

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.

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

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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 sent 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 that are in the City. These would be the areas to light up. Charles stated he would call the sheriffs' 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:

Pete Pate, Public works employee addressed the council. Due to the cold weather they're still having numerous broken pipes of the residents.

The state has completed the traffic survey of Hwy 422 south that we asked for. There is correspondence going back and forth to get the report finished. The State has lowered some speed limits. It is in the process, he will bring that back.

He has been doing quite a bit with OSHA. Getting things up to standards. He won't meet with them again until next May. At that time we will have another review and consultation.

Jason Davis of IHS has contacted the City about Well #1. There should be something happening by the end of the month. An Archeological review.

We will be having the one year review of the WWTP upgrades, that were done, sometime this week. The engineer will come out and there will be a final review. Any problems will be taken up with the engineer and the contractor.

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

Motion passed.

Old Business:

Bid Procedure: The recorder explained that this had come up at the last meeting. Council was discussing quotes more than bids.

Discussion. Pete Pate, public works, stated they always try to get a minimum of three. They keep trying until they find something they feel is the best price. They try to be conservative. Council member Blackmon asked Charles Case and he answered that for example when they were looking for tires they got 5-6 quotes. Originally he got verbal but then followed up with three in writing. Basin was the cheapest. Charles gave several examples. Getting quotes is standard procedure.

Adding \$1.00 to water bill for the less fortunate: Discussion. Lots of questions.

Council member Prewitt asked for this to be put on the agenda so council will wait until she comes back to explain her vision about this.

What can the City give to the youth center:

Council member Erion explained that this youth center project is still in its infancy. The Methodist church is revising itself to host the SSP group next year. Working towards being open all year long. They are willing to have that space used for a youth center. She feels that before we can talk about funding it, there needs to be programs mapped out and the financial requirements for those programs. The one thing that is definitely needed is the financing for heat.

Erion's suggestion is that if the City is even willing to consider this, they get a lot more information. Hours of operation, goals, programs, proposed staff, games planned, purpose statements etc.

Discussion.

Grant Writer for the youth center: Erion stated that on the SSP staff there is a grant writer that may help look for grants. Erion said she would look online and see what information she can come up with.

Mitchell would like to support this youth center but he has a lot of questions as to the structure of the organization. He thinks the City may be able to help but we need to see more information. Also if the City subsidizes anything they can count on being asked to subsidize other groups.

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Erion replied that she can answer some of those concerns. SSP is a non-profit organization. They are renting the church between June until August for cooking and sleeping. Their purpose is to place teenagers in work groups to help people around the area. We are not being asked to subsidize them at all. They take care of their own needs. What she is talking about is a youth center for our community's kids. For the two months SSP is here, kids come from all over the US. Erion is talking about a separate entity. A place for the Chiliquin kids to come. No one is sponsoring SSP. They are simply renting the building.

Mitchell stated that what he understands then is that there is a separate goal to establish a youth center that would be here year around. Blackmon explained that this group would be more likely to come back if Chiliquin had a youth center established that their kids could then interact with the Chiliquin youth. Erion is spear heading the youth center concept.

Graffiti: This is another subject council member Prewitt was asking for. Council member Erion stated that the graffiti that is not being covered up is on private property, not public. Our public works department cannot go on private property to cover things.

Discussion about Ordinances and what the City nuisance abatement states. What the possible actions could be.

Council member Kirk read a portion from the nuisance abatement Ordinance that would cover the graffiti. "Anything that causes injury, damage, hurt, inconvenience, annoyance or discomfort to any other persons or to their legitimate property."

More discussion.

Mayor Hobbs stated he would like to hear ideas from Julie when she comes back.

Ordinance allowing chickens : Council member Erion stated that she and City attorney Sam Ramirez will clean up the proposed Ordinance and bring back to council. The Mayor stated it had to be put back in front of the public.

Motion that we accept the chicken ordinance as it will be amended by council member Erion and the City attorney Sam Ramirez and put it out for review was made by council member Erion. Seconded by council member Kirk.

Discussion: Mitchell feels that he can't support this motion because he doesn't know what the revisions would be. He feels that Erion and Ramirez should have the opportunity to revise and then the council have the opportunity to review before it goes to the public. If the changes are substantial the ordinance does not have to go back to the public but if they are substantial the ordinance does need to go before the public.

Ayes: Erion. Nays: Kirk, Mitchell and Blackmon.

Motion failed.

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Motion that council member Erion and the City attorney Sam Ramirez revise the current draft Ordinance and bring back to the next meeting for council review and next course of action was made by council member Mitchell . Seconded by council member Erion.

Ayes: Blackmon, Kirk, Mitchell and Erion.

Motion passed.

New Business: None

Public Input:

Sam, resident of City of Chiloquin. She wanted to quickly address the issue of graffiti. It was mentioned at a previous council meeting that the City of Eugene has a board where kids can go and put graffiti on this. Every so often it is painted over for the kids to put more graffiti on. If the City would do that here, it would be a place the kids could express themselves. She would like to see that addressed at a meeting some time.

The Mayor reminded the public that they need to come forward to the end of the table so they are on the camera when speaking in public input.

Public works employee Pete Pate explained that they are out looking for graffiti every day. It is part of their job. When they see it they try to clean it up. They are careful of private property but if they see something offensive they get rid of it even on private property. Mr. Pate stated that he wanted to commend the local businesses because they all do a great job of cleaning up graffiti any where they see it. It can be difficult to remove and the removal can ruin the structure/sign.

