

City of Rainier
Regular City Council Meeting
June 22, 2020
6:00 PM
Rainier City Hall

Mayor called the Regular Council Meeting to order at 6:00 PM

Mayor Cole opened the Budget Hearing to accept public comment at 6:04pm
No public comment, closed Budget Hearing at 6:06pm

Council Present: Sloan Nelson, Robert duPlessis
James Bradfield, Steve Massey,
Richard Sanders- via phone

Council Absent: Mike Kreger, Jenna Weaver

City Staff Present: Sue Lawrence, Public Works Director;
Sarah Blodgett, Office Manager; Gregg Griffith, Police
Chief; Debbie Dudley, Budget Officer-via phone

City Attorney Present: No

Flag Salute

Additions/Deletions from the Agenda- Mayor Cole noted there was a sewer emergency at 7th St. West, and he is looking for a go back approval as he stated he gave the approval and the work has already been done. Bradfield asked the cost. Lawrence stated the cost to the city is \$8,200 and the homeowner's cost is \$5,100. Mayor Cole noted that this would be added to new business before the interview.

Mayor's Address: Mayor Cole stated that he talked to Byron and that Byron said if timber prices are down, we may hold off logging for a year. Mayor noted that Rainier Days committee decided to go forward with a parade, but it won't be along 'A' Street, so people can social distance and include our grand marshal. Mayor noted that parade will be June 11th.

Visitor Comments: None

Consider Approval of the Consent Agenda:

Consider Approval of the May 18, 2020 Regular Meeting Minutes-
Massey moved, Sanders 2nd, to approve minutes as presented. **Discussion** –
Nelson noted that in item 7c the decimal before the 4% needed to be removed-
motion passed unanimously

Consider Approval of the June 1, 2020 Budget Comm. Meeting Minutes- Massey moved, Bradfield 2nd to approve June 1, 2020 Budget Comm. Meeting Minutes as presented-**motion passed unanimously**

Consider Approval of May 19, 2020 Safety Meeting Minutes- Mayor Cole noted he just wanted this in the packet for council to review, not to approve.

Unfinished Business:

6a. Affordable /Senior Housing Update- none

b. A' Street Update- Lawrence noted the storm water DEQ assessment- notice of violation, has been responded to and is requesting a hearing. Lawrence noted we hired an attorney and the City is stating this is not on us, it was up to the contractor (Thompson Bros) to comply with the permit. Nelson asked what the alleged violation was. Lawrence stated there was multiple violations but two primary violations and the ones that they fined us for were one that was \$20,000 and it was for allegedly allowing sediment to discharge into Fox Creek and noted it didn't happen and we are fighting that one 100%. Lawrence stated the other one had to do with record keeping on the inspector's part and that they (Thompson Bros) were to maintain all the records and that it is her understanding that they did not fill out the correct form that the inspector wanted and the forms they did fill out were ODOT forms, but it was not what the DEQ inspector was requesting. Lawrence noted she believed that fine was about \$15,000. Nelson asked did we get our response turned in on time and Lawrence stated yes. Nelson asked how long they (DEQ) have to respond and Lawrence did not know. Nelson asked if Thompson Bros. has taken ownership of any of it and Lawrence stated yes, and ODOT and David Evans and noted that they stepped up and said they did not do the required documentation. Lawrence noted there is a question on the erosion control, stating it was changed from than plan but noted that best management practices apply and that as long as best management practices prevented any sediment from reaching the creek, it should be a mute point. Mayor Cole told Lawrence to keep track of the time she spends on this as well as any money we pay for consultants or attorneys as Mayor noted his expectation is that Thompson Bros. is to reimburse every penny including Lawrence's time. Nelson asked if worst case scenario, \$35,000 and Lawrence noted we are not paying any of it and it's not going to be on the City.

Lawrence stated that they have been running into a lot of underground piping that was not supposed to be where they were and it has slowed down the project due to having to installing new lateral connections and noted a lot of

misinformation on the plans. Lawrence explained a couple scenarios that have created problems with the stormwater install and these issues have pushed the project back to about the first week in August. Nelson asked if 3rd street could open and Lawrence stated she would talk to the contractor about it. Nelson asked about the added costs and Lawrence stated she does not have the change orders yet and Nelson asked her to pressure the contractor to get 3rd street open. Lawrence that a change order for 6th and D sewer line breakage is coming.

c. Fox Creek Update- Lawrence stated no responses on request for information and noted that she got the estimate for the study and scope of work as asked and gave it to all partners and no one has responded. Nelson stated he doesn't want this to not move forward. Nelson stated the City has done what they said they would do and would like a response to see what the committee wants to do. Lawrence stated she would reach out with a letter to the all the partners.

