounts of dead vehicles. They are dismantling the vehicles and making an eyesore. Also they are out there all hours of the night with loud machines cutting on the vehicles.

A Woman called Sam is here tonight to promote the Chiloquin Care Program. They sponsor a food bank. On St. Patrick's day, they will have a fund raiser meal. She is asking the council to please come and support the food bank.

Motion to dispense with the reading of the minutes of the regular City Council meeting of 01/25/2011 was made by council member Graham, seconded by council member Hescock Ayes: Graham, Hescock, Erion, Blackmon and Kirk.

Motion to accept the minutes of the regular meeting of 01/25/2011 as amended was made by council member Graham, seconded by council member Kirk. Ayes: Graham, Hescock, Blackmon, Erion and Kirk.

Motion Passed.

City Bills:

Council looked over the bills.

Motion to pay the City bills in the amount of \$10,529.59 was made by council member Graham, seconded by council member Hescock. Ayes: Hescock, Erion, Blackmon, Kirk and Graham.

Motion passed.

City Correspondence: Council looked over the correspondence.

Nothing to take action on.

Motion to accept the correspondence report was made by council member Graham, seconded by council member Hescock Ayes: Graham, Hescock, Erion, Blackmon and Kirk.

Motion passed.

Mayor's Report: The Mayor passed out an outline for the council about the things he is reporting on.

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Surveillance cameras: We received a letter from Mr. Pat Lanctot stating that he was quitting. The mayor stated that he felt the council had been very cooperative for his requests.

Mr. Lanctot had some technical difficulties which he overcame and the council let him know they appreciated his hard work. The mayor stated that he had asked Mr. Lanctot several times for a schematic of the possible layout of the camera/pole placement for the council to review and accept. He never received one. When it approached the time for camera placement, the mayor, council member Hescock and public works walked the City and came up with a proposed layout based on electric availability and safety and City right of ways. Mr. Lanctot went around on his own and came up with his own locations for pole placement and shared that with the sheriffs department along with a schematic map of his proposed placements. When pole placement came to be, both the Mayor and council member Hescock told him the locations we needed to poles to be. They were not far from where Mr. Lanctot had wanted the poles. Mr. Lanctot stated that the poles had to be placed where he wanted them to be or he would quit, which is what he has done.

One pole Mr. Lanctot wanted placed next to City Hall, we could not place there because there is an underground tank there. So they moved the location of that pole over about 4 feet. Another pole he wanted placed was on the SE corner of the parking lot of the Post office. There is no electricity there nor is there City property there. The ambulance agreed to allow the City to place a pole in their parking lot and connect to their power. That camera will cover the same area as if placed at the Post Office. Another pole placement wanted was on the corner between the ambulance building and the City Park. on the west side of Second street. Again, we do not have power in that location, so the suggestion was to place it in the SE corner of the public works yard which will give the same coverage. Another pole placement Mr. Lanctot wanted was on an existing power pole near the propane tank at the Shell station. Again, we have no power there and the Mayor is reluctant to connect in to a private business because of the possibility that in the future that business and building could be closed down, thus ending the electricity to that pole. Instead of there, the city is suggesting across the street next to the sign for the parking lot, taking into consideration the railroad property. This would cover the same area as if placed by the Shell station.

Council member Erion stated that the way she reads this letter is that Mr., Lanctot is more concerned with not being invited to a meeting about the pole placement rather than the actual placement. The Mayor said there was no meeting and that he had asked Pat many times for a map of his proposed placements. The Mayor stated that he went around with Mr. Lanctot in his vehicle and discussed the electrical problems and safety issues that had to be considered.

In response to this letter the Mayor has contacted the ODOT surveillance camera technician. This man, on his own time, is going to come down and look over the system to see how he can help us. At this time we do not need any physical work done, just technical expertise to oversee the final installation of this software to make sure we are up and running properly. He will be here possibly next week to look it over and give an estimate of what this may cost the City.

The final note on this is that we have gone into a contract with this gentleman (Lanctot) for an X dollar amount to do a complete system up and running.

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The way he understands contract law is that if you as a contractor go into contract and obligate yourself for X dollar amount and then you quit the job and that entity has to go out and find another contractor to finish that job and that second contractor exceeds the dollar amount of the first contractor then that first contractor is liable for the that extra cost.

If it gets to that point, the City will have to discuss this with the City attorney.

Baker Street violation: When this placement permit for a manufactured home in a flood plane was pulled in 2006, it was under the siting standards of 2002 which states the elevation of the floor of the living area must be 18 inches above the flood plane. The elevation certification shows an elevation that is less than the 18 inches. Not by much, not even an inch, but still below the required 18 inches. So, at this time, it is in the County's hands. They are the final authority on that as well as finalizing this residence for occupancy.

