

FOSSIL CITY COUNCIL  
MEETING  
JEANNE E BURCH BUILDING  
JUNE 10, 2014

Mayor Lorts called the meeting to order at 7pm

Council present: Jack Lorts, Tom McNeill, Angi Humphreys, Mary Mountain and Jonathan Moore

Staff present: Teresa Hunt and William Potter

Community present: Roger Morehead, Sherian Asher, Brenda Snow, Anne Mitchell, Christine Smith, Trevor Humphreys, Robin Ordway, Brad Sperry Superintendent of Schools, Melanie Sperry and Sally Potter.

Tom McNeill moved, Angi Humphreys seconded: to approve the minutes from the May council meeting as presented. Motion carried by unanimous vote.

Mary Mountain moved, Tom McNeill seconded: to approve the minutes from the public hearing on May 13<sup>th</sup> for a condition use permit for Rich Zwicker for a Bed and Breakfast establishment at 323 First Street. Motion passed by Tom voting "aye"; Mary voting "aye"; Jonathan voting "aye"; and Angi abstaining as she was not at the public hearing.

Jonathan Moore moved, Tom McNeill seconded: to approve the minutes from the special meeting held on May 15<sup>th</sup> for the council to vote on the conditional use permit for Rich Zwicker for the Bed and Breakfast. Motion passed by Jonathan voting "aye"; Tom voting "aye"; and Mary voting "aye". Jack and Angi abstain as they were not at the meeting.

Angi Humphreys moved, Mary Mountain seconded: to approve the minutes from the June 6<sup>th</sup> Budget meeting. Motion passed by Tom voting "aye"; Angi voting "aye"; and Mary voting "aye". Jonathan abstains as he was not at the meeting.

Jonathan Moore moved, Tom McNeill seconded: to approve payment of the bills as presented. Motion carried by unanimous vote.

### **COMMUNITY ISSUES/CONCERNS**

Ann Mitchell stated that she is still working on the sign for the other side of the kiosk.

Roger Morehead stated that Millie Williamson had asked him to ask the council to try and recruit enough volunteers to clean up the right-of-ways before the Blue Grass Festival in July and the 100<sup>th</sup> year celebration for the Fair and Rodeo in August.

Sherian Asher stated that the Farmers' Market is starting back up tomorrow (which would be Wednesday the 12<sup>th</sup> from 9am to 12 noon. But, starting next week Wednesday the 18<sup>th</sup> the time will be changing to 3pm to 6pm. The Farmers' Market is still being held in front of the hardware store.

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Christine Smith stated that the Fossil Face book page has 326 likes as of today.

Christine Smith reported that in October there will be an Oregon Trail Western Homesteading Skills and Crafts Festival held at the Wheeler County Fairgrounds. Looking for local folks to present demonstrations on homesteading, survival and self-reliance skills and crafting. Topics could range from composting to soap making, goat keeping to leather making, backyard chickens to food preservation.

**OLD BUSINESS**

Historic Preservation Landmark Commission

Anne Mitchell states that she would like to be on the HPLC Board.

Mary Mountain moved, Tom McNeill seconded: to appoint Anne Mitchell to the Historic Preservation Landmark Commission Board. Motion passed by unanimous vote.

**NEW BUSINESS**

The council discussed the need to have background checks done on all city employees or volunteers that work around or with children, such as the librarian or the summer parks program instructor.

It was noted that in the past the background checks were not done because of the fact that the city had employed teachers in the past for the parks program and had junior or senior students for helpers.

An OLCC Temporary Sales License Application was received from Tammy Moyer for the Fair Board. Ms. Moyer is requesting permission for a beer garden on the night of July 19<sup>th</sup> for Fight Night and again on August 7<sup>th</sup> through the 10<sup>th</sup> for the Wheeler County Fair and Rodeo.

Tom McNeill moved, Angi Humphreys seconded: to approve the request for the Temporary Sales License for Ms. Moyer for the Fair Board to have the beer garden on the night of July 19<sup>th</sup> for Fight Night and on August 7<sup>th</sup> through the 10<sup>th</sup> for the fair and rodeo. Motion passed by a 3 to 1 vote. Angi voted "aye"; Tom voted "aye", Mary voted "aye" and Jon abstained.

Brad Sperry, Superintendent of the Fossil School District, requested permission from the council to place a 4' x 8' full colored reader board with graphics and words in the area of the Focal Point on the corner of Main and First Streets. The reader board would have a 2 x 8 lighted sign above the reader board and also a 2 x 8 section below the reader board that would display the names of sponsors of the reader board. So essentially the size of the complete lighted motion sign would be 8' x 8'.

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After discussion, the council stated that they did not think that the area of the Focal Point is the place for a reader board. Concern was voiced as to the possibility of the reader board distracting drivers at this four way stop and also that corner is quite attractive in appearance and placement of a reader board at this location does not seem appropriate. But, the council would consider permitting placement of the reader board at a different location.

