

City of Chiloquin  
City Council Meeting  
10/14/2013

Those Present:        Others:

Teresa Foreman: Recorder  
Pete Pate: Public Works

Mayor: Joe Hobbs  
Council members:

Raymond Kirk  
Jill Prewitt  
Kathy Erion: absent  
Carolyn Blackmon: absent  
Julie Trevino  
Jeff Mitchell

Mayor Joe Hobbs read the opening statement:

It is the 14th day of October, 2013. 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 allowed 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.

The Mayor, Joe Hobbs, called the roll. Present: Raymond Kirk, Jeff Mitchell, Jill Prewitt and Julie Trevino

We do have a quorum; this meeting is now in order.

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The Mayor called the meeting to order at 6:33 PM.

**Motion to accept the agenda was made by council member Mitchell, seconded by council member Kirk. Ayes: Trevino, Mitchell, Prewitt and Kirk.**

**Motion passed.**

**Motion to accept the minutes of 9/24/2013 of the Regular council meeting and to dispense with the reading was made by council member Kirk, seconded by council member Trevino.**

**Ayes: Trevino, Mitchell, Prewitt and Kirk.**

**Motion passed.**

**Mayors Report:**

Mayor Hobbs: The Mayor reported that the auditors have been here gathering information. They went through the records etc. for three days last week. They will now finish the audit research and reports at their office. They reported to Mr. Hobbs and the recorder and assistant recorder what they had gone through and made a few verbal recommendations. Also, in reviewing the WWTP grant that was administered by SCOEDD, they found that one invoice had not been paid/reimbursed to Bob's excavating for some of the cultural monitoring. That invoice is in the packet of bills to be paid tonight. Also, the engineer invoices do not reconcile with the report. The recorder is researching this information.

There are two resolutions for intra fund transfers. These are for the transfer of contingency funds to appropriate funds for purchasing safety equipment for the public works employees. These purchases became necessary due to OSHA inspections and requirements. Action is required to pass these resolutions.

OSHA violation informal conference was held on Oct. 1 at 8:30, here at City Hall. Public works employee Charles Case and Recorder Teresa Foreman were in attendance. The upshot is that the fines have been reduced to the minimum allowed by Oregon Statutes. Two violation fines at \$100.00 each. There is an agreement that needs approved and signed.

There is a letter from the Department of Revenue about the City budget. This is not a violation letter but pointing out mistakes made that need to be not made in the up coming budget. This letter was just received and the recorder will research this and report back to council at the next meeting.

Check signers: At this time, The Mayor Joe Hobbs, Council members Kathy Erion and Raymond Kirk and the City recorder Teresa Foreman are the check signers. Raymond has not done the paperwork at the bank but will get this done. The Mayor asked if the council wanted to add more check signers or if they thought this was enough. Council did not add any or make any changes.

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The house that council discussed at the last meeting about hooking trailers up to services while working on the house. Council had asked public works employee to look into this, and they also felt that if the residents could get the work done and be able to move into the house within 30 days, they would allow them to continue. The RV's must have backflow devices. The residents have contacted City Hall to say they feel they will be in the house well within the 30 day deadline. If they find they can not, they will come to a meeting and address the council directly.

The City looked into the possibility of getting the old community center that most recently was a youth center, not in use due to slight fire damage, to help get it up and going as a youth center again. Duke Kimbol is the owner of the building and he has stated that he is open to the possibility of donating that building to the City but he has some personal reservations that would need discussion.

Agreement with the City and the owner of Melita's for their connection to the City sewer service. There is a draft agreement in the packet. If the City wants the attorney to go over the agreement, he (Jeremy) would like council permission to work with the attorney directly to make any changes so this can go forward with out having to wait two more weeks.

The council looked at and discussed the resolutions for the intra fund transfers of the contingency funds in the Enterprise water and sewer. This was discussed at the last meeting. The recorder gave a brief summary of how and why this is being done. It is for safety equipment.

**Motion to approve resolution 814, a resolution to make a \$3000.00 intra-fund transfer from enterprise sewer fund appropriation line item 'contingency' to enterprise sewer fund line item 'sewer equipment.' to approve resolution 814, and approve resolution # 815, a resolution to make a \$3000.00 intra-fund transfer from enterprise water fund appropriation line item 'contingency' to enterprise water fund line item 'water equipment.' Was made by council member Jeff Mitchell, seconded by council member Jill Prewitt. Ayes: Prewitt, Mitchell, Kirk and Trevino.**

**Motion passed.**

**Motion to enter into the stipulated settlement with OSHA for the settlement of the citations and accept the final order was made by council member Mitchell, seconded by council member Prewitt. Ayes: Mitchell, Prewitt, Trevino and Kirk.**

**Motion passed.**

**Motion to approve the Mayors Report was made by council member Mitchell, seconded by council member Kirk. Ayes: Mitchell, Kirk, Trevino and Prewitt.**

**Motion passed.**

**City Correspondence:** Council looked over the correspondence. Nothing to take action on.

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**City Bills: Council looked over the bills**

**Motion to pay the bills as of October 14, 2013 in the amount of \$16,251.98 was made by council member Kirk, seconded by council member Trevino. Ayes: Mitchell, Prewitt, Kirk and Trevino.**

**Motion passed.**

**Public Works Report:** The recorder explained that Pete could not be here tonight but would have a full report at the next meeting.