The engineer pointed out that now the code is 12 inches. It was 12, then changed to 18 and is now back to 12. The Mayor explained that the County is going to enforce the 18 inches because the permit was pulled during the time the 18 inches was required.

The Mayor discussed the vehicle storage violations. The appearance that there is a business being done without a business license.

The recorder was directed to send a letter to the owner and occupant about several violations.

Motion that the residents of 315 Baker St. be sent letters identifying each violation about which we have spoken, that they must rectify these violations within the shortest amount of time according to our regulations. Failure to do this will result in the maximum amount of fine allowed by City regulations was made by council member Kathy Erion, seconded by council member Hescock.

Discussion: Council member Graham asked about the Semi Truck. If that should be included. The recorder explained that would be a notice on the vehicle. If there is a parking violation we give a 72 hour notice.

Vote: Ayes: Graham, Kirk, Hescock, Erion and Blackmon.

Motion passed.

Spinks Park: There is a pile of metal that needs to be removed. It was from our last City clean up. There was a person that came and took some of the pile but did not take all. Hescock will look into this.

The triangle piece of property that was donated to the City for the park; It needs to have the fence around it and also we need to erect a monument in memory of the donators mother.

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Discussion about the monument.

Hescock will get costs on the fencing. The recorder will get estimates for the monument.

Annexation status: The attorney was going to be here tonight but may have been unable to do so due to weather. We need to discuss this with him and see where we are in that process.

Discussion about the unimproved street vacation at the East end of Wasco. The Mayor explained the past history of trying to do a land trade and then a street vacation to the new council members. This needs to be discussed with the attorney also, to know how we proceed.

Discussion about the alley way running behind the old Henthorne place on Juda Jim. It appears there are vehicles placed on that City right of way.

There is a fence at the corner of Yahooskin and Third street that was put in not according to City regulations. The original owner was sent a letter and they started working to change that. It has since exchanged hands and the fence has not been brought to code. It has to have a clear view area since it is on a corner.

Discussion. The recorder will send the new owners a letter.

Motion to send violation letter to the owners of the fence on the corner of Yahooskin and Third was made by council member Hescock, seconded by council member Blackmon. Ayes: Hescock, Blackmon, Graham, Kirk and Erion.

Motion passed.

So many of the violations that have had letters sent have not been followed up on. We have just recently implemented a citation process that will help with that. Also, the recorder is going to start a spread sheet that these violations or projects can be tracked with.

The Mayor wants to sit down with the County building department and get into an agreement as to what they need to do and what we need to do.

Discussion

The Mayor wants a regular item on the agenda for the liaison to report on the sheriff's advisory committee meeting. It needs to be on the second meeting.

Motion to direct the recorder to place a copy of the motions made of previous meetings in the water/sewer bills was made by council member Hescock, seconded by council member Kirk. Ayes: Hescock, Kirk, Graham, Erion and Blackmon.

Motion passed.

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The Mayor asked the engineer about the recently paved street section of Schonchin. There were several defects noticed last fall. Are we waiting for good weather for those to be fixed?

The engineer stated that the sidewalk had been repaired. The Street will be repaired when the weather gets better.

The Special Cities allotment: The mayor asked if that was for drainage. Is there already a job description on that?

The engineer stated that there was a list of priorities set with the grant application. The tree removal and then the drainage. This needs to be put out to bid for the work to be done preferably in June or July.

Discussion.

The engineer's time and the publication for bids comes out of that money also.

Motion to direct the City engineer to work on the special cities allotment was made by council member Graham, seconded by council member Blackmon. Ayes: Graham, Blackmon, Erion, Kirk and Hescock.

Motion passed.

The Mayor reported to the council that we had a surprise OSHA inspection today. They were concerned about the stairs going to the basement: no handrail. The jail area having trip hazards, the public works building having trip hazards and the sidewalk outside City hall being in disrepair. There was a confidential complaint made.

The basement stairway has a handrail, it just needs to have another one placed lower, the jail area just needs to have the stored material stacked in a way that allows access without having to climb over things, the shop does not have any trip hazards and as far as the sidewalk goes; the council can ask for an extension for funding purposes. Because we will have to try to get a grant or something to replace the entire side walk steps and entry way.

Discussion.

We will be looking for funding. Christine Ingram from SCOEDD will help us look into the potential funding available. The Mayor will get together with her.

We should receive the official citation letter within 14 days.

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The Mayor brought up the asbestos on the big gym. Several years ago he had contacted DEQ about the shingles that were being torn off by the kids and thrown around the neighborhood. DEQ contacted the school and was told they would place siding on the building 16 feet up the side to where the asbestos shingles could not be reached. That has not been done. The Mayor spoke with the OSHA inspector about this and he gave Mark the information to get in touch with DEQ again.

