

City of Chiloquin
City Council Meeting
01/13/2014

Those Present: Others:

Teresa Foreman: Recorder
Pete Pate; Charles Case: Public Works
Jeremy Morris: City Engineer
Sam Ramirez: City Attorney

Mayor: Joe Hobbs

Council members:

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

Mayor Joe Hobbs read the opening statement:

It is the 13th day of January 2014. 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.

The Mayor, Joe Hobbs, called the roll. Present: Carolyn Blackmon, Raymond Kirk, Jeff Mitchell and Kathy Erion

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

The Mayor called the meeting to order at 6:43 PM.
(The public Hearing ran over into regular meeting time)

Council member Mitchell stated that he wanted to discuss the complaints and things that had come out in the media recently and felt this would be in executive session.

There is an executive session scheduled.

Motion to accept the agenda with changes was made by council member Blackmon, seconded by council member Kirk. Ayes: Blackmon, Kirk, Mitchell and Erion.

Motion passed.

Motion to accept the minutes of 12/09/2013 of the Regular council meeting and to dispense with the reading was made by council member Blackmon, seconded by council member Kirk. Ayes: Blackmon, Kirk, Mitchell and Erion.

Motion passed.

City Bills :

Motion to pay the bills in the amount of \$ 18,053.62 was made by council member Blackmon, seconded by council member Kirk. Ayes: Blackmon, Kirk, Mitchell and Erion.

Motion passed.

City Correspondence:

Council looked over a proposal for a web site for the City. \$1800.00 not including monthly updates.

Discussion.

Council member Erion explained that Joan Rowe has done the Chiloquin News for quite some time. She intends to take over the web site for a much less cost. Erion suggests we contact her for more information.

Council member Mitchell asked for clarification of her taking over. The recorder explained that Pat Langtot was doing the Chiloquin website and has passed away. This is not a website for the City government but we do have a page there. Joan Rowe has not told the City what she is going to do, but has let us know she intends to keep the website going. The business has been legally transferred from Pat to Joan.

There is a letter from the Ellen Spears on North Lalo. She is asking for a stret light in her area because it is so dark and the people would feel safer.

Discussion: Charles Case, public works, was asked to report to the council about this. Charles stated that he had looked at this area and there is a light on the pole near that address and the pole past the address. People have motion lights also.

Council member Mitchell asked if there was a light within 300' and Charles answered there was.

Council member Mitchell suggested that a letter be set to Ms. Spears explaining that based upon staff review, council found there is existing lighting in the area. If funding becomes available the City will be reviewing the placement of street lights again.

More discussion. Mitchell would like to find out how we can map out the higher crime areas are in the City. These would be the areas to light up. Charles stated he would call the sheriff office and see if he can get that information..

There is a letter from council member Prewitt stating she would like read into the record that she is taking 60 days medical leave. The Mayor read the letter.

Council member Erion stated that she feels the council needs to approve this. It is 60 days and according to the Charter that length of time of absence is grounds for removal from office.

Motion to approve Jill Prewitt's leave of absence for medical reasons was made by council member Blackmon, seconded by council member Mitchell. Ayes: Blackmon, Kirk, Mitchell and Erion.

Motion passed.

Public Works Report: Jeremy Morris, City engineer will do part of this report. Jeremy would like to do a few updates. The WWTP upgrade grant application is being worked on. The recorder is working on getting DEQ the information they need for the application.

Jeremy brought a small satellite picture/map of the City park for Pete to use with the urban forester to plan trees for the park. He also gave the public works employees some updated water and sewer line maps.

He has also updated the City Arial map. It is on the wall in City Hall. The old one was 1999. This one is from 2012. Jeremy brought a couple of large laminated wall calendars and several copies of the same calendar only small for anyone that might want one.

Jeremy gave the council and employees a basket of goodies.

Jeremy excused himself from the meeting. He had other engagements.

Pete Pate, Public works employee addressed the council. Pete had given a report for the last meeting

that didn't happen. He explained that if the council has any questions about that report he would be glad to answer them. The plant is running well. They have had numerous vehicle break downs. They have old vehicles and they need work periodically. There have been numerous broken pipes of the residents.

Council member Erion asked what the City's responsibility is as far as broken pipes on personal residences. Pete explained that The City is only responsible for City lines. However, when someone has a problem, the City is called in to turn their water off at the meter. Then the water gets back on when their problem gets fixed.

The City water usage went up about 100,000 gallons per day during this cold snap. Presumably due to people leaving their faucets dripping to prevent frozen pipes.

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They met with John Bellem of the Klamath Falls parks. It was a great meeting and Mr. Bellem had some great ideas.

Council member Prewitt stated that she had met with Mr. Bellem several years ago.

Pete explained that he had the map from Jeremy when John Bellem came, so they had that to help them get a 'to scale' perspective. They will be getting together to make a plan. Prewitt asked to be contacted so she can attend those meetings.

Council member Trevino asked about the tires. When the public works purchases things, do they do a price quote? Pete answered that they always did. In the matter of the tires, Basin was the cheapest. Prewitt asked who he called. Pete answered Turn Thom; Les Schwab; Hansen; Wal-Mart; Charles is the one that did the calling. Prewitt answered that she does a lot of business with Hanson, so she is going to call them in the morning and ask him if they could really come down on the price. For next time.

