

City of Rainier
Regular City Council Meeting
February 3, 2020
6:00 PM
Rainier City Hall

Nelson called the meeting to order at 6:04PM
Mayor Cole arrived at 6:15PM

Council Present: Richard Sanders, Sloan Nelson,
Jenna Weaver, James Bradfield,
Mike Kreger

Council Absent: Robert duPlessis, Steve Massey

City Staff Present: Sue Lawrence, Public Works Director;
Police Chief, Gregg Griffith; Sarah Blodgett, Office
Manager

City Attorney Present: No

Flag Salute

Additions/Deletions from the Agenda- Bradfield requested adding the following items to the agenda: 1. City Park Bathrooms 2. CBD Oil Manufacturing Issue 3. City Employee Bathrooms 4. ORS 192.660 = Executive Session Agenda Criteria 5. City of Rainier Manager Position Hiring Protocols- Kreger moved, Weaver 2nd to approve Bradfield's agenda item additions as presented- **motion passed unanimously**

Mayor's Address: none

Visitor Comments: Roberta Boursaw stated she was the lady who has inquired about putting the food truck at the Shell station. She noted wanted to have it there on Fridays, Saturdays and Sundays. Boursaw noted she was issued a Business License but it was suspended because the City did not have an ordinance. Boursaw stated that in the mean time she contacted Mike at the Columbia County Health Dept. and stated he told her that the state statutes are put in place by the County and the County oversees those and Mike told her that the only neighboring City that has a food truck ordinance is Scappoose. Boursaw noted that Columbia County's ordinance is included in the packet she left for Council and requested it be on the next agenda. Nelson stated council would review the information and get back to her and possibly have a work session.

Consider Approval of the Consent Agenda:

Consider Approval of the January 13, Regular Meeting Minutes-

Weaver moved Bradfield 2nd to approve minutes as presented. - **motion passed unanimously**

Unfinished Business:

a. 'A' Street Update- Steve from Thompson Bros. gave an update on the progress of the A street construction project. Steve stated they have been behind schedule due to having rain 29 out of 31 days and they are trying to get concrete work completed. Steve explained they may be behind right now but the project in whole is still on schedule. Lawrence asked about the sewer line installation and Steve noted it will be coming in right behind their work, about a week per phase and it would take about fifteen days from start to finish. Steve said the subcontractors schedule for this is a week on and a week off trailing their work. Discussion continued between Council and Steve. Business owners voiced their concerns and issues that the project is causing them. Nelson complained that the section between 2nd and 3rd street was supposed to be done in phase one and now it is part of phase two and it is keeping the business' down there from being able to operate.

Tony Schneider gave a review for ODOT on the project and answered questions and concerns Council and business owners had. Schneider stated he would pass along the concerns and issues to his construction managers. Schneider noted that if anyone sees anything the contractors can do differently to make it (the A St. Project) work more effective, let Davies know and then to him if needed. Nelson asked how are we doing on the budget. Schneider noted that right now he does not see where any category is going to be significantly over, he stated the Connect Oregon work that happened did not all happen in the time frame of the grant. Tony noted that some of the stuff they were going to charge to the railroad, they basically said no we are done, and so there will end up being some Connect Oregon costs that we (ODOT) will pick up.

b. Riverfront Trail Update- Malakoff noted the City has permission from El Tap and the Eagles to go ahead and access the land for a survey. Malakoff noted the property owner of the post office is open to it but said he need to get permission from the post office, his tenant, as they have a lot of different rules.

c. Fox Creek Update- Lawrence noted the engineers have completed their study and are ready to present to the City the results of their findings.

Lawrence noted it is up to Council if they would like them to present their recommendations at a work session. Council agreed to have a work session on Feb. 11th.

d. Affordable/Senior Housing Update- none

New Business:

1. City Park Bathroom Replacement- Bradfield noted that he just wanted to make sure it was officially on the agenda because he feels the City needs to do something because they are gross and disgusting. Bradfield stated he knows there has been discussion about the funding. Malakoff noted that we missed the grant opportunity last year for parks and stated the grant will be opening back up this spring to apply.

2. CBD Oil Manufacturing Issue- Bradfield noted that he had a concern that everything had not been resolved and some things he felt had not been addressed and recommended to skip that line item and address it at the next meeting. Bradfield stated he noted Skip Urling (City Planner) had made a comment about the authorization of the business and it sounded to him like it was still up in the air and yet the business is operating. Mayor Cole noted it needs to go through planning and if Council interjects too much then it goes around the process. Weaver noted the applicant circumvented the process by getting a temporary restraining order against the City. Bradfield stated what bothered him about it was the before anybody had a chance to go through the process, they (Yance Farms) just lawyered up and doesn't feel like they played like good citizens. Bradfield would like to know where we are with Urling and what he found. Mayor Cole noted he directed staff to pull the business license until it properly goes through planning. Blodgett noted Urling is working on the issue and the legalities of how the City can approach it. Blodgett stated that since the main nuisance was the smell, Urling was not sure how to tell if they are compliant until they start back up. Nelson noted it smells right now. Blodgett stated she would get an update from Urling.

