

City of Rainier
Regular Council Meeting Minutes
April 15, 2013
7:00 PM
Rainier City Hall
106 West "B" Street

Mayor Cole called the meeting to order at 7:03 PM.

Council Present: Mayor Cole, David Sills, Sloan Nelson, Scott Cooper, Judith Taylor, William Vilardi and Steve Massey.

Council Absent: James Bradfield.

City Staff Present: Debra Dudley, City Administrator/Finance Director/Recorder; Kevin Patching, Public Works Foreman; and Police Chief Gregg Griffith.

City Attorney Absent: Stephen Petersen.

Flag Salute

Additions/Deletions to the Agenda:

Vilardi moved, Taylor 2nd, to add the OLCC as new business, item e., to the agenda – **motion passed unanimously.**

Cooper moved, Vilardi 2nd, to add volleyball courts as new business, item f., to the agenda – **motion passed unanimously.**

Cooper moved, Nelson 2nd, to add Executive Session ORS 192.660(2)(e) to the agenda at the end of the regular meeting regarding property – **motion passed unanimously.** (Motion was made during New Business after item b.)

Mayor's Address:

Mayor Cole read the names of four service personnel who have lost their lives in the line of duty since the council last met and a moment of silence was observed for them and for the Boston bombing victims.

Mayor's Proclamation – Mayor Cole moved the proclamation from new business, item a., to mayor's address, members of the H.O.P.E. board and the director were present and Mayor Cole read the proclamation and declared April, 2013 as the month of HOPE.

Mayor Cole stated he recently met with representatives from the Cowlitz Indian Tribe and in July they are doing an event where they have up to nine canoes that travel the Columbia River to the ocean and the tribe would like to stop in Rainier during their journey. Mayor Cole added two of the tribe representatives, Philip Harju and Dan Jacobsen, were present and distributed information regarding the canoe expedition, stated they were planning on arriving on Wednesday, July 24th and leaving before noon Thursday, July 25th, and they want to land in the park adjacent to Fox Creek. Harju, Vice Chairman, of the Cowlitz Indian Tribe and Chairman of the Cowlitz Tribal Council added he was present on behalf of the Cowlitz Canoe Family Chairman and stated they are asking for permission for the canoeists to land in Rainier's park and they will be open to the public with singing and drumming. Mayor Cole added the tribe is requesting to erect tents for overnight camping and will do their own clean-up. Taylor moved, Cooper 2nd, to allow the Indian tribe to use the park for the canoe journey – **motion passed unanimously.**

Visitor's Comments:

Darrel Whipple, Alston-Mayger Road, Rainier stated he is concerned with the coal proposals that have been made, has been regularly involved as an educator, volunteer and improving the quality of life in the Rainier area since 1970 and stated he applauds the City Council's recent decision to approach the expansion of the Port Westward industrial plan for a coal terminal that would entail massive rail shipments through Rainier bisecting other Columbia County communities as well. Whipple stated, in his opinion, the Council correctly foresees the quality of life and the economic conditions in Rainier will be adversely affected by the Port's expansion plans. Whipple commented Rainier's situation is such that a moderate use of the existing railroad infrastructure for a limited number of short train passages per day is the appropriate choice. Whipple added unit trains with 120 cars each carrying coal or petroleum measuring one and one third miles long will not allow the City to function effectively and businesses and family services would be affected negatively. Whipple said he attended the Port of St. Helens commissioner's meeting on April 10th to register for the 3rd or 4th time that the Port is still entertaining coal terminals for Port Westward and feels there is a lack of transparency on the part of the Port. Whipple stated Col-Pac did not endorse the Kinder-Morgan project, the City of Scappoose voted to request an economic impact study of the anticipated trains, and the City of St. Helens will likely be the next player with a resolution. Whipple said there is still time for the Port Commissioners to redeem themselves by backing out of the option which he said at the meeting and was met with hostility from the Commissioners and was told that the trains are coming and Rainier better get used to it.

Diane Pohl, City of Clatskanie Mayor, stated her background is City Planner and she has her own land use consulting business, stated the Port Westward rezone is separate from the coal issue, the County is in trouble, the Sheriff's Department is going to have to reduce staffing and the number of available beds in the jail and if things don't get better Columbia County will not have a jail and the police departments

