

City of Rainier
 2022/2023 Budget Year
 10/31/2022

Budget Compared to Actual-Major Funds

Income/Expense

	2022/2023	10/31/2022	10/31/2022
General Fund	Budget	YTD Actual	YTD % Variance
*Revenue	1,591,980	180,052	11.31%
Expenditures	1,440,361	467,240	32.44%

	2022/2023	10/31/2022	10/31/2022
Sewer Fund	Budget	YTD Actual	YTD % Variance
*Revenue	1,487,053	338,177	22.74%
Expenditures	1,778,036	243,603	13.70%

	2022/2023	10/31/2022	10/31/2022
Water Fund	Budget	YTD Actual	YTD % Variance
*Revenue	967,000	336,476	34.80%
Expenditures	1,177,491	240,390	20.42%

	2022/2023	10/31/2022	10/31/2022
Timber Fund		YTD Actual	YTD % Variance
*Revenue	0	0	0.00%
Expenditures	254,412	43,169	16.97%

	2022/2023	10/31/2022	10/31/2022
Street Fund	Budget	YTD Actual	YTD % Variance
*Revenue	259,059	53,133	20.51%
Expenditures	453,555	71,477	15.76%

*Excludes Beginning Balance

City of Rainier
2022/2023 Budget Year
10/31/2022
Budget Compared to Actual-Major Funds
Budget Variance by Appropriation

	2022/2023	10/31/2022	10/31/2022
General Fund	Budget	YTD Actual	YTD % Variance
*Revenue	1,591,980	180,052	11.31%
Expenditures			
10 General Government	91,143	33,356	36.60%
20 City Building Maintenance	17,500	3,813	21.79%
30 Land Use & Development	30,058	6,878	22.88%
50 Library	73,960	15,358	20.77%
60 Attorney	9,600	2,191	22.82%
70 Finance & Administration	49,731	13,092	26.33%
80 Municipal Court	62,585	20,019	31.99%
90 Public Properties	179,423	70,716	39.41%
100 Police Department	926,361	301,818	32.58%
	2022/2023	10/31/2022	10/31/2022
Sewer Fund	Budget	YTD Actual	YTD % Variance
*Revenue	1,487,053	338,177	22.74%
Expenditures			
Personnel Services	451,696	149,998	33.21%
Material & Services	315,100	93,605	29.71%
Capital Outlay	7,500	0	0.00%
Transfers	955,740	0	0.00%
Contingencies	48,000	0	0.00%
	2022/2023	10/31/2022	10/31/2022
Water Fund	Budget	YTD Actual	YTD % Variance
*Revenue	967,000	336,476	34.80%
Expenditures			
Personnel Services	486,105	162,529	33.43%
Material & Services	212,550	77,861	36.63%
Capital Outlay	7,500	0	0.00%
Transfers	462,336	0	0.00%
Contingencies	9,000	0	0.00%
	2022/2023	10/31/2022	10/31/2022
Timber Fund	Budget	YTD Actual	YTD % Variance
*Revenue	0	0	0.00%
Expenditures			
Material & Services	90,300	43,169	47.81%
Capital Outlay	14,000	0	0.00%
Contingencies	50,000	0	0.00%
Property Purchase Reserve	100,112	0	0.00%
	2022/2023	10/31/2022	10/31/2022
Street Fund	Budget	YTD Actual	YTD % Variance
*Revenue	259,059	53,133	20.51%
Expenditures			
Personnel Services	68,076	24,912	36.59%
Material & Services	126,150	46,565	36.91%
Capital Outlay	7,500	0	0.00%
Contingencies	27,000	0	0.00%
Transfers	224,829	0	0.00%

*Excludes Beginning Balance

**City of Rainier
Regular City Council Meeting
January 9, 2023
6 p.m.
Rainier City Hall**

Mayor Jerry Cole called the council meeting to order at 6:01 p.m.

Council Present: Connie Budge, Scott Cooper, Robert duPlessis, Jeremy Howell, Mike Kreger and Denise Watson

Council Absent: Levi Richardson

City Attorney Present: No

City Staff Present: Sarah Blodgett, City Recorder; Gregg Griffith, Police Chief; W. Scott Jorgensen, City Administrator; Sue Lawrence, Public Works Director

Flag Salute

City Administrator W. Scott Jorgensen swore in Mayor Jerry Cole. Cole thanked his family for its support for his last 20 years of being mayor. He also thanked the citizens of Rainier, councilors both past and present, the members of the city's various boards and commissions and staff. Cole swore in councilors Connie Budge, Scott Cooper, Robert duPlessis and Jeremy Howell.