Discussion.

Motion to accept the Mayors report was made by council member Graham, seconded by council member Hescoek Ayes: Graham, Hescoek, Erion, Blackmon and Kirk.

Motion passed.

Attorney Report: Not here.

Engineer report: The waterline relocation on the bridge. There are quite few alternatives to consider and the difficulties with each.

1. Boring under the river where the water line is now.
2. Putting a new pipe on the temporary bridge, which will have to be insulated for the 18 months. The current line would have to be removed. Then putting a new line on the new bridge.
3. Move downstream ½ block and boring under the river. The City would have to acquire the property on the West side. We have an easement on the East side.
4. Move upstream a ways to the alley but then we have the same problem of easements and then would have to bore under the road to get back to the main line.

At this point at this level of investigation he thinks we will have to spend aprox. \$200,000.00 - \$250,000.00. There are potential environmental issues. We have found oil in the ground in that same area.

Discussion

Christina Ingram, SCOEDD, is here tonight. The Mayor asked her if this was something they could help us with? Christina is moving in a few months but she can start the search and applications. Anyone taking her place can take over. The existing project, she will continue with this project. She will be coming over enough to keep up on this.

Adkins discussed the documents he is waiting for to get the WWTP project out to bid.

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Motion to accept the Engineer report was made by council member Graham, seconded by council member Kirk. Ayes: Graham, Kirk, Erion, Hescock and Blackmon.

Motion Passed.

Public works report: They had an emergency on a house on Chiloquin Drive. The sewer had backed up and come back in the house. Public works went to the house and had the City line pumped out by DrainPro out of Klamath.

There is going to be a lot of cleaning to do. The City will probably be getting a bill from the Tribe. If we do, we should turn it over the City's insurance. It seems there is a problem with the City's line. They have run a camera down the line; it appears there is a jog in the line, or a belly. It must be broken and moved over. Anyway, there is something wrong and they are going to dig it up as soon as the weather allows.

Discussion.

Motion to accept the Public Works report was made by council member Graham, seconded by council member Kirk. Ayes: Graham, Hescock, Erion, Blackmon and Kirk.

Motion passed.

Finance report: Teresa reminded the council that we are starting in the budget. She is asking the council to please let her know if there are any changes or additions they would like to be considered. There is a budget workshop in Bend that she and Kay are going to be attending.

The Mayor pointed out that the council that the recorder is asking them for input. Last year there was very little council involvement.

The recorder told council she would have a workshop here shortly to go over things.

W/S Bills: For month of Feb. billed out \$20,886.00, we have accounts outstanding \$7657.00.

Motion to accept the financial report was made by council member Graham, seconded by council member Hescock Ayes: Graham, Hescock, Erion, Blackmon and Kirk.

Motion passed.

Old Business:

Christina Ingram: SCOEDD. Christina is here tonight to discuss the grant the City has for the wastewater treatment plant upgrade.

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We have been working with the folks from Oregon Business development program for 2 years. They have provided the grant of \$458,000.00. The bid documents have been to them since De. 2009. We are on our third review.

There is a new requirement that we are going to be held to. Section 3 requirements have been a regulation since the 70's but have not been adhered to. Basically what has been found is that the money HUD was giving to people was not really meeting their intended purpose of helping low and very low income people with obtaining employment and obtaining employment skills. Most of the federal agencies have undergone a federal review and it is apparent they are not following or enforcing their own regulations.

Therefore not being in compliance. So the community development block grant program regulations are having some new regulations added into them. The good news is we can go ahead and put this project out to bid without having to do the new requirement first. That is because we were awarded this grant prior to 2011 and have had our first non construction draw.

We do still need to meet the reporting requirements at the end of the year. It is a simple three page report. However, we do need to adopt a plan.

Basically what they want is to adopt a plan that will identify the section 3 residents and section 3 businesses.

Christina explained to the council what is needed and some ideas as to how to get the information required.

Discussion.

Christina had given each of the council members a packet with samples of resolutions and information about the requirements.

Part of what they want is to have the contractors to complete an opportunities plan. That means they are identifying the section 3 residents and businesses etc. It is quite extensive. It requires contractors to hire 30% low income employees.

It is going to be hard to get contractors to adhere to these regulations.

Discussion.

There needs to be a section 3 coordinator. The City may have to come up with money for that. That person needs to sit down with the folks and do a job skills assessment. We can probably out source that.

Christina went into details, the problems associated with this part of the requirements.

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9:05 Council member Raymond Kirk received a phone call and had to leave the meeting for a family emergency.

