

1 CITY COUNCIL MEETING

2
3 June 9, 2004

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5
6 Attended: Lance Delgado, Mayor
7 Marvin Casebeer, Councilor
8 Roger McKinley, Councilor
9 Mike Springer, Councilor
10 Jim Hamsher, Councilor
11 Diane Clingman, City Recorder
12 Dave Welch, Chief of Police
13 Bob Titus, Public Works
14 Mort Rennels
15 Sarolta Sperry
16

17 Mayor Delgado called the meeting to order at 6:00 p.m. The roll was called, Anna Bass
18 and Karen Jacobs being absent. The pledge of allegiance was recited.

19
20 The minutes of the March 24 and May 26 meetings were considered for approval. **It was**
21 **moved and seconded to approve the minutes. Only three members voted so the**
22 **motion did not pass.**
23

24 Mayor Delgado recognized Mort Rennels who addressed the Council on behalf of the
25 American Legion Post 106. He again asked if the Council would consider modifying
26 how it charges the Legion for water use since the group is non-profit, has little funding
27 and doesn't use much water. He said they would like to do some landscaping but cannot
28 afford to pay for additional water. Rennels suggested not being charged for sewer since
29 in is the higher amount billed each month, or to have the water meter read once a year
30 and only be charged for the water used instead of the 5,000 gallons per month. Mayor
31 Delgado asked if the Legion had pursued other avenues and suggested they ask the Forest
32 Service about working out a deal to use their water in exchange for mowing.
33

34 Property Purchase: The Mayor said he had signed the purchase agreement papers for the
35 Texaco station property and that he had agreed to pay the price of \$75,000. He said he
36 made the decision that the property was cleaned up sufficiently and assumed that the
37 sellers would not have signed the papers if the city were to pay the reduced price per the
38 contract. He said he had contacted a wrecking yard about removing vehicles and that it
39 would cost approximately \$560 to do so and that Bob Titus estimated there was only a
40 dumpster load of junk left to remove. He felt he could not justify withholding the
41 \$10,000 because of the amount of garbage left behind. He said he had heard that people
42 were upset that the city paid the full amount because they felt the property was not
43 cleaned up as agreed.
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1 Jim Hamsher said he was not pleased about the transaction because the property was not
2 cleaned up by closing as agreed and that the mayor should have contacted the council
3 instead of making the decision on his own. He said he felt that \$10K was left on the table
4 that could have been used as matching grant funds to improve the property. He referred
5 to the contract and that it provided for legal action if the sellers refused to sell at the
6 reduced price (if the property was not cleaned up by closing) and pointed out that there
7 was no provision for negotiating. Mayor Delgado said he had made his best gut-feeling
8 guess as to what to do and that the city can still go after the \$10,000. He said the sellers
9 are still working on cleaning up the property and that he had given them an additional 3
10 days. He said he accepted what was left inside the building and that the city was keeping
11 the compressor and the lube equipment attached to the building.

12
13 Roger McKinley referred to a letter from the city attorney wherein she advised the Mayor
14 he did not have authority to pay the \$75,000 price if the property was not cleaned up, that
15 he would have to get approval from the council to do so and that the council would have
16 no reason to. He asked the Mayor why he didn't canvass the council by telephone or talk
17 to at least one other member before making the decision. Mike Springer said he would
18 not have OK'd spending the full amount. He stated that the property was not cleaned up
19 as agreed and that all along the sellers have been deliberately messing up the property so
20 that the city would be pressured into buying it.

21
22 Mayor Delgado said the sellers had never lied to him about anything to do with the sale
23 of the property. He said the agreed upon price was \$75,000 with the stipulation that if the
24 property were not cleaned up by closing, the price would be reduced to \$65,000. He
25 asked if it was worth \$10,000 to hold them to the agreement and said he felt he had to get
26 the deal done. He said that if the city wants to go after the \$10,000 it will probably be
27 difficult because of the small amount of junk left. He estimated that it would only cost
28 about \$1,000 to clean up what is left and again asked for justification of keeping the
29 \$10,000.

30
31 Mayor Delgado said he didn't have input from anyone up until the time he signed the
32 papers and now everyone is stepping forward with a complaint. It was noted that he
33 didn't contact anyone else and had been advised not to negotiate by the attorney. Roger
34 McKinley said just one telephone call to another member would have been an effort at
35 least. Mayor Delgado apologized, said it was a mistake on his part not to have contacted
36 other members of the council and admitted that he did not have the authority to make the
37 decision on his own. Roger McKinley accepted his apology. Jim Hamsher held that the
38 contract was clearly stated and that it would have been in the best interest of the
39 taxpayers to pay the lower amount.

40
41 Mayor Delgado said that if anyone felt strongly enough to ask for his resignation he
42 would accept a motion. Mike Springer said he was not interested in making a motion to
43 call for his resignation but noted that the city has most likely lost any edge of recovering
44 the \$10,000 by giving an extension of time and showing it wasn't serious about enforcing
45 the terms of the contract. **Jim Hamsher said he would like to have the attorney's**
46 **opinion and was welcomed to call her.**

1 The Mayor asked if there was any comment from the public. Sarolta Sperry said she felt
2 the entire council should have inspected the property prior to closing, however, what was
3 done is done and she hoped everyone would move on. The council generally agreed.