Angi Humphreys moved, Mary Mountain seconded: to make a motion to consider prohibiting the use of smoking tobacco within the limits of the Arthur Glover Memorial Park. Motion passed with a 3 to 2 vote. Angi vote "aye"; Mary voted "aye"; Tom voted "nay"; Jon voted "nay" and Mayor Lorts broke the tie vote by voting "aye".

Mayor Lorts read the proposed Ordinance No 442. This was the first reading of this Ordinance. Ordinance No. 442 is a proposed ordinance that would prohibit the use of smoking tobacco within the limits of the Arthur Glover Memorial Park.

Mayor Lorts also stated that hopefully there would be more input from the community in the next couple of months on this subject before the final vote on the adoption of Ordinance in August 2014.

**ADOPT**

Jonathan Moore moved, Tom McNeill seconded: to adopt Resolution No. 402: A Resolution Authorizing the Transfer of Funds. Motion carried by unanimous vote.

Angi Humphreys moved, Tom McNeill seconded: to adopt the Resolution for the Special City Allotment. Motion carried by unanimous vote.

**STAFF REPORTS**

Ms. Hunt requests from the council for permission to have the parks maintenance person use the old city pickup for the park duties.

Council agreed unanimously for the parks maintenance person to use the old city public works pickup.

Ms. Hunt reported to the council that the property at 828 Main Street had sold back in September of 2013. The new property owners did not contact the city and have the utilities put in their name. The water has never been turned on during this time, but the monthly sewer charge has been being applied and so there is a balance owing on this property.

Ms. Hunt was contacted today by the realtor who has this property back on the market and was told that the property sale was expected to close by the end of June. Ms. Hunt told the realtor about the

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sewer debt that is attached to this property and that this would have to be paid in the closing of the sale.

The monthly sewer charge that has been being applied to this property is for a Bed and Breakfast, because that is what this property was previously used for. The property owner at this time, now that he is aware there is a debt here even though there has been no water usage, does not agree with the monthly charge being for a Bed and Breakfast nor does he agree with the charge at all, and he states he never intended to use it for a bed and breakfast and that he bought it as a private residence.

Mary Mountain moved, Angi Humphreys seconded: to approve making the adjustment in the sewer charge for the past 8 months from the Bed and Breakfast rate to the residential rate of \$27.24 per month, this will change the account balance from \$663.60 to \$217.92, and with June's sewer charge of \$27.24 making a total balance owing on this property (account) of \$245.16. Motion carried by unanimous vote.

Mr. Potter addressed Trevor Humphreys and asked if the 4-H Banners are still going to be put up around town.

Mr. Humphreys stated that he was not really involved in that he had only approached the city with the request for permission to put up the banners for the Extension Office.

Mr. Potter stated that the faucet in the men's restroom at the Pocket Park is running constantly and will not shut off, so he has shut the water off to the sink but the commode still is operable, and new faucets for both restrooms have been ordered.

Water restrictions are in effect. There is to be no outside water usage between 9am and 6pm daily. The water level in the well and the spring keeps dropping so we will go to tighter restrictions probably around the 1<sup>st</sup> of July.

Mr. Potter reported that a County wide burn ban has just gone into effect.

The Fossil Volunteer Fire Department will be driving the Fire Trucks in the 4<sup>th</sup> of July parade.

There will be a yard sale during the 4<sup>th</sup> of July weekend at Brenda Snow's house at 815 Adams Street. The proceeds from the yard sale go to the Fossil Volunteer Fire Department to purchase new First Aid Kits and an AED Machine. If you have anything you would like to donate to the Fire Department for the yard sale contact Fossil City Hall or anyone of the volunteer fire fighters.

The Fossil Volunteer Fire Department will be limiting their response to the immediate limits of the City of Fossil, rural structure protection, existing mutual aide agreements and motor vehicle accidents.

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**MAYOR/COUNCIL**

Mayor Lorts and Councilor Mountain attended a meeting with County Officials and representatives from OHSU. OHSU has a job opening in Wheeler County. The position is for an Administrative Assistant/Assistant Buyer based out of Wheeler County. The work schedule would be Monday through Friday 7:30am to 4:00pm; salary range is \$15.78-\$21.15 per hour.

The council instructed the City Recorder to send letters out to property owners who are in violation of Ordinance No. 245; an ordinance that provides for the control of noxious vegetation within the city limits. The term “noxious vegetation” includes at any time between May 15<sup>th</sup> and September 30<sup>th</sup> of any year: Weeds and grass more than 10 inches high, bushes that extend into a public thoroughfare or across a property line or causes a traffic hazard because it impairs the view of a public thoroughfare.

There being no further business the meeting was adjourned at 8:25pm

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Jack Lorts, Mayor

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Teresa Hunt, City Recorder