3. City Employee Bathrooms- Mayor Cole noted we have a plan, we just need somebody to execute it.

4. ORS 192.660- Executive Session Agenda Criteria- Bradfield noted he wanted to make sure that when we have an executive session and we are covering things that we might be questioned about it, we need to be sure that we are on the right side of things. Mayor Cole noted we have been. Bradfield

stated that right now we do not have a City Manager and that is a concern of everyone's and he wanted to make sure that before we officially start the process, we are in alignment with all the rules and protocols so that we don't run into issues. Bradfield and Mayor discussed how to get items on the agenda.

5. City of Rainier Manager Position Hiring Protocols-Bradfield stated what he needs to find out is what we are planning to do and how we are planning to do it. Bradfield stated he wanted to know when Council and Mayor were wanting to start looking for a new City Administrator. Mayor Cole noted that is entirely up to Council. Bradfield stated we need to fill the position and we need to do something about it. Nelson asked Council if we should have a work session before next council meeting. Council agreed to have a work session regarding hiring of a City Administrator before next council meeting.

a. Consider Disposition of Derelict house at 29545 Old Rainier Rd. – Chief Griffith explained he has received a couple complaints of this house and note he had sent everyone an email with pictures and the ordinance pertaining to dangerous buildings. Griffith explained that Council needs to decide if it is to be considered a dangerous building and if it is, then a hearing needs to be held. Council unanimously agreed that it was a dangerous building. Nelson moved, Weaver 2nd to direct staff to move forward with the process for the disposition of the derelict house at 29545 Old Rainier Rd. Griffith noted a hearing date needs to be set within a reasonable amount of time and the City Recorder would then send a notice to the property owner. Mayor Cole stated the hearing could be at the next meeting on March 2nd 2020.- **motion passed unanimously**

b. Discussion Small City Allotment Grants- Lawrence handed out and reviewed proposals and photos for use of small city allotments for 2nd, 3rd, and 4th streets and that is was \$107,000 for the City's costs of all three roads and the grant was for the balance at \$150,000. Lawrence stated she just found out today that we couldn't do the 3rd and 4th street proposals unless handicap ramps were installed and stated that she asked them (ODOT) if we could modify it and just do one street with the ramps. Lawrence noted that she is going to have to take this back for changes. Lawrence noted \$270,000 in street funds can be used along with the grant and is trying to decide what to do based on feedback from ODOT. Weaver questioned the cost of the ramps and Lawrence noted the total for adding all the ramps is an additional \$50,000 for each street. Sanders noted that would be roughly an additional \$160,000 out of the City's street fund and Lawrence said yes. Lawrence stated she found out

they we may be able to use that money on other streets that don't abut Highway 30 and then we would not have to do the handicap ramps. Schneider from ODOT explained this is a program that is ran through Shelly in their planning department stated he is not familiar with the selection rules but the City had said they were putting the ramps in at 2nd street and that put the City in a competitive process ahead of other communities that weren't. Schneider also noted they (ADA ramps) are costly. Schneider noted that at some point in the future, ODOT will be paving Highway 30 and the ADA ramps on the streets that meet up to the highway will get ADA ramps installed by ODOT. Council discussed the paving of streets that would be the most cost effective way of using the grant money. Lawrence stated she is waiting to hear back from Shelly at ODOT on how we can make use of the \$50,000 grant. Lawrence asked Council if her proposal for 2nd street was acceptable for the two way street with the pull in and parallel parking. Council was in agreement for the 2nd street proposal.

Staff Reports: Griffith noted February 14th should be graduation day for our newest officer Doug Wheeler.

Business owner of Hometown Pizza gave a report on the issues with the insurance claims with the contractor's (Thompson Bros.) insurance company and construction issues and delays she is dealing with during the project. She also noted that the contractors are parking very large vehicles that they are not using in front of her business and customers are not coming in when they are there. Nelson explained phase one was supposed to go down to the marina bathrooms but the contractors stopped in front of the appliance store for some reason and now have added that section to phase two and the street is still not open because they are still monkeying around down by the bathrooms.

Executive Session: ORS 192.610-192.690 (2) (A) to consider employment of a public officer, employee, staff member or individual agent.

Council Meeting resumed at 9pm after executive session.

Sanders motioned a proposed amendment to today's minutes that would include a 3% raise, back dated to 10-01-2019 for one year for a re-evaluation for Sue Lawrence, Director of Public Works, Kreger 2nd. Mayor Cole noted it is for a merit increase of 3% for positive evaluation- **motion passed unanimously**

Kreger motioned to extend Morris Malakoff's contract for two more months and to re-evaluate on the May 4th, 2020 Council Meeting under his current contract

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hours and rate with a possible extension after vote by council, motion 2nd by Sanders-**motion passed unanimously**

Council Reports:

Meeting adjourned at 9:04pm

City Calendar/Announcements:

Next Meeting March 2, 2020 at 6pm

Mayor Jerry Cole

Sarah Blodgett, Interim City Recorder