**Old Business:**

**Tress in the Park:** Recorder will continue to try to set up a meeting.

Also, the mayor reminded council that the next meeting will be the 29<sup>th</sup>. It was moved out a week because the regular schedule of the 4<sup>th</sup> Tuesday placed it only one week from this meeting and also, the 1<sup>st</sup> meeting in November is a Holiday so there will be only one meeting in November.

**Melita's:** There is a draft agreement in the packet from the engineer to review.

Discussion. As stated before, the engineer would like permission to work with the attorney directly to have the agreement completed so as not to wait for the time between meetings.

Direction by consensus is for the engineer and attorney to work on this to accomplish whatever is needed.

**Ordinance review:** This is something council member Erion is wanting to talk about so council tabled this until she can be here.

**Chicken Ordinance:** Need a public hearing that has to be in the paper. The public hearing will probably be at the November meeting at 6PM. The only thing changed in the proposed Ordinance is to allow chickens but not roosters. Also the penalties were updated.

Council discussed limiting the amount of chickens. Prewitt remembers the original Ordinance as saying no livestock at all. She does not want to have chickens allowed. Also concerned about skunks.

**Motion to allow 12 chickens, no roosters, in accordance with the proposed Ordinance was made by council member Mitchell, seconded by council member Trevino. Ayes: Mitchell, Trevino and Kirk. Opposed: Prewitt.**

**Motion passed.**

**Budget committee dates:** The dates discussed by the committee was to start in January.

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Discussion: Council member Mitchell would like to see the City written policy/procedure outlining the dates etc. The recorder explained that she had not seen any thing specifically for the City. It was established years ago as we do it now. The current council and committee members are pursuing to start sooner and have more meetings and study going into the budget document.

More discussion.

The recorder will look for the City policy and bring back to the council at the next meeting.

**Appoint Mayor ProTem:** The Mayor stated he would like to appoint Jeff Mitchell, with the approval of the council, as the Mayor ProTem. Mayor Hobbs is confident of council member Mitchell's ability to chair council meetings. Jeff has chaired many committees and has been a former Tribal chairman.

**Motion to appoint Jeff Mitchell as the City Mayor ProTem was made by council member Kirk, seconded by council member Trevino. Ayes: Trevino, Kirk and Prewitt. Abstained: Mitchell, because the motion is about him.**

**Motion passed.**

**Motion to accept the Old Business was made by council member Blackmon, seconded by council member Trevino. Ayes: Mitchell, Trevino, Kirk and Blackmon.**

**Motion passed.**

**New Business:**

The recorder pointed out that the things under new business were asked to be on the agenda by council member Erion. Council member Erion can not be here tonight and has asked that these things be postponed until she is here.

Council member Trevino stated that she feels setting up a council retreat is very important and she would like to discuss this.

Discussion. Just a day to get together and get to know each other. Trevino feels this would be advantageous. Mayor Hobbs stated that usually a workshop is here at this table and is about specific items. A retreat is at a different, neutral place where City business is not discussed.

The recorder explained that council member Erion was going to explain that she knows an individual that does these sorts of retreats. A facilitator. This would not be council member/mayor duty oriented. It would be about interacting with each other and working together.

Discussion about needing a facilitator or not. Council could start with a meeting of their own and if that doesn't work, then get someone professional.

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Discussion about dates for this. Mayor Hobbs and Teresa will look into this.

**Public Input:**

Richard Twamley: Mr. Twamley is concerned about the retreat.

The recorder asked Mr. Twamley to please speak up for the recording. Mr. Twamley answered that he is speaking as loud as the council does. The recorder tried to explain that if she can't hear him on the recording she can't accurately report what is said.

Council member Trevino stated he could come up to the table. Mr. Twamley stated he would start over but the council needs to speak up.

Mr. Twamley stated this here (indicating the council at the table) is a retreat that costs no money. All he hears is how the City has no money. He States now the council wants to spend 'our' money again?

The recorder stated that her first attempt would be to find a place that did not cost anything. Twamley asked if this would be open to the public? If a quorum meets it has to be open to the public. Trevino answered that they wouldn't be able to talk about City business. Twamley wanted to know who would monitor them? Council answered they monitored themselves.

Twamley answered that he did not agree with this.

Mayor Hobbs stated his concerns are noted, and council will do what they can.

No further public input.

**7:30** Meeting moved to Executive session for ORS.192.660 (2)(h)

**8:52** Council back in regular session. No actions was taken in executive session.

**Motion to direct the recorder to retain a structural engineer immediately to evaluate the bleachers at the rodeo grounds to chart the best course for repair or replacement based on the recommendation was made by council member Mitchell, seconded by council member Kirk.**

**Discussion. Should we have the insurance company at the same time? If they need to be removed we don't need the insurance inspection. The insurance inspection would be if the current condition is insurable. Concern if the insurance inspection should be first? Decided the insurance person would want to have it inspected by an engineer any way so we will have this first.**

**Call for the question:**

**Ayes: Mitchell, Trevino and Kirk. Nays: Prewitt**

**Motion passed.**

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**Motion to have Teresa contact the City Insurance to evaluate the insurability of the bleachers was made by council member Mitchell, seconded by council member Kirk. Ayes: Mitchell, Trevino and Kirk. Nays: Prewitt.**

**Motion passed.**

**Motion to have the attorney and the recorder put together the first draft for the press release for council review was made by council member Mitchell, seconded by council member Kirk. Ayes: Kirk, Mitchell and Trevino. Nays: Prewitt**

**Motion passed.**

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

**9:05 PM Meeting adjourned.**

Signed 10/29/2013

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Joe Hobbs, Mayor

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Attest: Teresa Foreman, City Recorder

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