Prewitt stated that she didn't think we need to get Five quotes, but maybe three. Pete answered that they just called every place they could think of to get the best price. She is also concerned about having older vehicles that cost us money. She is asking if the City could maybe lease vehicles.

Motion to accept the public works report was made by councilmember Erion, seconded by council member Trevino. Ayes: Prewitt, Kirk, Trevino and Erion.

Motion passed.

Old Business:

Youth Center: Mayor Hobbs asked council member Erion if she would like to speak to this issue. Council member Erion stated that it had been suggested that the Methodist church be used temporarily but they need help, financially, for heat.

Erion suggested maybe a committee of people interested in forming a youth center could be formed and that committee look into the possibilities. Kathy would like to ask council if they would like to be involved with getting a youth center for the kids. We need to know if they are or not.

Mayor Hobbs stated that he feels we need to do all we can to help the youth. He sees youth wandering the streets and turning to drugs and alcohol. They need help and we need to do what we can. His question is, however, is that part of what the City is responsible for? According to the City Charter. He is not saying it isn't, he just wonders if this needs to be an outside committee. Erion answered that she wasn't sure. The Methodist church may house the youth center temporarily.

Somebody needs to be in charge of the youth center. Funding needs to come from some where for power and heat.

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Council member Prewitt suggested a metal building in the park.. There are bathrooms also. Then if the City did that maybe the City can give someone that job.

Erion explained that they had been contemplating a log building.

More discussion.

Erion asked to have the youth center financial issue be on the agenda next meeting.

Kathy will bring an estimate of how much the church will need to open its doors to the youth this year.

Sheriff Advisory Committee:

Council member Prewitt stated that she went to the meeting. One thing they are asking for is the City clean up the graffiti as soon as it happens.

Discussion. Council member Erion suggested putting up a board area that the kids can graffiti. After a period of time, we just paint it white again.

Discussion about having the council representative at the meetings. Prewitt said she would go, she likes to go. Mayor Hobbs stated that he would go if he was able.

Ordinance review: Council member Erion reported that the history of that was that she volunteered to chair a three person committee to go through the Ordinances and bring proposed changes to the City council. Then the council could review them. It was decided to wait to the next meeting.

Motion to have Council member Erion put together committee of three to review the Ordinances and to bring the suggested changes to correct was made by council member Trevino, seconded by council member Prewitt.

Discussion. Erion stated she was willing to do this but not if she does not get along with the members. The recorder explained that the motion was for her, council member Erion, to put together a committee. So she chooses who will be on the committee.

Council member Prewitt asked Erion how this worked? Erion answered that she would begin with the municipal code book and the committee would read, mark what they think needs reviewed and periodically bring back reports to the council. The council would make the decisions about any possible changes.

Ayes: Trevino, Kirk, Erion and Prewitt.

Motion passed

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Picnic Tables in Park: Discussion about the tables. Council member Prewitt feels the park needs to have tables. Erion agreed. Council member Erion stated if we dedicate one or two tables and that if they get destroyed we will replace them. Prewitt stated we can not use tax payers money to build tables and then stick them in a shed and hold them hostage. Erion agreed and Prewitt stated it was illegal. Council member Trevino suggested that, since it was winter they just place one table.

Motion to put two picnic tables out was made by council member Prewitt, seconded by council member Erion.

Erion would like to add to the motion that they are securely fastened.

Council member Prewitt stated that some years back she spoke with John Bellem and found out that the kind of tables we need are made in prisons. He offered to split the cost of freight. They are metal, can be bolted in and then you can keep them.

Ayes: Trevino, Kirk, Erion and Prewitt.

Motion passed.

Motion to accept the Old Business was made by council member Erion, seconded by council member Prewitt. Ayes: Prewitt, Trevino, Kirk and Erion.

Motion passed.

New Business: None

Public Input:

Mr. Twamley, resident of Chiloquin: Communication of Oster Professional Group with the City.

Mr. Twamley stated that since he was on the agenda, he did not want to be held to the three minutes. Mayor Hobbs stated that no one had mentioned that to him. The recorder explained that public input is three minutes whether or not you are on the agenda. The purpose of being on the agenda is so that you submit your issue in writing and the council can be prepared with possible answers.

Mayor Hobbs told Mr. Twamley to go ahead.

Mr. Twamley stated anytime he wants to stop him, just let him know.

Mr. Twamley read to the City a statement about requesting a copy from the recorder, of a draft management letter from Oster Professional group. He stated he was answered that the City was not in receipt of this letter. He stated he then requested the document a second time and was again told the City didn't have it.

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He read that he then asked the City Clerk if she had any letters or communications from Oster Professional Group and said that the City Clerk answered that he must be talking about the letter that comes with the auditors report. He stated that he again asked if the City didn't have any communications from Oster Professional group. The recorder interrupted to state that his request was for communications dated Oct. 9th. Mr. Twamley stated that he had confidential information that a letter was hand delivered to the City, CC'd to City Council. He stated he is making this request of the governing body of the City of Chiloquin on behalf of himself and of Dennis Jefcoat. Mr. Twamley stated that he believes the City has received a registered letter from Dennis Jefcoat requesting a copy of the hand delivered communication known as a draft management letter, or any other draft letters.