Additions/Deletions from the Agenda: Public Works Director Sue Lawrence said she would like to add the Small City Allotment grant to the agenda. It's for \$120,000 to improve Fox Street and needs to be approved for signatures. She would also like the purchase of a Ford Maverick to be added under unfinished business. Council President Mike Kreger moved to add those items to the agenda. That motion was seconded by duPlessis and adopted unanimously.

Mayor's Address: Cole observed a moment of silence for late former police chief Ralph Painter. The anniversary of his end of watch had been a few days prior.

Visitor Comments: Columbia County Commissioner Kellie Jo Smith introduced herself to the council.

Consider Approval of the Consent Agenda

Consider Approval of the December 5, 2022 Regular Council Meeting Minutes—Jorgensen said he made a couple of slight corrections to the minutes that were included in the packet. Budge moved to approve the minutes as corrected. That motion was seconded by Cooper and adopted unanimously.

New Business

- b. Selection of Council President—Kreger said he was willing to continue serving in that role. Cooper moved to nominate Kreger as council president. That motion was seconded by Howell and adopted unanimously.

- c. Appointments to REDCO Board—Kreger moved to appoint the members of the city council to the REDCO board. That motion was seconded by Councilor Denise Watson and adopted unanimously.
- d. Appointment of Budget Officer—Budge moved to appoint Jorgensen as budget officer. That motion was seconded by Cooper and adopted unanimously.
- e. Resolution 23-01-01—Setting Regular Meeting Days and Times—Budge moved to approve the resolution. That motion was seconded by Kreger and adopted unanimously.
- f. Resolution 23-01-02—Designating the *Clatskanie Chief* as Newspaper of Notice—Budge moved to approve the resolution. That motion was seconded by Watson and adopted unanimously.
- g. Resolution 23-01-03—Establishing a Fee Schedule for the Storage of Vehicles, Recreational Vehicles and Vessels on City Property—Jorgensen explained that he added a sentence based on input from Lawrence that storage on city property will be on an as-needed basis and vehicles stored by others will be at the rates accrued. Following a discussion, it was decided by consensus that staff would develop a policy regarding access to property that has been towed and stored and bring it to the February meeting. Kreger moved to adopt the resolution. That motion was seconded by Cooper and adopted unanimously.
- h. Senior Center Update—Director Jan Rich said the building is in good condition. Recent renters of the facility have used it for birthday and Christmas parties and bridal showers. Those rentals brought around \$700 in revenue to the center. Over the past six months, the center has served 7,593 meals, including congregate and those delivered through the Meals on Wheels program. The Thanksgiving dinner raised \$950 and the Christmas dinner raised \$1180. The center will be offering help with tax preparation in March and a St. Patrick's Day luncheon. A walk-in freezer has been approved and will be delivered in the next few weeks. The center is requesting that the toilets be higher and is willing to purchase them if the city installs them. Rich is also requesting that the patio be enclosed. It isn't being used very much right now. Maybe meals can be served in an enclosed patio area and exercise equipment could be moved there. A grant is available to fund it. She received a \$50,000 estimate for the work. Cole suggested that the city look into expanding the building.
- i. Planning Commission and Housing Committee Update—Jorgensen said that the commission will be making some code updates this year. A group of consultants analyzed the city's code and has made recommendations aimed at encouraging more housing development. Those will be considered by the Housing Committee and those recommendations will then go to the Planning Commission before being considered by council. He showed those recommendations to a developer, who said they would be helpful. One planning commissioner has expressed concerns about the recommendations resulting in too much density. Planning Commission Chair Erin O'Connell said most of the land in the urban growth boundary on the west side of town is zoned light industrial. But a lack of services is a barrier for development. Some of the units at the mobile home park can't be occupied due to lack of services. A company was considering putting a business in the area but a lack of services to the site hampered those efforts. It's a prime area to look at but can't be discussed any further without incurring costs. There are many wells in that area and the soils are marginal. Cooper said the water quality there isn't very good. He asked if there was some existing research from when this was discussed ten years ago. Cole said rate of return was a big issue. O'Connell said the expectation ten years ago was that the property owner would pay for the design, engineering and improvements. Budge suggested that the city collaborate with the county on this. Council agreed by consensus and Kreger said he would like to be involved in those efforts.

- j. Fee Schedule—Cole said he is in agreement that some of the fees need to be updated. The utility deposit should probably be raised from \$50 to \$100, but with customers being allowed to make that in two payments. duPlessis suggested comparing and aligning the fees with those in other cities. Jorgensen agreed to bring the matter back to the February meeting with more information.
- k. Smoke Test Report—Lawrence said the testing has concluded. Inflow and infiltration was discovered at 102 locations, including five catch basins, seven manholes, 29 cleanouts, 19 houses with roof drains and 42 lines and/or laterals. She has notified the school district that there is some inflow and infiltration coming from its property. The Department of Environmental Quality (DEQ) has a grant for cities of 10,000 population or less to help with stormwater treatment. She will be meeting with DEQ representatives soon to find out more about that grant and how the city can apply.