It is not mandatory for contractors to comply with these regulations in order to receive the bid award. For this project, it is not mandatory for the City to have this plan in place prior to the bid award. However, it is required that they comply with the section 3 summary report at the end of the year. They will have to provide this data to Oregon Business development department. It may be in their best interest to gather this information prior to going to bid.

Discussion.

The City is required to have this information in order to receive the grant. The city needs the data so they can do the report. We need to know: What were professionals; the number of new hires; the number of new hires that are section 3 residents; the aggregate percentage of the number of staff hours of new hires that are section 3 residents; the percentage of the total staff hours for section 3 employees and trainees etc

The coordinator has to compile this information for the city to report.

Discussion about the proposed plan that the City can adopt.

The plan that OBDD provided us, we need to make it work. Discussion about who will be appointed the coordinator.

There is a class for the grant coordinator on March 30th. It is in Salem.

Discussion. How much time is involved? Council is asking Teresa if she could do this? Council member Graham agreed to help with this.

Motion to accept the resolution to adopt the section 3 plan to comply with 24 CFR, part 135 of the United States Department of Housing and Urban Development Section 3 was made by council member Erion, Seconded by council member Blackmon. Ayes: Erion, Graham, Hescock and Blackmon.

Motion passed.

Council thanked Christina, she left the meeting.

Due to the late nature of this meeting the remainder of the agenda items will be carried to the next meeting with the exception of:

Council member attendance:

Forms filled out for absence last meeting.

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Kathy Erion called and the recorder filled out the form. Kathy's sister was having surgery out of Town. Council approved.

Jill Prewitt called and did not give a reason. The recorder asked her to come in at some point to fill out the form. She never came in. Jill called this evening to let us know she would be gone tonight because she has the flu. Council denied absence of last meeting.

Kay Graham was ill, sent to Dr. from work and offered to get a Dr. excuse if need be. Council approved.

Attendance: council member Graham stated that the council gets free water and sewer for compensation for the public service on the council. If you only attend a short period of time, barring an emergency, council should not be compensated with the free water and sewer.

Discussion.

Motion that any council member leaving the council meeting must provide a written excuse to be voted upon at the next council meeting by the members present was made by council member Erion, seconded by council member Hescoock. Ayes: Erion, Hescoock, Blackmon and Graham.

Motion passed.

Drainage ditches: Council member Erion is asking the council if there is any record or a map showing the drainage ditches and culverts. A number of people have come to her with a need to know.

Discussion about the drainage problem on Lalo by Fred Liljenbergs house.

The engineer explained that over the years there have been culverts identified and covered. There are culverts that exist that we are unaware of. There are culverts that should be uncovered. He went on to explain examples of what has been found in the past.

Erion explained that Fred Liljenbergs house basement on S. Lalo is flooded. Mr. Liljenberg explained that he had brought in gravel and has dug down to replace a pipe to help with the drainage.

Discussion.

City engineer explained that there is a spring in that area. Several years ago they very carefully graded along the West side of Lalo down past Palmer to Wasco where it drains into the river.

Mr. Liljenberg explained that there is no drainage going across the street.

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Discussion. The engineer explained that it is flat in that area.

These are things that can be done with the SCA grant. We need to identify the areas, and then prioritize these areas and then do these as the bid amount allows.

The Mayor explained that we will look at the area and see if we can address this.

New Business

Closing Wasco St. for the ODOT Bridged replacement project.

Motion to allow ODOT to close Wasco for bridge construction was made by council member Hescock, seconded by council member Graham. Ayes: Hescock, Graham, Erion and Blackmon.

The engineer suggested that ODOT provide a turnaround at the end of Wasco.

Hescock withdrew his motion with the consent of the second; Graham.

Motion to allow ODOT to close Wasco for bridge, providing the make a turn around, during construction was made by council member Hescock, seconded by council member Graham.

Discussion: What about the big trucks? They should not be on Wasco. What about the ambulance? They will just have to go around the block.

Ayes: Hescock, Graham, Erion and Blackmon

Motion passed.

A letter needs to go to ODOT to show the previous motion.

Motion to accept the old business and new business was made by council member Graham, seconded by council member Hescock Ayes: Graham, Hescock, Erion and Blackmon.

Motion passed

9:54 Council went into executive session per ORS 192.660B Personnel Issues and ORS 192.660 (1) (h) Possible Litigation.

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

Motion passed.

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10:35 back in session. No decisions were made.

Council wants to talk with the attorney about some issues. Discussion.

**Motion to adjourn was made by council member Erion, seconded by council member Hescock.
Ayes: Hescock, Erion, Graham and Blackmon**

10:37 Meeting adjourned

Signed 3/14/2011

Mark Cobb, Mayor

Attest: Teresa Foreman, City Recorder

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