

**CITY OF UMATILLA  
COUNCIL MEETING  
May 05, 2015**

1. **CALLED TO ORDER:** Mayor Trott called the regular council meeting to order at 7:00pm.
2. **ROLL CALL:**
  - PRESENT:** Councilors Dedrick, Farnsworth, Ray, Fenton, and Lougee, ~~and TenEyck.~~
  - ABSENT:** Councilor TenEyck
  - STAFF PRESENT:** Recorder Sandoval, City Manager Ward, Finance Director Ince, Planner Searles, Public Works Director Pelleberg, and Chief Huxel.
  - Also in attendance were Planning Commission Members: Craig Simson, Ramona Anderson, Keith Harding, and Chair Boyd Sharp.
3. **PLEDGE OF ALLEGIANCE:** Recited at 7:01pm.
4. **APPROVAL OF AGENDA:** It was moved by Councilor Fenton to approve the agenda. The motion was seconded by Councilor Dedrick. Voted: 5-0. Motion Carried.
5. **PRESENTATION:** Postmaster Robin Kasiska was not present for the first time this item was addressed. Mayor Trott recalled item number 5 after opening and closing public comment. Postmaster Kasiska approached the City about changing from curb delivery to Centralized Box Units (CBUs), for the benefit of the City, curb appeal, and security of mail. There was a lot of theft that went on during the Holiday Season. For the enhancement of the City, he just wanted to know if the City was interested in converting. After speaking to his superiors in Portland, the Post Office cannot assist with the cost, but he had numbers for the Council. McNary South hill would be approximately 212 deliveries, McNary is about 500, and Power City and down by the apartments would be about 85. There are currently 170 deliveries on that route, but the apartments have been talking about converting over, and is unsure if that would be a consideration or not. The question posed to superiors was: Who would be responsible for replacing damaged boxes? The City installs them, someone runs into them, who covers the cost? Postmaster Kasiska believes they would be responsible for replacing them, however it has not been confirmed. It has to be all or nothing, the only exception is medical hardship. If a person cannot physically walk down to the CBU they will deliver to the front door. There has to be documentation for all of it. The price is \$1350.00 for each CBU, which included 16 units with 2 parcel lockers. Price can be negotiated if a large volume of CBUs are ordered. Councilor Lougee stated that there was a new unit put in on Lewis Street, and he wanted to know how that came about. Postmaster Kasiska stated that it was formally McNary Mobile Manor and the associated dissolved and sold the property that the mail units were on, which was at the manager's building. When that happened, the mailboxes need to be moved because it was now on private property. Councilor Fenton asked if they were installed city-wide, who would own them. Postmaster Kasiska responded by saying that the City would install them, and the Post Office would maintain them. Councilor Fenton asked if there would be a fee for the CBUs. Postmaster Kasiska responded that the only fee would be the initial installment fee, and it would then be essentially free to the homeowner. Councilor Fenton inquired about where the locations would be for these to be

installed. Postmaster Kasiska stated that they would have to setup a line of travel that would service all the customers in a feasible or efficient way for the Post Office to deliver. They would also look at proximity to customers. Councilor Dedrick asked if other communities were being asked to pay for these mailboxes. Postmaster Kasiska stated that the Post Office cannot help with cost, but makes it more efficient delivery. Mayor Trott asked what the CBU's brought in terms of security enhancement to homeowner or recipient of mail. Postmaster Kasiska explained that they are all locked, they have keys, and everyone knows that a lock keeps the honest man out. If a thief wants to get in, they will bust it to get in. It's secured in the fact that you're going to be surprised how many residents watch the Post Office. Whenever the mailbox sits in front of someone's house or in between homes, there are neighborhood watch systems that would be keeping an eye out.

**6. APPROVAL OF MINUTES:** It was moved by Councilor Farnsworth to approve the minutes from the April 7<sup>th</sup> and April 21<sup>st</sup> meetings. The motion was seconded by Councilor Dedrick. Voted: 5-0. Motion Carried.

**7. PUBLIC COMMENT:**

7.1 Karen Hutchinson – Talaski – Landing Days is only a short time away. The next meeting is Thursday, ~~June~~ May 9<sup>th</sup> at 6:00pm. They are still looking for people to help with parking, the parade, and cleanup. If you are still looking at helping with Landing Days, this a great opportunity for volunteering. The Welcoming Center started full time hours from 9:00am – 5:00pm. She is happy to see something on the agenda tonight about the problem at the exit on HWY 82. She is happy that things progressed so quickly.

**8. CONSENT AGENDA:**

8.1 It was moved by Councilor Lougee to approve item 8.1(a) CRIS, Inc. It was seconded by Councilor Farnsworth. Voted: 4-0-1. Motion Carried. It was moved by Councilor Fenton to approve item 8.1(b). The motion was seconded Councilor Ray. Voted: 5-0. Motion Carried.

**9. COMMITTEE REPORTS:**

9.1 It was recommended by Mayor Trott to approve appointment of Bill Meade to the Tree Committee. It was moved by Councilor Fenton to approve Bill Meade's application for the Tree Committee. The motion was seconded by Councilor Dedrick. Voted: 5-0. Motion Carried.