Unfinished Business

- a. Second Reading of Ordinance 1088—Approving the Annexation of Susan and Larry Knaub Who Own the Herein Described Real Property to the City of Rainier, Columbia County, Oregon—Kreger moved to approve the ordinance. That motion was seconded by Watson and adopted unanimously.
- b. Fox Creek Update—Jorgensen said he and Lawrence met with the city's engineers to discuss the next steps. The engineers are going to reach out to officials with the Oregon Department of Transportation about that agency's involvement and obligations with the project. A meeting with stakeholders will then be scheduled to get buy-in, at which point grant funding for the design and the project itself can be pursued.
- c. Mutual Agreement and Order with the Oregon Department of Environmental Quality—Budge moved to approve the MAO. That motion was seconded by Kreger and adopted unanimously.
- d. Updated City Administrator Job Description—Cole said he had some suggestions. Jorgensen said he would incorporate those and bring it back to the February meeting.
- e. Vehicle Purchase—Cole said council already approved the purchase of a 2022 Ford Maverick for administrative staff to use. There were no 2022 models left, so staff began looking at 2023 models. Lawrence said a 2023 model is available and could be delivered in February. However, the cost is \$2700 higher than council approved. Cooper moved to approve the purchase. That motion was seconded by Kreger and adopted unanimously.

Staff Report—Library Director Allen Snider said around 200 children participated in the Halloween trunk or treat event at the Eagles Lodge. The Santa reading event had around 30 participants. A Mardi Gras mystery event is being planned for February. He placed an order for 130 new books. Jorgensen said a young adult section is being planned and efforts are being made to organize the library books by genre the same way that is done in most bookstores. Police Chief Gregg Griffith said that the recent donut fundraiser for HOPE raised over \$2,000. Jorgensen said the downtown banners are finished and in his office and their locations have been picked out. Public works is scheduled to hang them around town in early March. He's working with the Rainier Oregon Historical Museum on creating an historical reenactment event in April centered around the banners. An event was held to honor the retirement of former Columbia County Commissioner Henry Heimuller, and he attended. He registered himself, Cole and Kreger for City Day at the Oregon State Capitol January 25.

Council Reports—Howell thanked the public works department for its efforts in clearing the streets during the recent ice storm.

City Calendar/Announcements—Budge said she would like there to be a REDCO meeting in February. She has been reviewing past REDCO documents and has proposed that a small group get together to go over them before the REDCO meeting. That group will consist of her, Watson, Cooper, Jorgensen, Cole, Mike Avent and Sloan Nelson, if he's available. It can then make recommendations to the REDCO board. The next council meeting will be February 6 and the council goal setting session will be March 13, at a location to be determined.

Cole adjourned the meeting at 8 p.m. Council went into executive session at 8:05 p.m. under ORS 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed and ORS 192.660 (2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. The executive session was adjourned at 9:47 p.m.

Cole called the council meeting back into session at 9:48 p.m. Kreger moved to award a 2 percent merit increase to Lawrence, retroactive to her hire date, and allow her to take a city vehicle to commute to and from work. That motion was seconded by Howell and adopted unanimously.

Cole adjourned the meeting at 9:49 p.m.