Patricia Harty: Ms. Harty stated she has lived in Chiloquin for 13 years and Klamath County for 48 years. She has been coming to the City council meetings and has been attending the sheriff advisory meetings since November. She heard some terrible things said by individuals at the advisory meeting. It has taken her this long to get it down on paper how she wants to say it. Ms. Harty is concerned that a council member that was there, made statement that other council members didn't do anything and made a comment about the Indian council members. She stated that an individual commented he would keep after the council until they got tired of it and quit. (Ms. Harty named names and I am leaving those names out of this public record because the Mayor stopped her dialogue when stating names.) Ms. Harty apologized to the Mayor and council, she didn't know that rule. She wants to know why people are trying to get others fired. If we don't work together this town will never be anything.

Patricia apologized again if she didn't follow the rules. The Mayor stated that he did not feel she was being derogatory at the end. It's just when you're mentioning names. He stated that he feels the same way about working together and that we need to build up this town not tear it down.

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Council member Mitchell stated that he feels everyone is entitled to their opinion. We all have opinions. Mitchell stated he doesn't apologize for being a native American, he doesn't apologize for being Klamath or Modoc. He's proud of that, that's who he is. He's never going to change, this community is what it is and that isn't going to change. Except when we work better. There have been a lot of disgruntled voices out there. He stated they may not be without merit but we do have a process for dealing with these issues and that's what we need to do, work through them. He stated that he hopes if the people have something they want to get off their chest or to move forward, that they work within the confines of the Ordinance and the laws that we have.. Mitchell stated that we are not perfect, we will make mistakes, and future councils will probably make mistakes as well. He doesn't see anyone on this council that is intentionally trying to keep business from moving forward. He feels they all want to see a community that is safe, good and prosperous. Good schools etc. The citizens need to come to the meetings, work with the council by rolling up their sleeves and try to get things done.

Julie Wolf, Chiloquin City resident. She asked about the difference between a bid and a quote. She stated that her understanding is a quote is verbal and a bid is in writing.

Council member Blackmon asked Charles Case to answer that.

Charles stated that he got quotes for the tires, not bids. Council member Mitchell stated that the City Ordinance is anything above \$5,000.00 has to go out to bid. Below that is for quotes.

Her next question is if the City gives a donation to the youth center does that make them liable.

Mitchell answered that he was unaware of any Ordinance that prohibits the council from giving a donation. There would be rules about giving to a political party etc. Each situation would be different.

Julie asked, and directed to Council member Mitchell, stating he might be able to answer this question. At one time the tribe had stated they would be willing to send their youth to help clean up the graffiti but it is still not cleaned up and she wonders why.

Mitchell answered that he did not know, that would be up to the Tribal courts.

Ms. Wolf stated she totally agreed about the poster board for the graffiti. There needs to be some type of an outlet but she doesn't want it near her house or in her neighborhood.

Another question from Ms. Wolf. The recent fire of Mark Cobb's building. There are rumors around this fire and she would like to know if the council is aware of anything. Council member Blackmon stated that the council doesn't deal with rumors. Ms. Wolf asked that if she brought something back to the next meeting that showed it isn't rumor would that be public input.

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The Mayor answered by reading from his opening statement :

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The Mayor stated that it should go through that process.

Mr. Twamley, resident of Chiloquin: He stated that he loved this City. He said he first came to Oregon in 1939 and again in 1946 to buy property. At that time, he states, Californians were told to go home. Mr. Twamley read a statement to the council saying that he had too many things that need to be asked and will present those to the City Clerk for the next meeting. He doesn't believe the Mayor has the power to approve City Bills when a meeting has no quorum, or the power to approve City bids as per the City Charter. He asked the attorney if he would like to advise him (Mr. Twamley). Twamley read the powers listed in the Charter. Mayor Hobbs stated or any power this council gives him. Council agreed. Mr. Twamley agreed. Mr. Twamley asked the attorney again. Attorney stated that he was not Mr. Twamleys' attorney to advise him on any thing. Twamley stated he was not questioning anything the Mayor is doing. He's questioning that if it should be the wrong Mayor and a wrong person puts the bills before him there could be a fraudulent check. Council member Blackmon stopped Mr. Twamley. Blackmon stated that he was getting derogatory and council is not doing that. The attorney said if he's asking about wrong doing put it in writing and that may be something the council will address. Twamley stated he wasn't saying there was anything wrong.

The Engineer report had been inadvertently skipped over. The Mayor went back to that report and turned the floor to Jeremy Morris.

Jeremy stated he usually speaks during the public works report.

Jeremy reported that back in December he had applied for funding for the WWTP and the I and I study. We have gone through the public review process. The City recorder put together all the WWTP Funding and finances and forwarded to DEQ. He thinks they have all they need. Hopefully we can do the study in the spring when the ground water is high. There will be a meeting with Pam Swires of Rural Development this Thursday at 11:00 at his office. He asked if Teresa could be there, or attend by phone. We will be going over the search grant application. This is to help reduce the loan amount of funding. Council discussed the draft contract with the City and Melita's. Jeremy has contacted the owners several times and they have not got back to him.

Council member Mitchell asked about this dragging out. Shouldn't there be a time limit. This project has been being pursued for several years. He feels it needs to be dropped if people are not following through. Jeremy explained that he does not charge for his time in contacting and such. He also explained that it doesn't matter what the City does or does not do, DEQ will begin to impose fines on them.

Discussion.

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Motion to have the Mayor send letter to Pete Burdett that states unless contacted by January 28th concerning sewer service agreement the City will close the file, was made by council member Mitchell, Seconded by council member Blackmon. Ayes: Mitchell, Blackmon, Kirk and Erion.

Motion passed.

8:18 The Mayor closed this part of the meeting to go into Executive session per ORS 192.660(2)(b) Personnel issues and 192.660(2)(h) Possible litigation

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

Motion passed.

9:10 Meeting adjourned

Signed

Joe Hobbs, Mayor

Attest: Teresa Foreman, City Recorder

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