

City of Rainier
Regular Council Meeting Minutes
October 20, 2014
7:00 PM
Rainier City Hall

Mayor Cole called the meeting to order.

Council Present: Mayor Cole, James Bradfield, Doug Aske, Steve Massey and Scott Cooper.

Council Absent: David Sills, Sloan Nelson and William Vilardi.

City Staff Present: Debra Dudley, City Admin./Fin. Dir./Recorder; Jim Dahlquist, Public Works Supervisor; and Police Chief Griffith.

City Attorney Absent: Stephen D. Petersen.

Flag Salute.

Additions/Deletions to the Agenda:

Bradfield moved, Aske 2nd, to add discussion of water source to the agenda – **motion passed unanimously** and was added as New Business, item d.

Cooper moved, Massey 2nd, to add discussion of volleyball courts to the agenda – **motion passed unanimously** and was added as New Business, item e.

Mayor's Address: Mayor Cole read the name of one fallen military personnel since Council last met and a moment of silence was observed.

Mayor Cole recognized Pastor Steve Stecker who recently passed away and advised Council the City Hall flag was lowered in his honor.

Mayor Cole, with the help of Chief Griffith, swore in Randy Bonds as a new police officer.

Visitor Comments:

Mark Kreutzer of Columbia River Fire & Rescue (CRF&R) and Jay Tappan, Fire Chief, explained CRF&R's ballot measure to Council.

Craig Smith, Rainier, Oregon expressed concern regarding the weed problem at the marina.

Darrel Whipple, 76439 Alston Mayger Road, Rainier, OR 97048 on behalf of Friends of Fox Creek (FOFC) stated the relationship between the City and FOFC has become strained and stated the public needs to be informed as far as the creek being a domestic water source for the City. Whipple added the restoration of the creek and the salmon population has been a labor of love for many citizens. Whipple added the City has claimed Department of State Lands (DSL) does not have jurisdiction over the reservoir and does not need to obtain a permit, or the City will soon start the process of applying for the permit, or more recently the City will not apply for a permit because not more than 50 cubic yards of silt will be removed. Whipple said FOFC's position is that the City needs to remind itself the Rainier Comprehensive Plan states that in matters related to management of natural resources the City will defer to the appropriate state agencies. Whipple added if DSL states the City needs a permit then a permit should be applied for and if Oregon Department of Fish and Wildlife (ODF&W) states the City needs to close the outlet valve to prevent siltation then that should happen. Whipple requested the City make it clear to FOFC and the general public that the City will comply with the agencies. Whipple asked for a show of hands for anyone in the audience who agrees with him and one person raised their hand.

Mayor Cole stated the reservoir would be addressed later in the meeting but responded to Whipple by stating ODF&W tells the City to close it and DSL tells the City to leave it open. Mayor Cole stated the two agencies need to get on the same page. Mark Ellsworth from the governor's office said he would assist and Mayor Cole advised Ellsworth to contact Dudley to get informed on the situation.

Skip Lahti, Rainier, Oregon asked for an update on City Council member David Sills' leave of absence. Mayor Cole stated Sills' position was discussed during the work session, the position expires at the end of December, and since he has not been present at council meetings he can be replaced. Mayor Cole added that since Sills' position is running unopposed and with respect to democracy it cannot be assumed the candidate is going to win. Mayor Cole added Council decided that whoever wins Sills' position they are going to appoint a couple of months early but Council did not feel comfortable doing it tonight because it would be a lack of respect for the process. Lahti asked for an update on the committee for the senior housing research. Mayor Cole said there is not an update at this time other than the Council has authorized Dudley to apply to the Ford Family Foundation for a project management grant to do the feasibility study.

Approve Consent Agenda Items:

October 6, 2014 Work Session Meeting Minutes: Massey moved, Aske 2nd, to approve the minutes as presented – **motion passed** with Cooper abstaining.