Mayor Jerry Cole

W. Scott Jorgensen, City Administrator

Accounts Payable

Checks by Date - Summary by Check Date

User: Elisha
Printed: 1/20/2023 12:00 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
11725	2220	Baker & Taylor	10/12/2022	18.00
11726	978	Bud Clary	10/12/2022	28,913.00
11727	2262	Christina Ishii	10/12/2022	112.50
11728	673	Cintas Corporation	10/12/2022	278.39
11729	3490	City Fire Protection & Alarm	10/12/2022	245.00
11730	721	Code Publishing, LLC	10/12/2022	830.65
11731	044	Columbia River PUD	10/12/2022	262.04
11732	3669	Comcast Business	10/12/2022	421.22
11733	3806	Denali Water Solutions LLC	10/12/2022	1,074.18
11734	536	DMV	10/12/2022	238.00
11735	915	Express Employment Professionals	10/12/2022	856.29
11736	3341	FERGUSON ENTERPRISES #3007	10/12/2022	46.70
11737	837	Global Security & Comm. Inc.	10/12/2022	74.85
11738	3182	Government Ethics Commission	10/12/2022	548.82
11739	020	Lakeside Industries	10/12/2022	1,169.04
11740	3633	LAS Truck Repair LLC	10/12/2022	2,299.72
11741	3450	Elizabeth Lawrence	10/12/2022	59.17
11742	3824	Rian Allen Snider Mirrored Lamp LLC	10/12/2022	5,000.00
11743	3644	More Power Computers, Inc.	10/12/2022	1,170.00
11744	182	NW Natural	10/12/2022	28.85
11745	060	One Call Concepts Inc	10/12/2022	24.00
11746	2212	OverDrive	10/12/2022	4,567.81
11747	766	Payne Reforestation	10/12/2022	350.00
11748	3186	Pitney Bowes Global Financial Services LI	10/12/2022	143.91
11749	3835	Solutions YES LLC	10/12/2022	38.09
11750	3036	Specialty Concrete	10/12/2022	1,160.00
11751	132	SBRK Finance Holdings Inc. Springbrook (10/12/2022	145.00
11752	022	Stephen D. Petersen, LLC	10/12/2022	531.00
11753	211	Superior Tire Services	10/12/2022	283.47
11754	030	True Value	10/12/2022	29.38
11755	3829	Alexander W, Urling (Skip) Urling	10/12/2022	1,286.75
11756	101	V O Printers, Inc	10/12/2022	326.66
11757	3577	Wasco County Landfill, Inc.	10/12/2022	1,898.77
11758	078	Watkins Tractor & Supply Co	10/12/2022	120.00
11759	3653	West Yost & Associates, Inc.	10/12/2022	16,137.63
11760	035	Wilcox & Flegel	10/12/2022	903.40
11761	035	Wilcox & Flegel	10/12/2022	928.29
Total for 10/12/2022:				72,520.58
11762	066	Airgas USA, LLC	10/26/2022	68.64
11763	520	BCX, Inc.	10/26/2022	168.00
11764	978	Bud Clary	10/26/2022	31,763.00
11765	244	Clatskanie PUD	10/26/2022	8,742.84
11766	097	Columbia County Treasurer	10/26/2022	144.00
11767	3513	Comcast	10/26/2022	755.17
11768	120	Construction Specialty	10/26/2022	8.32

Check No	Vendor No	Vendor Name	Check Date	Check Amount
11769	3514	Core & Main LP	10/26/2022	1,570.19
11770	043	Cowlitz Clean Sweep Inc	10/26/2022	2,540.90
11771	3806	Denali Water Solutions LLC	10/26/2022	1,180.04
11772	053	Grainger	10/26/2022	437.74
11773	778	Kenneth Holly	10/26/2022	251.99
11774	3545	InRoads Credit Union	10/26/2022	1,334.34
11775	3545	InRoads Credit Union	10/26/2022	819.39
11776	3545	InRoads Credit Union	10/26/2022	392.40
11777	020	Lakeside Industries	10/26/2022	886.42
11778	3633	LAS Truck Repair LLC	10/26/2022	427.85
11779	3179	Lock Doc	10/26/2022	635.63
11780	3021	Marlin Business Bank	10/26/2022	178.98
11781	996	Oregon Department of Revenue	10/26/2022	427.00
11782	3408	Pape Machinery	10/26/2022	750.00
11783	2325	Cynthia L. Phillips	10/26/2022	575.00
11784	096	Rainier Police Department	10/26/2022	299.00
11785	069	Sierra Springs	10/26/2022	42.45
11786	069	Sierra Springs	10/26/2022	34.75
11787	135	Star Rentals & Sales	10/26/2022	3,140.00
11788	211	Superior Tire Services	10/26/2022	1,979.46
11789	188	United Rentals	10/26/2022	759.56
11790	3512	Verizon	10/26/2022	207.90
11791	078	Watkins Tractor & Supply Co	10/26/2022	364.77
11792	035	Wilcox & Flegel	10/26/2022	992.19
11793	035	Wilcox & Flegel	10/26/2022	948.69
11794	052	Wood's Logging Supply, Inc	10/26/2022	404.94
Total for 10/26/2022:				63,231.55
ACH	1123	OR DEPT OF JUSTICE	10/28/2022	627.00
ACH	3832	VEBA	10/28/2022	500.00
ACH	FED TX	EFT Federal tax dep	10/28/2022	9,738.70
ACH	FICA	EFT EE/ER FICA	10/28/2022	12,511.56
ACH	Medicare	EFT EE/ER Medicare	10/28/2022	2,926.12
ACH	OR ST Tx	EFT Employee Oregon St Tx	10/28/2022	6,496.75
ACH	PERSEE	EFT PERS Employee /Employer Pa	10/28/2022	5,521.65
ACH	PERSER	EFT PERS Employer Paid	10/28/2022	15,303.27
ACH	PERU	EFT PERS Units	10/28/2022	2.48
11795	985	AFLAC	10/28/2022	308.59
11796	077	CIS Trust	10/28/2022	233.20
11797	3618	Office of the Trustee	10/28/2022	550.00
11798	ORS GP	Oregon Savings Growth Plan	10/28/2022	2,400.00
11799	079	Oregon Teamster Employer Trust	10/28/2022	27,165.28
11800	995	Teamsters Local No. 58	10/28/2022	954.00
Total for 10/28/2022:				85,238.60
Report Total (85 checks):				220,990.73

