

**CITY OF UMATILLA
COUNCIL MEETING
June 16, 2015**

1. **CALLED TO ORDER:** Mayor Trott called the regular council meeting to order at 7:01pm.
2. **ROLL CALL:**
 - PRESENT:** Councilors Dedrick, Farnsworth, Ray, Fenton, and TenEyck.
 - ABSENT:** Councilor Lougee.
 - STAFF PRESENT:** Recorder Sandoval, Manager Ward, Finance Director Ince, Planner Searles, Public Works Director Pelleberg, and Chief Huxel.
3. **PLEDGE OF ALLEGIANCE:** Recited at 7:02pm.
4. **APPROVAL OF AGENDA:** It was moved by Councilor Fenton to approve the agenda as presented. The motion was seconded by Councilor TenEyck. Voted: 5-0. Motion Carried.
5. **PRESENTATION:** None.
6. **APPROVAL OF MINUTES:** It was moved by Councilor Ray to approve minutes for May 19, 2015. It was seconded by Councilor Farnsworth. Voted: 5-0. Motion Carried.
7. **PUBLIC COMMENT:** None.
8. **CONSENT AGENDA:** It was moved by Councilor Fenton to approve item 8.1, Court Report. It was seconded by Councilor TenEyck. Voted: 5-0. Motion Carried.
9. **COMMITTEE REPORTS:** Councilor Dedrick stated that there isn't anything really explaining what the Tree Committee entailed. She believes that people in the UGB should be considered for such position, and they should be a registered voter. There needs to be a better explanation of what the committee is. Planner Searles stated that the Tree Ordinance, spells out the duties and definition of what it is. It deals with trees in the public right of way. Councilor Dedrick wanted to know if it were possible to add a definition of what each committee does, and what is expected of volunteers, on the application form.
It was moved by Councilor TenEyck to approve appointments 9.1(b) Harold Simmons to the Tree Committee and 9.3(a) Lyle Smith to the Code Improvement Board. The motion was seconded by Councilor Farnsworth. Voted: 4-1. Councilor Dedrick voted against the motion. Motion Carried. Councilor TenEyck moved to table discussion on the Tree Committee and the Library Board recommendations and directed staff to bring back something to address residency for the Council to discourse at the next meeting. Councilor Dedrick seconded the motion. Voted: 5-0. Motion Carried.
10. **UNFINISHED BUSINESS:** Manager Ward explained that every time we take this up, we are continuing the hearing on the original application. At each subsequent visit we have to go through the ex-parte contact discussion, and then commence continuing on the hearing. Mayor Trott then addressed the Council to inquire if there had been any ex-parte contact. Councilor Ray announced he had a possible conflict of interested because he owned commercial property in the City.

Mayor Trott acknowledged the Planning Commission's hard work in regards to addressing potential and purposed changes to the various zoning areas. Their diligence was significant and the Council allowed the Planning Commission extra time to do good work for something to bring back to the Council for consideration. However, as evident by the questions that have been purposed back to staff by Council, that does not mean in the Mayor's opinion everyone on Council is fully understanding and on board with making a decision to that presentation or approve what has been presented. If, there is anything that elected officials are criticized on a regular basis, it is that they are given insufficient time to often read what has been presented to them or understand what has been presented to them, to have a full and robust discussion in terms of the implications of what they are about to pass. There is plenty of examples out there, one on the federal level having to do with the Affordable Care Act, which understandably was two-thousand pages of information. There were probably fewer than 10% of the persons in Congress who actually read and understood what was there. There are a couple of things that are of pressing matters. The Council has had some discussion on these, those are being driven outside the Council and that has to do with discussion at the State level in terms of marijuana laws. The other thing that has been established at this time is the moratorium on adult entertainment. With those two exceptions, there is really nothing that causes the Council to rush to judgement on what has been presented by the Planning Commission. The Mayor believes that all Council members should be fully understanding and on board on what is legislated through the zoning change ordinance. The only way to get there is for the Council to generate considerate diligence in trying to understand what is being presented. A better approach would be to go into work sessions and go through each section and pass something that is whole and not riddled with amendments. Manager Ward advised that anytime there was a meeting to discuss the application, it would be a formal continuation, which would have to have an agenda. It would be best to conduct special meetings. The action is dealing with the Planning Commission's recommendation. There is going to be a motion to adjust that into the way of thinking. There will still be amendments to the Planning Commission's recommendations.

Councilor Ray wholeheartedly agreed with Mayor Trott. A special meeting is needed to discuss this amongst themselves with plenty of time to go over it. There are things he doesn't understand and he would like time to hash those things out. He believes that it is very import to get it right. Councilor TenEyck and Farnsworth agreed with Councilor Ray. Manager Ward explained that the extension on the moratorium for medical marijuana expires on July 14, 2015.

Mayor Trott would like staff to bring back to the next meeting how Council should address the expiration of the moratorium.

Planner Searles said the Council needed to meet the right procedures for the amendments. He wanted to add that when/if there is a next meeting, the Council had to be careful to not raise an issue that would re-open public hearing, to allow anyone to comment on those issues raised. It is up to the Council if they wanted to allow new testimony. The staff just wanted to ensure they kept the Council on track procedurally.