**10. UNFINISHED BUSINESS:** None.

**11. NEW BUSINESS**

11.1 USPS Centralized Box Units – After lively discussion, it was moved by Councilor Ray to grant City Staff the time to do research, what might be done in terms of a survey to define a plan of action, and to bring it back to Council. The motion was seconded by Councilor Farnsworth. Voted: 5-0. Motion Carried.

11.2 Resolution No. 04-2015 – A Resolution Authorizing the Mayor to Sign an Amended Agreement between the Department of Corrections and the City of Umatilla for Waste Water Service to the Two Rivers Correctional Institution. It was moved by Councilor Fenton to

approve Resolution No. 04-2015. The motion was seconded by Councilor Lougee. Voted: 5-0. Motion Carried.

11.3 Police Week and Peace Officers' Memorial Day Proclamation - It was proclaimed by Mayor Trott that the citizens observe the week of May 11th - 17th of 2015, as Police Week with appropriate ceremonies and observances.

11.4 ZC-1-2015 - Proposed Zone Map and Zone Text Amendments – Mayor Trott opened the Public Hearing, by stating there was a sign up list for anyone who wished to testify, and be formally notified of the hearing. A person must testify either orally or in writing in order to be considered a party to the decision and the opportunity to appeal. Copies of the applicable criteria are outlined in the staff report, and the meeting minutes, and five headings total in terms of what has to be addressed in the staff report. Information is contained under each of those headings. They are included in the packets. The testimony and evidence must be directed toward these criteria or other criteria of the plan or land use regulation, which the person who testifies believes applies to the decision. Failure of an issue to be readied with statements or evidence sufficient to afford the council and other interested persons and opportunity to respond to the issue's crude appeal to LUBA (Land Use Board of Appeals) on that issue. Party is entitled to a continuance of this hearing if anyone provides documents or evidence in support of the application in addition to what is available at the time of this notice when this notice was provided. Procedures: Time limits maybe imposed if deemed necessary. 1) Staff will present its report on the action. 2) Council may ask question of the staff of the applicant 3)The applicant may present testimony in support of the application 4) Public testimony maybe given in support of the application 5)Public testimony in opposition of the application maybe given 6) Rebuttal testimony from the applicant 7) Further comments from staff. Hearing will be closed. Council members may discuss issues amongst themselves. Then, they will either make a decision or continue Public Hearing at a specified time. Mayor Trott inquired if there was any challenge to the jurisdiction of the Umatilla City Council to hear the matter. Seeing none, he inquired if there were any conflict of interest. Councilor Ray announced he may have conflict of interest because he owned commercial property in the City. Mayor Trott recognized Councilor Ray's announcement. Mayor Trott then inquired if there had been in ex parte contacts regarding the upcoming manner that needed to be declared by Council Members. Seeing none, he opened the Public Hearing at 7:54pm.

City Planner Searles summarized the ZC-1-2015 with two main points. One, is to make a rezone and remap a few certain areas, which are currently commercial zones, just to change the commercial zone to a different commercial zone, which the Planning Commission felt were more appropriate for those areas. The maps show this. The areas that are proposed for change have the hash mark on them, with little numbers, there are a total of seven areas that the Planning Commission is proposing change the zoning on. The next thing that you have are the definition that would be included with the changes. It is important to have these definitions because the rest of the classification system that was used for identifying the type of uses, these uses that we are proposing the definitions for are not included in that classification so we need something that included adult entertainment business or utility distribution facility we have a better idea of what we are talking about. Then you have six commercial zones. Four of those are currently in existence. The two new proposed zones are Highway Commercial Zone and Mixed use Zone. City Planner Searles also explained

that the classification code used to develop the new system they used the North American Industry Classification System (NAICS).

Planning Commission Chair Boyd Sharp just wanted to add to what City Planner Searles had mentioned. The Planning Commission undertook the rezoning task under the direction of City Council. Wanted to emphasize that the Planning Commission took their time to look at each zone, the usage, and description of what each zone should look like, and what the usage should be.

Hasu Ministry inquired how it would be possible to change zoning down the road. He conceded that he is happy to be moving in the right direction. City Council has the authority to request changes for the betterment of the community, add use, take out use, etc. He likes what has been done by the Planning Commission.

Esteban Rodarte wanted to recommend that downtown allow commercial medical marijuana dispensaries. The zone needed to be amended. The reason behind his recommendation is because with State regulations in place the 1,000 foot buffer from schools, would eliminate 90% of downtown, only west downtown would be allowed. Another reason would be the economic stimulus to the city and keep free enterprise alive for many people in Umatilla. Medical marijuana facilities downtown commercial zones would be strictly for patients. The patients have limited resources on where to find their medicine. Mr. Rodarte believes medical marijuana dispensaries are being zoned out.

