

**CITY OF UMATILLA
PUBLIC HEARING AND SPECIAL COUNCIL MEETING
APRIL 19, 2012
COUNCIL CHAMBERS**

OPEN PUBLIC HEARING: Mayor Lafferty opened the public hearing at 5:33 p.m. to hear public testimony regarding Ordinance #771 for a Comprehensive Plan and Zone Map Amendment request from Stuart Bonney.

Staff Report: Planner Bill Searles reported that Stuart Bonney owned three parcels on the northwest corner of Highway 730 and 395, purchasing the property in 2011. His request was to rezone the one parcel with the single family dwelling on it from General Commercial (GC) to Medium Density Residential (R-2). The property was zoned General Commercial when it was annexed into the City by the previous owner making the dwelling a nonconforming use. The dwelling was damaged by fire in 2009 and was not inhabitable for over a year, therefore making the property unusable for residential use. The applicant was seeking a rezone so the dwelling could again be used as a residence. The applicant's intention was to leave the other parcels zoned General Commercial. With access issues raised by Umatilla County being resolved, staff recommended approval of the request.

There being no public testimony, the public hearing was closed at 5:57 p.m. and the special Council meeting was called to order immediately thereafter.

ROLL CALL:

PRESENT: Mayor Lafferty, Councilors Dedrick, Meade, Fenton and Smith
ABSENT: Councilors Johnson and Stokoe
STAFF: Manager Ward, Recorder Gettmann and Planner Searles

MINUTES: Councilor Dedrick moved to approve the minutes of the April 3, 2012 regular Council meeting as presented and was seconded by Councilor Meade. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. Motion carried unanimously.

NEW BUSINESS: Ordinance#771 - Comprehensive Plan and Zone Map Amendment – Stuart Bonney. Councilor Dedrick moved for the first reading of Ordinance #771 to be by title only and was seconded by Councilor Smith. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. Motion carried unanimously. After the first reading, Councilor Smith moved for the second reading of Ordinance #771 by title only and was seconded by Councilor Dedrick. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. Motion carried unanimously. After the seconded reading Councilor Dedrick moved that based on the record before the Planning Commission and the Planning Commission's recommendation of approval which includes the information in Sections I and II of this report, the above review criteria, findings of fact and conclusions contained in Section III and conditions of approval as modified by the City Council, and public testimony admitted into the record before the City Council, the Umatilla City Council approves Ordinance #771 and this request, Z-1-2012 for a Comprehensive Plan to change the zoning on the .66-acre subject property identified as tax lot 1300 in Township 5 North, Range 28 East, Section 16A from General Commercial (GC) to Medium Density Residential (R-2). Motion was seconded by Councilor Meade and unanimously approved. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye.

Ordinance #772: Repeal Ordinance #768 - Governing Telecommunications Services. Manager Ward explained that CenturyLink/Qwest took exception to Ordinance #768 after it was passed in February 2012. Representatives of CenturyLink and Manager Ward negotiated revisions to be satisfactory to both parties. To be sure those revisions were stated clearly, staff chose to repeal Ordinance #768 and establish Ordinance #772 with those revisions. Councilor Dedrick moved for the first reading of Ordinance #772 to be by title only and was seconded by Councilor Smith. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. Motion passed unanimously. After the first reading, Councilor Smith moved for the second reading of Ordinance #772 by title only and was seconded by Councilor Dedrick. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. After the second reading, Councilor Smith moved to adopt Ordinance #772. Motion was seconded by Councilor Dedrick and unanimously approved. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye.

Ordinance #773 – Power City Telecom Franchise Agreement. Manager Ward explained that this would be for Power City Broadband to provide fiber optic service to US Cellular. Councilor Smith moved for the first reading of Ordinance #773 to be by title only and was seconded by Councilor Dedrick. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. Motion carried unanimously. After the first reading, Councilor Dedrick moved for the second reading of Ordinance #773 by title only and was seconded by Councilor Smith. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye. Motion carried by unanimous vote. After the second reading of Ordinance #773, Councilor Dedrick moved to adopt Ordinance #773. Motion was seconded by Councilor Meade and unanimously approved. Roll call: Dedrick – aye; Meade – aye; Fenton – aye; Smith – aye.

Staff report – Manager Ward reported on the Almega Cable Co. infrastructure equipment and that no new information was available regarding the enterprise zone request.

ADJOURN: With no further business to discuss, the special Council meeting was adjourned at 6:32 p.m.

PAT LAFFERTY, MAYOR

ATTEST:

Linda Gettmann, City Recorder