

FOSSIL CITY COUNCIL
MINUTES
JEANNE E BURCH BUILDING
JANUARY 12TH, 2016 7:00PM

Council President Jon Moore called the meeting to order at 7:00pm

Council present: Jon Moore, Melanie Sperry, Mary Mountain and Jerry Beckham

Council absent: Mayor MacInnes

Staff present: Teresa Hunt, William Potter and Deputy Boyd

Community present: Peggy Williams, Linda Philbrick, Marsha Holly, Brenda Snow-Potter, Robin Ordway.

Councilor Sperry moved to approve the agenda as presented. Councilor Mountain seconded the motion. Motion carried by unanimous vote.

Councilor Mountain moved to approve the minutes for the December 8th 2015 Council meeting as written. Councilor Sperry seconded the motion. Motion carried by unanimous vote.

Councilor Sperry moved to approve payment of the December bills as presented. Councilor Beckham seconded the motion. Motion carried by unanimous vote.

OLD BUSINESS

Kendal Derby

Councilor Moore stated that Kendal Derby had approached the council about leasing to own Lot 10 in the Industrial Park adjacent to the lot he already owns.

Mr. Derby was instructed to bring a proposal to the council at the September council meeting. Mr. Derby has not presented a proposal to the council to date.

Jim Stephan

Mr. Stephan had requested to lease or purchase a lot in the Industrial Park for his “scrapping business” and had stated that he would build a fence to hide from view his “scrap”.

The Council was concerned about soil contamination and instructed Mr. Stephan to contact DEQ and see what the rules and regulations were on a scrapping business.

Deputy Boyd stated that he also had checked into any rules and regulations on a scrap yard and found that per OAR Division 40, Sections 734-040-0005 both junkyards and auto wrecking yards are specifically barred from being located within visual proximity of any scenic highway and that Highway 19 is a designated scenic highway (Journey Through Time Scenic Byway). Therefore, any auto wrecking yard or junkyard, established after June 30, 1967, cannot be located where it can be seen from Highway 19, regardless of how it is blocked from view by fencing, landscaping, etc.

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Additionally, junkyards and auto wrecking yards established after June 30, 1967 cannot be located within 1,100 feet of **any** state highway unless the junkyard is hidden or adequately screened by terrain or other natural objects, or by plantings, fences, or other appropriate means so as to not be **visible** from the main traveled way of the state highway.

Deputy Boyd also stated the industrial zoned city properties are approximately 800 feet at the furthest point from the adjacent scenic highway therefore, it does not appear that a scrapyard would be a legally permitted business in the Industrial Park.

These same requirements immediately impact Mr. Stephan's current location and will affect future site selections also.

Councilor Moore stated that we need to have a work session to discuss the spirit of the Zoning Ordinance.

NEW BUSINESS

Councilor Moore reported that there had been a fraudulent charge on the city's credit card.

Deputy Boyd reported that he had investigated this and found that the company has a lot of scam complaints against it.

The city recorder cancelled the credit card.

Marsha Holly had requested that the city vacate D Street.

Mr. Potter responded stating that D Street is a county road, it is not owned by the city and the city also has utilities in the street and it is the only access street to the private property on either side of the street.

Mr. Potter presented the council with the contract agreement from Anderson & Perry for the Feasibility Study.

Mr. Potter stated that the agreement had been reviewed by the city attorney and approved.

Councilor Sperry moved to sign the contract with Anderson & Perry to do the Feasibility Study. Councilor Mountain seconded the motion. Motion carried by unanimous vote.

STAFF REPORTS

Mr. Potter reported that he was gathering information on what was considered "clean fill" so that regulations could be written to specify exactly what could be dumped up at the disposal site and stated that a gate could be placed across the road to the disposal site if the council chose in the future to do so.

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Mr. Potter also stated that he and Councilor Moore would be attending the Antelope City Council Meeting the next day to discuss the SAFER Grant Intergovernmental Agreement.

COMMUNITY ISSUES/CONCERNS

There were no issues or concerns from the residents attending the meeting.

MAYOR/COUNCIL

Councilor Mountain wanted to thank the High School Student Council for helping to decorate the Pine Creek School Complex.

Councilor Moore asked Mr. Potter about the red light that was on at the wastewater lift station on 1st Street.

Mr. Potter explained that there was a power surge and that caused the pumps to shut off. When the pumps shut down then the chamber fills with the wastewater and that causes the “high level” alarm light to come on and at the same time is supposed to send a message to Mr. Potters’ cell phone alerting him to a problem. The system is not sending the message to Mr. Potters’ phone.

If anyone notices the red light on the outside of the building at the lift station on, please notify the city at once.

There being no further business the meeting was adjourned at 7:30pm

Jonathan Moore, Council President

Teresa Hunt, City Recorder