Councilor Ray wanted to know if they can't or can approve changes. Manager Ward stated that the Council should not partially accept the ordinance, because they would accept something into a zone that does not exist, and it would complicate things. Manager Ward explained that if only a portion of the ordinance was accepted, they would have to accept businesses as the zoning stands currently. For example, if medical marijuana were to be allowed in general commercial zoning, it would be allowed as the zoning exists right now, not as the Planning Commission had intended. Councilor Ray didn't understand what zoning would have to do with accepting the definition. Councilor Dedrick explained that you have to accept the zoning to accept the definition. You can't accept those two (medical marijuana or adult entertainment) without changing that

particular zoning. If you don't approve for medical marijuana or adult entertainment in the new zone areas and you approve and medical marijuana and adult entertainment, but not change the zone, it would be nonexistent. Manager Ward explained that the general commercial zone boundaries had changed in the Planning Commission's application. Mayor Trott suggested to end discussion for tonight on this topic and it would allow staff enough time to provide guidance to Council for action.

Extending the moratorium on adult entertainment requires a notification notice. Planner Searles recommended that it would be best to research if we meet the notification requirements to proceed on that route instead. It would be best to continue the hearing at a different time and date, so the public is aware. Manager Ward said staff could provide a sample ordinance, providing the City met the notification requirements, to extend the moratorium on adult entertainment businesses.

Councilor Ray moved to table discussion on the zoning ordinance for a special meeting until July 13, 2015 at 7:00pm. The motion was seconded by Councilor Farnsworth. Voted: 5-0. Motion Carried.

11. NEW BUSINESS: Manager Ward explained that when Ordinance No. 800 was passed it did not include a provision for established festivals and events, and it was primarily aimed at Landing Days. Resolution No. 12-20150 would give Landing Days a pass, as long as they keep doing it at the Marina and kept collecting money for fireworks. If any circumstances changed, they would have to come back to Council for approval. Councilor Fenton moved to approve Resolution No. 12-2015. Seconded by Councilor Dedrick. Voted: 5-0. Motion Carried.

12. CORRESPONDENCE: None.

13. PUBLIC COMMENT:

13.1 Judy Simmons – Is in favor of putting descriptions on the application form for committees. What does the Tree Committee do? Who is the head of the Tree Committee? Who is in charge? Harold has all sorts of questions, but was unable to attend. Fully supports that committees accepts applicants within the Urban Growth Boundary.

13.2 Esteban Rodarte – Agreed that applicants within the Urban Growth Boundary should be considered for committees or boards. Anyone with a Umatilla address should be considered. Also, believed that Councilor Lougee being gone was a big deal. Decisions are very important. Days are numbered for one big issue. Might have to push ahead without him. Asked Council to think about it.

14. MAYOR'S MESSAGE: None.

15. STAFF REPORT: Manager Ward announced that they received what he hoped to be the final draft on the Tri-Party agreement with the State and the Confederated Tribes of the Umatilla Indian Reservation. It will be on the July 7th agenda for Council to consider. The other thing that will be on the agenda will be the Personnel Handbook. It is the staff's intent to give that piece of document to Council with enough time to review it.

Business licenses renewals are going out. The code is clear that anyone doing any business or service requires a business license. So, landlords who are renting their properties will need a license. There are always people who are flying under the radar. For example, the guy who comes in and does a job on a plumbing project, will be expected to obtain a business license. Staff is taking a broader approach to licenses.

There was a big meeting the previous meeting to discuss how county dispatch would be funded. That will potentially have some significant budgetary impacts on small communities. The county has ensured that they would not dump a big bill on the City immediately, but will be looking at phasing in a higher contribution on municipalities.

Councilor Ray asked if they do raise our bill, would it make sense to do our own dispatch.

Manager Ward explained that is a considerable raise, but they have allocated the deficiency by population distribution in the county. Umatilla has X percent of the population, so we would be responsible for X percent of the deficiency. That X percent right now is about ninety-thousand dollars. We could not provide 24/7 dispatch for ninety-thousand dollars. Right now, we are paying about seventy-two hundred dollars. It is a significant increase for us, but it is still a deal at ninety-thousand. Fee discussions are still on-going.

Councilor Ray inquired about the cost of a business license. Finance Director Ince explained that they were thirty dollars with a twenty dollar late fee.

Councilor Farnsworth inquired if the individual who had one rental property would be required to have a business license. Manager Ward stated yes. Councilor Farnsworth stated that it was not a bad idea to keep track of landlords.

Councilor Dedrick stated that business licenses in other towns were more expensive in other towns than thirty dollars.

16. COUNCIL INFORMATION & DISCUSSION:

16.1 Councilor Ray – Wanted to tell the staff that he takes the zoning thing very seriously, and he was asking a lot of question. He doesn't want anyone to think that he is picking on them, but he wants everyone to know that it is not personal. This what our community is going to following for the next few years.

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

18. RECONVENE:

19. ADJOURN: Next meeting will be held on July 07, 2015 at 7:00pm, followed by a special meeting on July 13, 2015 at 7:00pm. It was moved by Councilor Fenton to adjourn the meeting. It was seconded by Councilor Farnsworth. Voted: 5-0. Motion Carried. Meeting adjourned at 8:04pm.

David Trott – Mayor

ATTEST:

Nanci Sandoval – City Recorder