CITY OF RAINIER
CASH ON HAND/GENERAL LEDGER RECONCILIATION REPORT
CHECKING ACCOUNTS AND LOCAL GOVERNMENT POOL ACCOUNT
10/1/2022-10/31/2022

ACCOUNT REGISTER SUMMARY	CKS/DEBITS	DEP/CREDITS	
Ending Balance	404,051.00		
PERS Deposits -			
New Ending Balance	404,051.00	0.00	404,051.00

BANK STATEMENT SUMMARY	CKS/DEBITS	DEP/CREDITS		
Ending Balance SHCU 760072-1	34,346.26			
Ending Balance SHCU 760072-2	474,588.30			
Deposits not Shown on Statement		3,495.78		
Outstanding Cks and Other Debits	87,551.95			
PERS Outstanding	20,827.39			
PERS Adjustment				
Ending Balance	508,934.56	108,379.34	3,495.78	404,051.00

LGIP STATEMENT SUMMARY				
Beginning Balance	6,525,617.18			
Deposits			7,055.31	
Withdrawals		100,000.00		
Interest			11,589.67	
S/C		0.05		
Ending Balance	6,525,617.18	100,000.05	18,644.98	6,444,262.11

TOTAL CASH **6,848,313.11**

GENERAL LEDGER RECONCILIATION
10/1/2022-10/31/2022

	10/01/22				10/31/22	
Fund	Beginning Balance	Total Revenue	Total Expense	Liabilities	Ending Balance	
10 General	1,970,599.55	221,367.74	275,265.34		1,916,701.95	
20 Debt	4,251.00	0.00	0.00		4,251.00	
30 Sewer	574,822.54	99,285.72	52,824.18		621,284.08	
40 Water	392,694.23	97,662.32	46,501.25		443,855.30	
50 Timber	1,667,417.31	0.00	1,312.29		1,666,105.02	
60 Street	202,774.92	14,746.94	14,200.38		203,321.48	
65	0.00				0.00	
70	0.00				0.00	
81 Special Projects	216,450.40	0.00	16,023.25		200,427.15	
83 Sewer Capital	1,013,132.79	0.00	20,225.67		992,907.12	
84 Water Capital	412,862.05	21,842.56	43,685.12		391,019.49	
85 Transportation Capital	344,219.42	0.00	20,224.66		323,994.76	
90 Library Trust	88,979.46	52.11	4,585.81		84,445.76	
General Ledger Total	6,888,203.67				6,848,313.11	0.00

Completed by: _____ Date: _____ Approved by: _____ Date: _____

LAND LEASE

BY THIS LEASE between the City of Rainier, hereinafter called the "City", and, _____ hereinafter called the "Lessee", a lease for land on the described premises, hereinafter referred to as the "Premises", in Columbia County, Oregon.

SECTION 1: OCCUPANCY

- 1.01 Term. The term of the lease shall commence upon its acceptance and shall be for a period of _____ years.
- 1.02 New Lease. If the Lessee desires to obtain a new lease, the Lessee must notify the City in writing at least 180 days prior to the Termination Date of the lease. The Lessee shall not be in breach in the performance of any of the terms or conditions. The City reserves the right to deny a new lease.

SECTION 2: USE OF SITE

- 2.01 Permitted Use. The non-exclusive use of the Premises shall be to maintain, repair, and operate a little league baseball park.

SECTION 3: PAYMENT

- 3.01 Both parties agree that this rental rate shall not be less than _____ per year.
- 3.02 Place of Payment. All payments shall be paid to City Hall at the address shown on the signature page.
- 3.03 Failure to Pay. Any failure to pay the amount specified in this Section 3, or any other amount to be paid by the Lessee under terms of the lease within forty-five (45) days after the due date, shall be a material breach hereunder by the Lessee and such breach shall entitle the City to pursue all remedies specified in the lease, including the right to terminate this lease. Failure to exercise such right shall not be construed as a waiver of the right and hereafter pursue any remedies available to exercise such right and thereafter pursue any remedies available at law or equity.