October 6, 2014 Regular Meeting Minutes: Massey moved, Aske 2nd, to approve the minutes as presented – **motion passed** with Cooper abstaining.

Unfinished Business:

a. Senior Center Update: Dudley reported the City hired a temporary part-time worker to complete some projects and Dahlquist added the materials were purchased today and work will begin tomorrow on replacing the dry rot. Dudley added there is more dry rot than originally identified.

b. “A” Street Update Presented by Mark Ellsworth: Ellsworth stated he is a coordinator from the Governor’s office with the Regional Solutions Program and apologized for not attending the Council meetings for months regarding the “A” Street Project and added Chuck Daughtry of CCET has been working with the “A” Street Group and the City. Ellsworth stated since he was last at the City more things are in place such as the Connect Oregon grant and have advanced monies to start some of the preliminary design work with the contractor they chose, David Evans and Associates, who has completed the survey work. Ellsworth stated they are advancing money on bond sells that will occur next year and had to design some protocols. Ellsworth added that started the work to get a base map where we are so they can use that to start building the preliminary design, no actual engineering or core design work has been done and there will be a public process as part of that. Ellsworth said there are a lot of moving parts to the project; the Connect Oregon grant, the rail piece, the City improvements in regard to the utilities, the work ODOT and ODOT rail will be doing and they realize that as a key partner it would not be fair to lay the burden on the City to manage the project. Ellsworth stated there have been discussions on how to move forward in a project management manner and it was determined that this will remain a Regional Solutions project and announced ODOT has agreed to do the project management. Ellsworth stated ODOT normally works on state highways and their funding requires work on state highways only, however they have agreed due to the importance of the project ODOT will assign a project manager to the project which gives the benefit of budget managing the dollars. Bradfield asked Ellsworth the cost of ODOT managing the project and Ellsworth stated it will be billed a certain way and it is his impression that ODOT will come up with an entire cost of the project. Dudley asked if the ODOT cost would be included in the total cost of the project and Ellsworth stated he would think so and an internal ODOT employee would be the project manager, not an outside private company, and would be less expensive than an outside firm.. Bradfield stated whoever the project manager is Bradfield wants that person to be looking out for the City, not third or fourth in line in the decision making process. Lahti reminded Council they previously discussed forming an oversight committee and to include the stakeholders and Mayor Cole said he would imagine if there were any major changes the City would be included. Ellsworth stated the City’s concerns and overall involvement are very well

taken. Ellsworth stated a project manager has been assigned and he was going to meet with that person for the first time on November 4th. Ellsworth added David Evans and Associates is doing the design work and a statement of work was provided. Ellsworth stated the preliminary work would be done in December and he wants to assist coordinating discussions. Dudley asked Ellsworth if he knew when the other funding piece was going to be in place and Ellsworth stated some of those will be based on bonds and they will have a mechanism for infrastructure finance authority, managing the bond sales and it will be coordinated with the scope of the design and, hopefully, not anymore delays.

c. Highway 30/"B" Street Update: Dudley stated she and Mayor Cole will be going to Salem on October 23rd for the bid opening and hoping the bids will be lower than the engineering estimate. Dudley said the project will start 30 to 45 days after the bids are awarded.

d. Street Improvement Update: Mayor Cole deleted from Unfinished Business.

New Business:

a. Discuss Support of the Columbia County Dibblee Beach Proposal: Glen Crinklaw, Columbia County Parks Director, stated currently there is an application submitted to DSL for a long term lease of properties that DSL owns. Crinklaw discussed the application and stated it was for development and management of a portion of DSL property at Dibblee Point. Crinklaw stated public interest will be served at a much higher level by Columbia County management of the DSL property located at Dibblee Point. Crinklaw said it was important the City be informed of the proposal and asked the Council be supportive of their application. Mayor Cole clarified the proposal would include a gate keeper resident and Crinklaw said that was correct and would probably include amenities and a fee similar to the park at Prescott Beach.