Mr. Twamley asked if the letter existed. Council member Prewitt asked the recorder if she got the letter. The recorder answered that she had received the registered letter from Mr. Jefcoat with the records request. She stated she was in communication with the City attorney and the State attorney general and that this is not the place to talk about it. She will discuss this with the council in executive session.

Council member Trevino asked Mr. Twamley if his requests had been to the City council. Mr. Twamley stated that yes they were. The recorder reminded Mr. Twamley that he had revised those requests to be to her, the recorder, instead of the City council.

Mr. Twamley addressed the City recorder stating she had acknowledged that there was a draft letter. The recorder responded that the letter is a draft of Oster Professional; it is not the City's Draft letter. Council member Erion asked Mr. Twamley if he was asking for any kind of communication between Oster Professional and the City. Mr. Twamley answered yes, any kind of communication.

Council member Prewitt stated she would call Oster Professional to get a copy of the letter.

Mayor Hobbs stated he would look into it. He told Mr. Twamley that it looks like he is asking a legal question and he doesn't want to get into the middle of it. He would get back with Mr. Twamley.

Mr. Jefcoat, non-City resident: Mr. Jefcoat stated that acting under the advice of his legal counsel; he called Mr. George Wilber and verified with him that a letter by him was delivered to the City clerk of the draft management report. Mr. Jefcoat stated that is the same report given to the City council for several years, it proceeds the auditors actual report. Mr. Jefcoat advised the council that his attorney advised him that 192.410 specifically provides that when a document hits the desk of a public body, it is a public document. Mr. Jefcoat stated that the council all knows that he has a lawsuit proceeding against the City. His attorney wants to know if he adds in violation of 192.410 because this body has, as a group, refused to produce a financial document that has to do with the finances of the City of Chiloquin.

Mr. Jefcoat then pointed out that the City can not go into executive session for legal issues without the City attorney.

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The Mayor replied that the attorney will be here. The recorder stated that he had had car trouble.

Mr. Twamley asked to speak again. The Mayor gave him a minute. Mr. Twamley read a document that was signed by past Mayor Mark Cobb, attested to by Teresa Foreman.

Mr. Twamley read that Oregon law provides that every person has the right to inspect public records of a public body in this state. Public bodies include Cities and other public entities. Although there are some exceptions, most records of a public body are available to the public for inspection. It is the intent of the City of Chiloquin to be responsible to requests for public records. The employees are to forward all requests of public information to the City recorder,

Council member Trevino asked Mr. Twamley if she could have a copy of the letter that he sent. Mr. Twamley answered that he would provide her with nothing of what he owns because it is all legal. Mr. Twamley stated that not only does Mr. Jefcoat have a lawsuit, so does his wife. And it is enhancing every day.

A woman called Sam, City resident: Sam is here to ask the City if maybe they could put out a request for information about any professional grant writers for the youth center. Maybe they would donate their time to write a grant for supplies and also to pay whoever runs the youth center. Also, to purchase a program for running the center.

Sam feels that there is money out there in the form of grants for children.

Discussion.

Mr. Jefcoat asked to be acknowledged. The Mayor stated he could speak if it was about this issue.

Mr. Jefcoat asked the council members if they received the draft letter from Oster. Mayor Hobbs stopped Mr. Jefcoat.

Julie Wolf, City resident. Julie is concerned about how the public works employees plow the streets. She feels the berms could be placed better for the residents. It is very hard to get out of the driveways after the roads are plowed.

Discussion. The Mayor replied that they do go back and push the snow out of driveways. Prewitt stated that all they need to do is ask him (public works employee).

Trevino asked the recorder to ask the public works. The Mayor stated he would speak with the public works employees and see if they can help with this.

Ms. Wolf is asking if the Code enforcement officer can help with the house across the street from Clyde's market. There are a lot of people hanging out there.. It needs to be boarded up. Can Julie get in touch with the owner and see if it can be boarded up. She knows they have been contacted before.

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She is also concerned about the graffiti. She stated that the Tribe has youth that are doing community hours. They will come out and paint, as part of their community service.

Prewitt stated there are more than just Tribal people.

Discussion about the graffiti.

The Mayor stated that is the end of public input, and we will be going into executive session.

Mr. Jefcoat objected because the attorney is not here. The Mayor replied that we would be contacting by phone, because he had car trouble.

Before leaving Julie Wolf asked about the budget committee meeting. The recorder will set up a meeting and let them know.

8:12 Council and Mayor waited for the room to clear. Council member Prewitt left the meeting.

The recorder contacted the attorney by phone because he had had car trouble and decided to turn around.

Council decided not to have an executive session this night.

8:30 No official adjournment, because council lost quorum, which stopped the official meeting.

Signed

Joe Hobbs, Mayor

Attest: Teresa Foreman, City Recorder

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