

City of Chiloquin
City Council Meeting
7/22/2014

Those Present:

Others:

Teresa Foreman: Recorder
Pete Pate: Public Works

Mayor: Joe Hobbs

Council members:

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

Mayor: Joe Hobbs

Mayor Joe Hobbs read the opening statement:

It is the 22nd day of July 2014, and the time is 6:32. 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.

Roll Call: Carolyn Blackmon, Jill Prewitt, Julie Trevino and Kathy Erion.

We do have a quorum; I officially call this meeting to order.

Motion to accept the agenda as presented was made by council member Blackmon seconded by council member Erion. Ayes: Prewitt, Blackmon, Trevino and Erion.

Motion passed.

Motion to accept the minutes of 6/24/2014 of the Regular council meeting and the budget hearing And dispense with the reading was made by council member Blackmon, seconded by council member Erion. Ayes: Blackmon and Erion. Opposed: Prewitt Abstained: Trevino. (Trevino gave no reason for abstaining)

Prewitt asked the Mayor what the difference was between an abstention and a no vote. Mayor Hobbs answered that an abstention was normally because of a conflict of interest.

Motion passed

Motion to approve as paid, the bills of 7/14/2014 was made by council member Erion, seconded by council member Blackmon.

Council member Prewitt asked if it was ok for the Mayor to pay the bills without the council approval. She was answered that it was alright, that we need to pay the bills when there is no quorum and that a resolution had been passed to that effect.

Ayes: Blackmon, Prewitt, Erion and Trevino.

Motion passed.

Motion to pay the bills for 7/22/2014 in the amount of \$ 3323.46 was made by council member Blackmon, seconded by council member Trevino.

Discussion. Council member Erion is concerned of the bill by Sam Ramirez, City attorney. He charged over \$500.00 to be at the last council meeting, where there was no quorum and no decisions could be made. Trevino asked if he stayed the entire time and if so was that necessary. Erion explained that he did stay the entire time and in her opinion it was not necessary. Blackmon pointed out that the attorney traveled here. That's four hours travel time. The recorder pointed out that the attorney traveled here at the councils' request and no one said to him that he wasn't needed. Erion said the council should have said something. Blackmon stated that the attorney spent seven hours and only billed for three. Trevino wants to find out if he has a minimum charge.

Council member Blackmon stated that she wanted it on the record that there were issues discussed with the attorney. There was important conversation. Because there wasn't a quorum they couldn't do some things but council was brought up to date on important things.

Ayes: Blackmon Prewitt, Erion and Trevino.

Motion passed.

City Correspondence: none to take action on.

Mayors' report: Mayor Hobbs read a letter from council member Kirk, requesting a leave of absence. Council member Kirk sites his wife's medical condition and his own recent illness as to why he would like some time off from the council.

Discussion. Council member Trevino would like to see a time limit set on the leave of absence. Council member Prewitt stated that the council could appoint someone to sit in the position until he comes back. When there is a vacant seat, it is not counted in the quorum.

Motion to accept Raymond Kirks' leave of absence with five council members being adequate and three of those members making a quorum was made by council member Blackmon, seconded by council member Prewitt.

Discussion: Erion feels we should review the policies and procedures, but not before the vote.

Ayes: Blackmon, Prewitt and Erion. Abstained: Trevino because she does not know what the policies and procedures are.

Motion passed.

Council member Erion will let Raymond know.

Mayor Hobbs discussed the survey he had the council fill out some time back. This was to decide the priorities of the council. He went over the results. #1. is fire hazards. The City is pursuing the weed abatement.

Discussion. Also discussion about the messy abandoned houses.

Kathy would like to see this on the agenda next time. She would like all the council to look over the area and bring the addresses of problem houses to the City office and/or the next council meeting for discussion.

City Engineer report:

Crack seal bid: The opening will be on July 30, at City Hall at 4PM.

Special Cities Allotment application. This is due August 1st. The public works and the engineer have narrowed down the priority list. They feel the sidewalk on Chocktoot is very bad. The street is in bad condition also. It has a big dip in the road. The grant is 100% funded and is for \$50,000.00. Chiloquin Blvd. has tree root damage. The City used a special cities allotment a few years ago to remove the problem trees.

Jeremy has brought a resolution for the council to pass if they agree with the chosen projects and with applying for the special cities allotment.

Motion to pass the special Cities Allotment grant application resolution and number with the next consecutive resolution number dated this 22nd day of July, 2014 was made by council member Blackmon, seconded by council member Erion. Ayes: Erion, Blackmon, Trevino and Prewitt.