Craig Smith, Rainier, Oregon stated he has leased from the State of Oregon since 1999 and feels it would have been prudent and fair for Crinklaw and DSL to contact him and inform him that they are working on this project. Smith asked Crinklaw how much area they are looking at taking over and was it just the waterfront. Crinklaw answered it was a portion of the waterfront. Smith said it will bring them well up into the pit, the property leased by Smith. Crinklaw stated the proposal would remain essentially outside of Smith's leased area and they have no interest in Smith's pit. Smith stated he wanted assurance that they have no intent to displace him. Massey stated that was between Smith and DSL. Smith stated he has worked hard to maintain access for the locals and he welcomes the management idea if it excludes the business portion and recommends the City support the proposal if it doesn't affect his lease and added the process has been handled improperly. Crinklaw added Smith was taken into consideration as one of the victim's of the area. Mayor Cole stated it looks like a win, win situation. Crinklaw stated the

public comment period is open and can be accessed by going to DSL's website. Smith added that as an adjacent property owner he has not received notice. Cooper moved, Aske 2nd, to approve a letter of support for the DSL project so long as it does not displace BCX Excavation – **motion passed unanimously.**

b. Discuss Approval of the Limited Power of Attorney for “B” Street Project: Dudley reported the State wants to know the City has money to pay the City's portion of the project. Dudley recommends the City give a limited power of attorney for the amount needed against the LGPI account rather than send a check. Dudley added it was unsure the amount but at this point it appears to be around \$169,000 if the bids come in on the high level. Cooper moved, Aske 2nd, to approve a limited power of attorney for the “B” Street project – **motion passed unanimously.**

c. Discuss Approval of ODOT Flexible Service Agreement IGA: Dudley said it allows the City to use ODOT's equipment and for them to use the City. Cooper moved, Bradfield 2nd, to approve the ODOT Flexible Service Agreement IGA – **motion passed unanimously.**

d. Dam Water Source: Mayor Cole explained it is really an important item with the water source and gave reasons why it is an emergency to get this water source back on line. Cooper moved, Aske 2nd, to declare an emergency resolution to get the Fox Creek water source back on line – **motion passed unanimously.** Dudley will prepare a resolution for Mayor Cole to sign. Bradfield stated the area needs to be posted as no trespassing and enforced as such.

e. Volleyball Courts: Cooper said the volleyball courts are in, the nets are up and as usage occurs the berm around the court will go down. Cooper suggested using some of the silt at the plant and grass seed on the berms so by the time summer is here it will be better. Cooper recommended signage at the courts indicating they are strictly for volleyball to prevent ongoing incidents that are detrimental to the court. Mayor Cole said he was not sure the silt could be used without a permit and stated staff will research the silt usage and signage then present to Council.

Staff Reports:

Dahlquist – New turbidity meter will be stalled at the WTP, WWTP operating well, will receive 2nd bid on bio solids storage building tomorrow or the next day and working on getting the 3rd bid. Seven streets were paved with 2,050 tons, replaced broken culvert on Riverview, all catch basins were cleaned up, the marina had several maintenance items completed, waiting on bids to replace some bull rails, boat launch ticket machine now has a cover, and dealing with continued vandalism at the park. Mayor Cole asked Dahlquist to contact ODOT regarding a standing water problem at the beginning of the onramp to the Lewis & Clark Bridge.

Chief Griffith – November 7th is the OACP conference and banquet where Officer George will receive the Medal of Honor and Reserve Officer Coltrin will receive the Medal of Valor.

Dudley – Investigating the cost of security features for the park and other city facilities that are being vandalized and will bring that information back to Council. Regarding the complaint from Craig Smith about the vegetation at the marina, she contacted the Oregon Marine Board and there isn't a lot the City can do. The only option is to potentially, down the road, dredge the area. Warning signs were suggested.

Council Reports:

Cooper – liked the idea of “caution low water” signs at the marina.

Mayor Cole adjourned the meeting at 8:25 PM.

Mayor Cole

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