Mayor Trott asked that we get back on track. He inquired to City Planner Searles, if medical marijuana was potentially placed in two zones. Planner Searles ventured to guess that the Planning Commission was trying gauge the desires of the community and whether the community as a whole would want to see those types of uses in the downtown area. Planning Commission Chair Boyd Sharp agreed. They were looking for a balance what was a need and what the citizens wanted. Part of the discussion was what would benefit the community and have a conscious for the community. When meetings were being held there were no members from the community in attendance. At the time it seemed right, and it should be reconsidered. Councilor Ray wanted the explanation as to why the zones are the issues. Mr. Rodarte says an establishment should be allowed east of the Police Station. Mr. Rodarte explained that there were no areas available for the ability to ensure an establishment for medical marijuana dispensaries.

Mayor Trott closed the Public Hearing at 8:42pm.

Councilor Lougee stated that when the Planning Commission started this was the vision that was wanted.

Councilor Ray moved to have a continuance for next regular meeting, May 19, 2015.

Councilor Dedrick seconded the motion. Voted: 4-1. Motion Carried.

11.6 Ordinance No. 800 – Illegal Transfer – Public Hearing. Manager Ward explained that this ordinance does not address panhandling at the intersection of I82. This ordinance makes it unlawful to transfer goods or materials from the car in the travel lane. Councilor Fenton asked who would be cited for violation of this ordinance. Chief Huxel explained that either could be cited. The plan was to educate the driving public, stopping, and sharing information about the ordinance. Mayor Trott opened Public Hearing at 8:54pm.

Hasu Ministry - Wanted to share that a person on the exit was right on the yellow lane and was almost clipped by a semi-truck, and was sure that the City would have been sued. He was trying to be a nice guy and help out when he can, but he strongly supports this particular

ordinance. He was tried to help poorer citizens out many times, and feels the City really needs to do something.

Esteban Rodarte - Feels the City is doing something right with ordinance. You can see them littering all over the place, and he is sure the lady in the wheelchair gets disability.

Boyd Sharp – Testifying out of consciousness. We need to take consideration, that some of them are scammers, we are saying it is not against panhandling, but this is not going to provide a solution to help them. He believes its wrong as a community unless we as a community are willing to provide them other alternatives. People don't mind giving them food.

Elaine Shephard - She believes it is a safety issue. There comes a time when the City must take into consideration the safety of its citizens.

Mayor Trott inquired if there was any further testimony for the Public Hearing on Ordinance No. 800. Seeing none, he closed the Public Hearing at 9:00pm.

Councilor Dedrick stated that we needed to protect our community. Our citizens need to know that they will be safe if they/when they stop. Councilor Lougee would entertain the idea of creating a pull-off spot for charitable donations. Councilor Fenton called to have a first reading for Ordinance No. 800. Councilor Ray seconded the motion. Voted: 5-0.

Motion Carried. Recorder Sandoval read Ordinance No. 800 by title: AN ORDINANCE AMENDING UMATILLA MUNICIPAL CODE 6-1-3 BY ADDING PARAGRAPH F. UNLAWFUL TRANSFER; AND DECLARING AN EMERGENCY. It was moved by Councilor Fenton to approve Ordinance No. 800. The motion was seconded by Councilor Farnsworth. Voted: 5-0. Motion Carried.

**12. CORRESPONDENCE:** None.

**13. PUBLIC COMMENT:**

12.1 Karen Hutchinson – Talaski – wanted to know if Section D of Ordinance No. 800 included Landing Days, and asked to be put on the next agenda.

**14. MAYOR'S MESSAGE:** Announced that there are some volunteer projects coming up. The School District and energy from staff will be helping improve the community center. The opportunity to get involved will be coming up within the next few weeks. The plan is to replace the flooring, we have public support in terms of contributions, and other support in terms of grant, but the bottom line we are still going to need labor. We welcome anyone who wants time to volunteer.

**15. STAFF REPORT:** Public Works Director Pelleberg announced that a city employee, Chris Stensurd passed his class 4 wastewater certification for the waste water treatment plant.

**16. COUNCIL INFORMATION:**

16.1 Councilor Dedrick wanted to thank everyone for coming and for input. It is greatly appreciated.

16.2 Councilor Farnsworth wanted to give a good shout out to the Planning Commission for all the work they did with the zoning issues.

16.3 Councilor Ray's comments were also to the Planning Commission for all their hard work.

16.4 Councilor Fenton wanted to compliment the Planning Commission for their work. He is impressed and glad they have something to discuss.

16.5 Councilor Lougee wanted to say Feliz Cinco de Mayo. We live in a very diverse community. He greatly appreciates the diversity of discussion at the meeting and happy to have everyone at the meeting. The more the community gets involved in where we are headed the better it will be. Sometime during the next couple weeks when we get with Bill or Boyd or the committee, we can hear more about their thinking. He is eager to have people ask questions about the zoning issues.

**17. ADJOURN TO EXECUTIVE SESSION:** ORS 192.660 (2)(g)

**18. RECONVENE:**

**19. ADJOURN:** It was moved by Councilor Ray to adjourn the meeting. It was seconded by Councilor Farnsworth. Voted: 5-0. Motion Carried. Meeting adjourned at 9:12pm.

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David Trott – Mayor

ATTEST:

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Nanci Sandoval – City Recorder