d. Riverfront Trail- Lawrence stated she asked for information on quotes for easements and received no response. Mayor Cole stated the Fox Creek Trail easement will terminate if it's not used in 5 years from the date the easement was granted. Mayor stated he has asked staff over and over again and that we need to move forward and stated he is getting frustrated that it is not. Lawrence noted she has a quote for \$18,000 for easements. Mayor noted El Tap and Post Office are behind this project and that the condo owners are not excited about the trail. Lawrence noted we need an access easement. Bradfield asked what section needs done and get focused on getting Fox Creek to Post Office section done. Nelson stated we know where the easement is in front of the condos and recommended getting the retaining wall in and get the trail rocked in for now. duPlessis stated from a cost perspective, we should gravel now and do the asphalt all at once. Mayor noted staff is very busy and stated him and Nelson could get bids on the retaining wall and just get it graveled. After further discussion on possible plans for temporary easements and how to move forward, Mayor noted he wants Malakoff to make the contact to the land owner for that temporary construction easement and Nelson and himself will work on getting this project going.

7 a. Consider Approval of Resolution #20-06-01 Adopting and Declaring the Tax Levy and General Obligation Bond for the Fiscal Year 2020/2021- Nelson moved, Massey 2nd to approve resolution #20-06-01 as presented-
motion passed unanimously

b. Consider Approval of Resolution #20-06-02 Declaring the City's Election to Receive State Revenues for the Fiscal Year 2020/2021-Massey moved, Nelson 2nd to approve resolution # 20-06-02 as presented- **motion passed unanimously**

c. Consider Approval of Resolution #20-06-03 Adopting the Budget and Making Appropriations for the Fiscal Year 2020/2021- Nelson moved, Massey 2nd to approve resolution #20-06-03 as presented-**motion passed unanimously**

d. Consider Approval of Resolution #20-06-04 Resolution Transferring Appropriations for the Fiscal Year 2019/2020-Massey moved, Bradfield 2nd to approve resolution #20-06-04 as presented- **motion passes unanimously**

e. Consider Approval of Rainier School District Library IGA for 20/21- Mayor Cole noted the Librarian recently resigned. duPlessis stated he appreciated the City's working relation with the school district and the library. Nelson moved, Massey 2nd to approve Rainier School District Library IGA as presented- **motion passed unanimously**

f. Utility Billing Shutoff Discussion- Mayor Cole stated he felt the City should be hand in hand with the state on shutoffs and evictions and that the moratorium has been extended to August 31st 2020 and feels we should keep people on until then. Sanders asked what Clatskanie and Columbia River PUD are doing? (no one really knew for sure) Blodgett noted that there was less than twenty people that would be on the shutoff list and stated the City had about thirty less than normal past due statements mailed out. After discussion on ideas of what to, it was decided to put a door hanger reminder on past due customers and to also let them know we have Covid Relief assistance if they qualify. Lawrence noted the door hangers could help prompt payments or payment plans to keep customers from getting too far behind. Nelson asked how many people have participated in the Covid Relief offer, Blodgett stated probably less than twenty. Bradfield asked what our current amount past due was and Blodgett stated approximately \$3,200 not counting a couple of businesses that have not paid for different reasons. Nelson noted that he felt that if staff was okay with door hangers, then that is fine and if not, that is fine too. Mayor Cole asked do we extend the moratorium or go back to life is normal scenario Sanders stated we are talking \$3,200 of acquired debt to this points and even if it goes up to \$6,500, he stated he would like to make a motion to extend the moratorium on shutoffs to August 31, 2020, 2nd by Massey as presented. Nelson asked Lawrence about a business in town that has a major water leak and asked if they are part of the people not paying? Lawrence stated they are part of the people not paying and their bill is over \$7,000. Nelson stated he felt they need

to be pulled from the moratorium. Nelson stated if we have somebody who has an active leak, and they are choosing not to resolve it, then they need an incentive to make that happen. Lawrence stated she would bring more information back to the next meeting as there is a bigger discussion to have regarding this customer as she did not get involved until recently. Sanders amended his motion to include residential customers only. **-motion passed unanimously to extend the moratorium to August 31, 2020 for residential customers only**

g. Consider Approval of Emergency Repair on Broken Sewer Line at West 'C' Street and 7th Street- Lawrence noted the City's portion is \$8,200 for the emergency sewer main line repair. Sanders motioned to approve the payment for the emergency sewer line repair, Nelson 2nd the motion as presented- **motion passed unanimously**

h. Interview City Administrator Candidate- City Council interviewed W. Scott Jorgensen in a public interview. After questions and answers, Mayor Cole recommended that Council make an employment offer to Scott Jorgensen. Mayor Cole stated the goal would be to bring back a contract for July 6th meeting. Sanders motioned for Nelson and Mayor Cole to negotiate a contract with Jorgensen, Massey 2nd – **motion passed unanimously**. Mayor Cole noted a background check would need to be completed.

Staff Reports: Lawrence stated we have SCA grants coming. Blodgett noted we have migrated over to the new server and are working on various issues as a result of the migration.

Council Reports- duPlessis thanked police for the senior graduate parade for and all their help and positivity

Meeting adjourned at 8:08PM

City Calendar/Announcements:
City Council Meeting July 13th at 6pm