SECTION 4: RESERVATIONS

- 4.01 Restrictions on Use.
- 1) The Lessee shall conform to applicable laws and regulations of any public authority affecting the Premises or Project and the use thereon and assure, at the Lessee's sole expense, any costs of such compliance including any fines and/or penalties.

The Lessee shall obtain all Federal, State, and local permits and licenses to operate under the lease.

- 2) The Lessee shall remove no valuable materials, minerals, coal, oil, timber, or gas without written consent of the City.
- 3) To the extent possible, the Lessee shall protect the Premises or Project from fire and shall report any fires on the Premises or Project to the City, by phone, as soon as possible.
- 4) The Lessee shall not allow debris or refuse to accumulate on the Premises or Project.
- 5) The Lessee, upon written notification by the City shall immediately take remedial action to eliminate interference caused by its operations. The City reserves the right to disconnect power to any transmitters causing interference.
 - A. Immediately if it affects emergency services of public safety.
 - B. After 48 hours of discovery of the interference.
- 6) Within thirty (30) days of each fully executed license agreement, Lessee shall furnish the City a copy of each license agreement, which specifies terms and conditions of Lessee's customers.

SECTION 5: REQUIREMENTS

- 5.01 Assignment. The Lessee shall not hypothecate, mortgage, assign, transfer or otherwise alienate this lease, or any interest therein, without prior written consent of the City, which consent shall be at sole discretion of the City. However, Lessee shall be allowed to sub-lease too their non-profit entities the Snack Shack located on the leased premises.
- 5.02 Minimum Coverage Requirements. The Minimum Coverage Requirements set forth below identify the minimum limits of insurance the Lessee must purchase. These limits may not be sufficient to cover all liability losses and related claim settlement expenses. Purchase of these minimum limits of coverage does not relieve the Lessee from liability for losses and settlement expenses greater than these amounts.
 - a. Commercial General Liability (CGL) Insurance. Lessee must purchase and maintain CGL covering liability from Premises, operations, independent contractors, personal injury, and liability assumed under an insured contract. Such insurance must be provided on an occurrence basis. Insurance must include liability coverage with limits not less than those specified below:

Description

- 5.03 Breach by Lessee. In event of any revision of this lease by the Lessee, the breach shall be deemed a default entitling the City to the remedies set forth in the lease or otherwise available at law or equity, after the City has delivered to the Lessee notice of the breach and a demand that the same be remedied immediately; provided that, if the breach pertains to a matter other than the payment of any monies due under the lease, the Lessee shall not be in default after receipt of the notice if the lessee shall promptly commence to cure the breach and shall cure the breach within forty-five (45) calendar days after receipt of the notice, or if the breach pertains to the payment of rent the lessee shall have ten (10) calendar days after the due date to cure the breach; provided, however, if such breach is non-monetary in nature, and as determined by the City, is not reasonably susceptible of being cured in said forty-five (45) calendar days (provided that the lack of funds, or the failure or refusal to spend funds, shall not be an excuse for a failure to cure), the Lessee shall commence to cure such breach within said period and diligently pursue such action with continuity to completion. Except as otherwise provided herein, if a breach has been cured within the grace periods permitted by this Section, it shall no longer constitute default.

SECTION 6: IMPROVEMENTS

- 6.01 Unauthorized Improvements. All improvements made on the Premises or Project without the written consent of the City are unauthorized and shall, at the option of the City, be removed by the City at the cost to the Lessee, or become the property of the City. This does not include existing improvements at the time of the lease's commencement.
- 6.02 Maintenance and Repair of Improvements. The Lessee shall maintain and repair its improvements at its own cost.
- 6.03 Removal of Improvements. All improvements placed on the premises by Lessee, including fixtures, which remain upon the Premises or Project sixty (60) days from the Termination Date shall become the property of the City unless approval to remain longer is requested by the Lessee and granted by the City. The Lessee shall be liable for additional rent at the rate specified under the lease until the improvements are removed. At the City's option, the Lessee may be required to remove said improvements at its cost or the City may remove the improvements and charge the Lessee for its costs.

- 6.04 Timely Completion. Timely completion of the development plan and maintenance of improvements are material inducements to the City in entering this lease.