Motion passed.

Public Works Report: Baker street culverts are about half way finished. Klamath County Commissioners have decided they do not want to pursue having a nuisance abatement officer in Chiloquin. They have invited the council to meet with them about this.

Discussion.

We will pursue an appointment with the commissioners.

Council member Erion asked about getting help for a building the Sierra Service Project kids would like to paint. The paint has lead in it and therefore they can not be handling that. Erion would like to find a way to clean that old paint off so the kids can re-paint.

Jeremy stated that he had done a similar project and will get the information and pass it on to the council.

Discussion.

Discussion about County owned houses. The County is coming in and trying to clean up those places.

Recorders Report: Recorder asking about next years fourth of July celebration. Several community members would like to see the celebration preparations start earlier. To get the whole community, including businesses involved. She is asking for councils' blessing for the 2015 Fourth of July celebration.

Discussion.

Council members indicated they would like to see this happen.

Old Business:

Jennifer Wampler, Property Manager for Crater Lake Real estate.

Jennifer explained to the council that she has a concern about the way the City handles the water/sewer deposits. As it is right now, the deposit is refunded when the resident keeps the account in good standing.

This can cause problems for the owners because sometimes, after a year or so, the renter moves out leaving a past due bill. The owners then have to pay the bill. Jennifer feels they should not get the deposit back until they move. It is not her responsibility that the City collects for the water/sewer service.

Discussion.

The recorder told council that she and Jennifer have discussed this before and she is not opposed to the idea of holding the deposit longer. But this is why the City encourages owners to keep the service in their own name. Then they would know it was being paid.

Some council members were concerned about holding a deposit for years, others felt it was a good idea. The recorder explained that it is the written policy, which can be changed but a new policy would have to be written and approved.

Council member Erion stated that she felt the problem of tenants moving out leaving a bill was an administration issue for the owner, not the City.

Jennifer left the meeting.

Council discussed this a little further and then decided that since Jennifer left, it didn't need a decision.

Marijuana Dispensaries:

The recorder pointed out that the original Ordinance is in their packet. The Ordinance that placed the City's moratorium on allowing dispensaries within City limits.

Council discussed the boundaries and where a dispensary could be placed if City allowed by state guidelines. Then there is the Ordinance that Klamath Falls passed that is a little more restrictive. Council member Prewitt stated that she feels the City needs to wait until after the November vote. There could be some changes.

The City's moratorium expires on the 28th unless the council chooses to extend it. Council member Trevino feels that if the City allows dispensaries, we need to have an Ordinance in place with City guidelines.

Council member Blackmon explained that because we are a City it puts us in a hard situation. It is against Federal law. If the council allows the dispensaries, they are breaking federal law. If the council chooses to not allow the dispensaries they are breaking State law. Basically the measure that was passed says there will be no legal prosecution for medical marijuana. She feels that the council should extend the moratorium until after the election. The State will be issuing more legislation and things could change. The council is also going to have changes. There are five positions open.

Council member Erion stated that it won't be the City that gets in trouble, it will be the dispensary owner.

Blackmon replied that repercussions can be selective. Some say the City won't get in trouble, others say that it can affect the federal grants that we apply for.

Motion to extend the moratorium on medical marijuana dispensaries to May 1, 2015 was made by council member Trevino, seconded by council member Prewitt.

Discussion. Erion is concerned that the council will not get together to make any regulations or put together an Ordinance. She feels nothing was done during the 90 days. It was pointed out that council members researched articles and the City had two public hearings to gain public comment. Council members had different opinions as to whether or not they could still make regulations after certain dates.

Council member Erion stated she had to leave. The recorder stated that the quorum would be lost and there is a motion on the table. The Mayor asked Kathy if she wanted to vote and she replied that she did not. The recorder again stated there is a motion on the table. Erion replied that she had told the council she had to leave by 10 minutes to 8. Trevino called for the question, the Mayor stated question has been called for. All in favor signify by raising your right hand. Council members Prewitt and Blackmon raised their hands, council member Erion was leaving the room and council member Trevino stated, that now we can't do it.

Erion went out the door.

The recorder asked the council if they had to wait for the minutes to be approved as far as making council member Kirks' leave of absence official. Consensus is that they do need to be approved.

Since council member Erion left the meeting, the motion had no quorum vote.

Signed

Joe Hobbs, Mayor

Attest: Teresa Foreman, City Recorder