will have to utilize another county for incarceration. Pohl said the only way to improve conditions is to grow out of it because of the economic downturn which is caused by a reduction of the ability to harvest timber and to have the economy that the county previously had with timber and fishing industry which is rapidly going away. Pohl said they are concerned with family wage jobs, adequate funding for schools, libraries and parks, fire departments and Port Westward is the only hope. Pohl said she realizes there are concerns regarding the rail traffic through Rainier, is sensitive to that and understands what is being said. Pohl said as far as the zone change at Port Westward there are a lot of other industries that do not require rail and what the Port is trying to do is make a plan for industrial development and that doesn't mean it is going to be for coal. Pohl said she doesn't think Kinder-Morgan has much of a chance because of a recent meeting she was at with state department heads it was made very clear that there would be no coal in Oregon. Pohl said she thinks it is going to be a very long process for Kinder-Morgan to get all the permissions they need through the state and federal agencies to be able to site at Port Westward and there are other developments that can happen at Port Westward that may or may not require rail. Pohl stated the coal issue coincided with the zoning issue but it is not necessarily zoning for the coal industry. Pohl asked the City of Rainier to rethink the City's objection to the zone change and continue to seek solutions with the railroad and the sister cities will come assist to help Rainier find a solution with the railroad and unfortunately for Rainier and other property owners the railroad is going to go and that is the way it is but to stop other development that isn't even going to be using the Port Westward area hurts chances of having a better economy, family wage jobs and for the young people who go to college and want to come back and live in the Clatskanie area. Pohl stated she was asked to support Kinder-Morgan project and she declined, she was asked to support the Amber Project that is the project that the coal is brought in to Boardman, washed and sealed, barged and off loaded onto ships and never hits land. Pohl stated the barges would be built in Oregon and everything will be tested by DEQ and other state agencies. Pohl stated she supported that particular coal industry because it would not harm sister cities and when she was asked to support the Kinder-Morgan project she declined. Pohl stated she hoped Council would consider reconsidering allowing Port Westward to develop into an industrial energy area.

Mayor Cole read the letter the Council sent to the Commissioners to clear up some possible confusion. *"To the County Commissioners: At the Council meeting on April 1st the City of Rainier unanimously agreed to oppose the Port of St. Helen's request for a zone change from the current agricultural zone to industrial zone at the Port Westward site. The City does not support the zone change if it increases rail traffic. The current rail system is insufficient to accommodate additional rail traffic. The City encourages the County to consider all aspects of the proposed zone change to all the residents of Columbia County including those most severely impacted by increased rail traffic, Scappoose, St. Helens, Columbia City, Prescott and the City of Rainier. As you consider this rezone application please consider the livability, safety and welfare of the residents of Columbia County."* Mayor Cole stated the issue is the rail traffic and it is the City's opportunity to let it be publicly known that more rail traffic is

realized, we need some help in abating the rail traffic and it is the only area that he knows that doesn't have rail crossings along the tracks and that is a huge safety concern. Mayor Cole added he is slightly appalled that everyone says Rainier had all this money offered and clarified that at no time did anyone from the state or the railroad offer to give the City of Rainier money, no one did and everyone always has promises but they are not in writing. Mayor Cole stated Rainier never walked away and former Councilor Mike Avent could attest that Rainier was kicked to the curb waiting for the next meeting and said he (Mayor Cole) couldn't say how many times with both the rail, the state and everything. Mayor Cole said he would admit there are some folks from the state having some discussions with Rainier on some possible improvements and that help is definitely appreciated but some of those discussions aren't ready to be made public. Mayor Cole said he feels like all the years he has been involved as far as possible improvements to the rail this is actually the best it has ever been and he is cautiously optimistic that improvements will be downtown, different than what we are used to but should realize the rail at anytime could bring five unit trains through a day and there is not much that could be done about it because they have that right. Mayor Cole said the Council is not opposing the rezone change but want the rezone change to be looked at and admit there are some problems with the rail. Mayor Cole stated in the letter Council, as a whole, did not reflect liking or disliking coal.

Cooper stated Councilmember Bradfield mentioned it at the last meeting that Council would like to see the Port Commissioners think a little bit further outside of the box than the railroad and that one barge could take the place of five trains. Cooper stated the City of Rainier is not against Port Westward growth but have to get the Port of St. Helens, Scappoose, St. Helens, Rainier, Clatskanie all on the same page that we want the County to grow and not only in industry.

Massey, speaking for himself and not as a Council member, stated he is against the expansion of Port Westward as long as it increases train traffic, if there can be industry that behooves Clatskanie and Port Westward and the Port Westward expansion is necessary to have that industry that is wonderful as long as it is industry that does not significantly increase train traffic. Massey said Global started using unit trains hauling light crude over 100 cars long, there are not a lot of them yet and that is fine but he feels that for him to be in favor of the Port Westward expansion there would have to be some iron clad agreement that the number of trains going through Rainier if Port Westward was expanded would not exceed whatever agreed to but feels like if Port Westward is doubled in size it opens it wide up to basically living in a train yard and making life unlivable. Massey stated coal would be a disaster but trains can be a disaster for Rainier.

Pohl stated the Port, the County nor other government entity can run the railroad. Massey disagreed by stating it can be said that this industry cannot come into the Port if it needs rail. Pohl asked what would happen if Tongue Point develops with commodity trains and Massey said he has a letter from the Port of Astoria indicating they are open somewhat to log exports but that is about it.

Tina Edwards, 304 West “D” Street, Rainier, Oregon 97048 stated she agreed with Whipple and thanked the Council for protecting the livability and safety and she has been unable to sleep through the night because of the current train horns.

Taylor added that she is gathering information and stated the letter the Council sent to the Commissioners opened the dialogue and she is against coal.