4
5 Property liability issues were addressed and **it was decided that the holes in the**
6 **parking lot should be filled in immediately. Bob Titus was instructed to have the**
7 **locks on the building changed the next day.**

8
9 Planning: No Report

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11 Public Safety: No Report

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13 Abatement: It was noted that there had not been a written response yet from the property
14 owners/occupants of the Schatz property to the abatement letter. Dave Welch said he had
15 cited Honey Schatz for unnecessary noise because of a written complaint. Jim Hamsher
16 asked if he had cited on the animals at large ordinance but Welch said there had been
17 none of late. **Mayor Delgado asked for volunteers to inspect on June 14th** which is the
18 end of the ten-day period given in the abatement letter.

19
20 On another issue, the City Recorder said there was likely to be a complaint soon on the
21 Cleo Larkin property at 1126 Johnson because of the condition of the burned out house.
22 A large portion of the tin roof has come undone and when the wind blows it makes a lot
23 of noise and looks like it could come off. She said the property was addressed by the
24 abatement committee in August of 2003 and asked the council if they were going to
25 pursue abatement. There was discussion of not following the abatement ordinance and
26 approaching the owners about cleaning up the property some other way. It was stressed
27 that in order to enforce the ordinance the steps must be followed. **Jim Hamsher said he**
28 **would talk with the owner the next day about the situation.**

29
30 Landfill: Bob Titus said the city would have to do two methane monitoring reports this
31 year because he failed to have one done last year. It was noted that the city must do the
32 additional “make-up” monitoring at its own expense.

33
34 Public Works: Bob Titus said the cheerleaders were looking for ways to raise money and
35 asked permission to have them to paint the handrails on the bridge. He said the cost
36 would be \$300 and asked to have it spent from the road fund. The council generally
37 agreed and the Mayor said in the future the streets commissioners could make such
38 decisions.

39
40 In other business he said the lagoons are full and that cell #1 had overflowed. He said he
41 contacted the DEQ and that no violation would be issued because it was contained on
42 site. He said it is OK to overflow out of cell #3. There was discussion of irrigating with
43 gated pipe. **Titus said he was arranging a meeting with ABS Pump, Anderson Perry**
44 **and the city on June 22. It was suggested that the attorney be present at the**
45 **meeting. Roger McKinley and Jim Hamsher said they would attend.** Titus said he
46 would like to council to inspect the interior of the restrooms after the meeting because he

1 feels they are completed. He was asked if there had been a final building inspection but
2 he didn't know.

3
4 Well Drilling: It was noted that the plan and specs for welling drilling were going to
5 Water Resources and that it might be possible to advertise before the report it back. It
6 was noted that there should be a stipulation, however, that work could not begin until
7 approval is received. It was also noted that a test hole will be drilled soon on the Fyman
8 site and that **an agreement letter needs to be sent to John Coombs.**

9
10 Museum/Depot Park: It was noted that a meeting will take place between PARC (the
11 grant writer), the Mayor, Karen Jacobs and the Friends of the Railroad. The City
12 Recorder presented a print of the depot building done by a local student and asked if the
13 city would consider buying a copy at \$20. **It was agreed that it should be purchased,**
14 **matted and framed.**

15
16 Office: There were no bills presented for payment.

17
18 Other Business: **Mayor Delgado said he would contact Lee Teague and have him get**
19 **on the agenda to ask the council about funding of a new ambulance.**

20
21 July 4 Fireworks: It was noted that the city has received enough funds to pay for the
22 fireworks display and that the Oxbow Ranch has agreed to the use of their property.
23 Donations received were as follows: \$2,500 from DR Johnson, \$500 from GPCCA, \$500
24 from the City of John Day, and \$100 from Jason & Andrea Rehling. Mayor Delgado
25 said he had met with the Fire Chief, Police Chief, pyrotechnician and a representative of
26 the Oxbow to approve the site. Parking will be available near the old rodeo arena and the
27 launch site will be south and west of it. No one will be allowed in the arena and it was
28 noted that parking areas should be marked off. Parking attendants will be needed as well
29 as security. **The Mayor said he would be formulating and agreement with the**
30 **Oxbow regarding use of the land.** It was noted that a 100' long trench is needed to
31 accommodate the mortars, which will be buried. The scouts have been contacted about
32 doing cleanup the following day. It was agreed that the city's participation in funding the
33 event will be in-kind labor and equipment rental to dig the trench. The agreement with
34 Western Display Fireworks, LTD was presented for approval. **MSP: To enter into the**
35 **contract and purchase order with Western Display Fireworks, Mike Springer/Roger**
36 **McKinley.**

37
38 The City Recorder asked the council to consider donating the old copy machine from the
39 fire department to the Greater Prairie City Community Association. She explained that
40 the company had not wanted it back when they replaced it with a new one. She also said
41 that since the main copy machine is now located closer to the fire hall office, the newer
42 fire department copier will be moved to Depot Park for the museum's use. **MSP: To**
43 **donate the Canon NP1020 to the GPCCA, Jim Hamsher/Mike Springer.**

44
45 Mike Springer addressed the council regarding website development. He said he had met
46 with someone who developed the Sumpter website and felt it was worth investigating.

1 The developer charges businesses a one-time fee of \$200 plus \$35 a year and if she can
2 sign up 12 clients there would be no charge to the city for their site. The sites down-load
3 quickly and are search engine optimized. The cost includes photos taken by the
4 developer as well. It was agreed that he should move forward with the process.

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6 **8:00 p.m. It was moved and seconded to adjourn the meeting.**

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8 Respectfully submitted:

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11 Diane Clingman, City Recorder

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Approved this Date: _____

Lance M. Delgado, Mayor