Sills thanked Pohl, as Mayor of Clatskanie, for attending the Council meeting and sharing her thoughts.

Unfinished Business:

a. Approve April 1, 2013 Work Session Minutes: Cooper moved, Vilardi 2nd, to approve the minutes as presented – **motion passed with Nelson abstaining.**

b. Approve April 1, 2013 Regular Meeting Minutes: Vilardi moved, Cooper 2nd, to approve the minutes as presented – **motion passed unanimously.**

c. Dry RV Camp Update: Dudley working on rules and procedures that will be presented to Council. Mayor Cole stated since it was a trial he encouraged getting it done prior to fishing season and suggested putting up pseudo advertisements on the restrooms.

d. Highway 30/”B” Street Update: Dudley reported still negotiating.

New Business:

a. Mayor’s Proclamation: (see Mayor’s Address).

b. Reappoint Michael Carter to the Budget Committee: Nelson moved, Taylor 2nd, to reappoint Michael Carter to the Budget Committee – **motion passed unanimously.**

c. Approve the Rainier Planning Commission’s Notice of Decision with Conditions: Dudley stated the Planning Commission’s decision to recommend approval of the dry RV camp with conditions needs to go before Council. Vilardi moved, Cooper 2nd, to approve the Planning Commission’s recommendation for the dry RV camp – **motion passed unanimously.**

d. Fox Creek Sign Presentation by Sandra Morris: Morris stated the location for the sign would be near a Fox Creek bench, an opening ceremony with a reenactment from the history club with story telling about Rainer at the end of May or first part of June. Taylor moved, Sills 2nd, to allow Friends of Fox Creek to install the sign in honor of the City’s founder, Charles Fox – **motion passed unanimously.**

Mayor Cole stated it is exciting to see historical information being brought out and one of the local lodges has pictures of Rainier's founding fathers that would be nice to display copies of at City Hall.

e. OLCC Request: Dudley stated Debra Hurt, the applicant, left the meeting so Mayor Cole explained the application was for a business for wine shipping and sales, no commercial delivery, no on-site sales and no signs out of her home. This item was tabled for the next Council meeting since the applicant was not present and Council had questions.

f. Volleyball Court: Cooper stated that Redco approved funding for beach volleyball in the park. Cooper moved, Sills 2nd, that the City supports the project with staff and equipment. Dudley added this project would be brought back to Council if assistance is needed with an amount that it will cost if the City doesn't have all the needed equipment. Cooper added that as soon as Patching receives the documents Patching, Cooper and Tina Edwards will discuss the location. Mayor Cole suggested taping the area off for observation – **motion passed unanimously.**

Staff Reports:

Chief Griffith – Received the emergency operation plan books and will have resolutions for Council review regarding the emergency operation plan, reminded Council that on April 27th from 10:00 AM to 2:00 PM at the senior center there will be a national drug take back event.

Patching – Most of the items on the 4-15-2013 public works report are related to budget items he will be meeting with Dudley about, upgrades to do at the water plant, met with someone for the last bid regarding the distribution system, meeting with a PUD employee to discuss lighting and insulation at the park restrooms, got rid of bio-solids, park restrooms are being done in phases, waiting to hear back from the inspector regarding Fox Creek, utility box is on truck and had jail crew working at park and weed eating. Mayor Cole stated the Rainier sign by the obelisk has rust on it and Patching said he planned on the service day crew fixing it. Mayor Cole said possibly the jail crew could help out clearing sidewalks. Nelson asked if the signs for the boat launch area had been ordered and Patching said they were and will be up this week. Patching added the signs for the middle part of town are starting to go up, it will be an ongoing project and starting to spray. Nelson said he hoped the bathrooms would be opened and ready by this winter and Patching said it would be completed by then. Mayor Cole said he preferred stained cedar log used for the bathrooms.

Nelson asked Chief Griffith if the signs for the transient tie up area had been ordered that would allow enforcement and Chief Griffith said could be ordered but he would like the new ordinance approved first because of the sign verbiage. Dudley stated Chief Griffith was going to rewrite the ordinance and there has to be three readings.

Dudley – Patching did selective power washing of City Hall to make sure the paint adhered and it did stay on so there shouldn't be as much lead abatement originally worried about regarding painting the building which will reduce some of the cost and there is a state statute being researched regarding buildings with significant historic value that could limit reconfiguring the windows.

Council Reports:

Mayor Cole – joined the Rainier Cheerleading squad in the dedication of putting their name on the Columbian signage board.

Cooper – appreciative of park support, wants to work with Dudley regarding website information.

Sills – discussed redoing the website picture to not include the Lewis and Clark Bridge, Taylor agreed.

City Calendar/Announcements:

City Council Work Session Meeting and Regular Meeting scheduled for Monday, May 6th were rescheduled for Tuesday, May 7th so interested Councilmembers could attend the May 6th Commissioners meeting.

Executive Session:

ORS 192.660(2)(e).

Mayor Jerry Coe

Attested: _____
Debra Dudley, City Admin./Fin. Dir./Recorder