SECTION 7: MISCELLANEOUS

- 7.01 No Partnership: The City is not a partner with the Lessee in connection with the business carried on under this lease and shall have no obligation with respect to the Lessee's debts or other liabilities.
- 7.02 Non-Waiver: Waiver by either party of strict performance of any provisions of this lease shall not be a waiver of, nor prejudice the party's right to require strict performance of the same provision in the future or of any other provision.
- 7.03 Attorney Fees and Venue. Each party shall be responsible for their own attorney fees in the event of a dispute arising out of this lease except as set forth in Section 5.02 and 7.06. Venue for resolving such disputes shall be in Columbia County District Court.
- 7.04 Interpretation and Numbering. This has been submitted to the security of all parties hereto and their counsel if desired and shall be given a fair and reasonable interpretation in accordance with the words hereof, without consideration or weight being given to its having been drafted by any party hereto or its counsel. Section numbers or titles are not to be considered in interpreting this lease.
- 7.05 Notices.
- 1) Any notice given under this lease shall be deemed as received when delivered by hand or three (3) business days after deposit in the United States certified mail with first class postage affixed.
 - 2) The Lessee shall notify the City within thirty (30) calendar days of any change of address, business name, contact person's name, or other changes that may affect the lease.
- 7.06 Liens. The Lessee shall not suffer or permit any lien to be filed against the Lessee's leasehold interest in the Premises or Project or any improvement thereon by reason of work, labor, services or materials performed or supplied to the Lessee or anyone holding the Premises or Project or any part thereof under the lease. If any such lien is filed against the Lessee's leasehold interest or any improvements thereon, the Lessee shall cause the same to be discharged of record within (30) calendar days after the date of filing the same unless other arrangements are authorized in writing by the City. The Lessee shall indemnify the City for any costs, damages or expenses (including attorneys' fees) incurred as a result of the filing of lien or in obtaining their discharge whether such costs, damages or expenses were incurred prior or subsequent to lease termination.

7.07 Remedies Cumulative. The specified remedies to which the City or the Lessee may resort under the terms of the lease are cumulative and are not intended to be exclusive of any other remedies or means of redress to which the City or the Lessee may lawfully be entitled in case of any breach or threatened breach by the City or the Lessee of any provision of this lease.

7.08 Force Majeure. The City's or the Lessee's failure to perform any of its obligations under the lease shall be excused if due to causes beyond its control and without the fault or negligence of the City or the Lessee, including but restricted to acts of God, acts of the public enemy, acts of any government, vandalism, fires, lightning, floods, epidemics or labor strikes.

Signed this day of _____, 20__.

By _____

Address: City of Rainier
 P.O. Box 100
 Rainier, OR. 97048

Phone: 503.556.7301

Signed this day of _____ '23

By _____

Title

Name: Rainier Little League

Address: _____

Phone: _____

City of Rainier, Attn: Debra Dudley
RAINIER
PO Box 100
Rainier, OR 97048

RENEWAL NOTIFICATION PROCESS

It's time again for liquor license renewals in your area. Liquor licenses are due to expire **3/31/2023**. Attached is the list of licensees who are required to submit their renewal application to local government for comment. According to our records you charge:

\$0.00 Renewal Fee for ON-PREMISES \$0.00 Renewal Fee for OFF-PREMISES

We told applicants to mail your local government fees to the address on this letter.
PLEASE NOTIFY US IMMEDIATELY IF THE FEE(S) OR ADDRESS ARE INCORRECT

HOW TO MAKE A RECOMMENDATION

You have until 3/4/2023 to make your recommendation. Below are your options for renewals:

RECOMMEND APPROVAL

1. **DO NOTHING.** If you do not submit a recommendation by **3/4/2023**, the OLCC will process the renewal application as a favorable recommendation.

RECOMMEND DENIAL (see additional information on page 2)

1. ~~File an unfavorable recommendation, stating the grounds for the unfavorable~~
(must meet the denial criteria on back of form); **OR**
2. Make a written request for additional time to complete an investigation. The request must state: 1) you are considering making an unfavorable recommendation; 2) the specific grounds being considered. **The grounds must be one referenced in Oregon Administrative Rule 845-005-0308(3).** If your request is granted you will be given a 45-day extension to file your unfavorable recommendation. Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

If you need assistance or would like to discuss a specific application, please contact your local OLCC office for help. Please send renewal recommendation correspondence to OLCC.Renewals@oregon.gov or OLCC License Renewals, P.O. Box 22297, Portland, OR 97269-2297. If you have questions, contact our license renewal section at 503.872.5138 or toll free at 1.800.452.6522 ext 25138.

REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC can consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location. The problems can include:

obtrusive or excessive noise, music or sound vibrations
public drunkenness
fights or altercations
harassment
unlawful drug sales
alcohol or related litter

OLCC is not able to consider the following issues when deciding to renew a liquor license:

lack of parking
increase in traffic
too many licenses in a specific area (saturation)
entertainment type - nude dancing, gambling, live bands, etc.
increased noise
zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

License No./ Premises No.		Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic.	344756	BRIDGEVIEW TOBACCO SHOP	29375 WASHINGTON WY	
Prem.	2791	BRIDGEVIEW TOBACCO SHOP INC O - OFF-PREMISES SALES	RAINIER, OR 97048 503-556-0151	
Lic.	346707	CHEVRON FOOD MART	WEST 3RD & "B" ST	PO BOX 69
Prem.	8623	WILSON OIL INC O - OFF-PREMISES SALES	RAINIER, OR 97048 503-423-3300	LONGVIEW, WA 98632
Lic.	345079	CORNERSTONE CAFE	102 EAST A ST	PO BOX 700
Prem.	44328	CORNERSTONE CAFE LLC F-COM - FULL ON-PREMISES SALES	RAINIER, OR 97048 503-556-8772	RAINIER, OR 97048
Lic.	346883	DELI MART	75930 ROCK CREST ST SUITE C	PO BOX 1421
Prem.	54889	DELIMART INC L - LIMITED ON-PREMISES SALES	RAINIER, OR 97048 503-556-4544	RAINIER, OR 97048
Lic.	347922	DELI STORE	75724 ROCKCREST ST	
Prem.	30052	DELI STORE LLC L - LIMITED ON-PREMISES SALES	RAINIER, OR 97048 503-556-8091	
Lic.	348845	DOLLAR GENERAL STORE #18501	211 W B ST	100 MISSION RIDGE
Prem.	58679	DG RETAIL LLC O - OFF-PREMISES SALES	RAINIER, OR 97048	GOODLETTSVILLE, TN 97072
Lic.	345208	EAGLES LODGE #4022 RAINIER	109 W "A" ST	PO BOX 6
Prem.	14242	EAGLES LODGE #4022 RAINIER F-CLU - FULL ON-PREMISES SALES	RAINIER, OR 97048 503-556-2035	RAINIER, OR 97048
Lic.	345391	EL TAPATIO RESTAURANTE II	117 "A" ST W	2627 SE 82ND AVE
Prem.	25642	GUITRON ALCAZAR INC F-COM - FULL ON-PREMISES SALES	RAINIER, OR 97048 503-556-8323	PORTLAND, OR 97266
Lic.	345233	EVERGREEN PUB	115 E FIRST ST	PO BOX 578
Prem.	2828	EVERGREEN PUB LLC F-COM - FULL ON-PREMISES SALES	RAINIER, OR 97048 503-556-3802	RAINIER, OR 97048
Lic.	345155	GROCERY OUTLET OF RAINIER OREG	215 W B ST	PO BOX 1358
Prem.	59035	DELAM ENTERPRISES LLC O - OFF-PREMISES SALES	RAINIER, OR 97048 503-395-2018	RAINIER, OR 97048
Lic.	346841	HOMETOWN PIZZA	109 E A ST	530 18TH AVE
Prem.	48125	PIZZA HAVEN LLC L - LIMITED ON-PREMISES SALES	RAINIER, OR 97048 503-556-3700	LONGVIEW, WA 98632
Lic.	345496	INTERSTATE TAVERN	119 E "B" ST	PO BOX 158
Prem.	2824	INTERSTATE TAVERN LLC F-COM - FULL ON-PREMISES SALES	RAINIER, OR 97048 503-556-9950	RAINIER, OR 97048
Lic.	345661	LUIGI'S PIZZARIA	119 E 1ST ST	PO BOX 578
Prem.	38055	LUIGI'S PIZZARIA LLC L - LIMITED ON-PREMISES SALES	RAINIER, OR 97048 503-556-3802	RAINIER, OR 97048
Lic.	345885	NEW BRIDGEVIEW DELI	29389 WASHINGTON WY	
Prem.	29153	NEW BRIDGEVIEW DELI INC L - LIMITED ON-PREMISES SALES	RAINIER, OR 97048 503-556-6165	
Lic.	346156	OL PASTIME TAVERN	105 E A ST	PO BOX 1624
Prem.	2827	RAINIER OL PASTIME TAVERN INC F-COM - FULL ON-PREMISES SALES	RAINIER, OR 97048 503-556-2442	RAINIER, OR 97048

<u>License No./</u> <u>Premises No.</u>	<u>Tradename/Licensee/License Type</u>	<u>Premises Address & Phone</u>	<u>Premises Mailing Address</u>
Lic. 356396	RAINIER LIQUOR STORE	75928 ROCK CREST ST	
Prem. 64425	TRACI L. BRUMBLES	RAINIER, OR 97048	
	O - OFF-PREMISES SALES	503-556-6321	

Count for RAINIER

16

**BEFORE THE CITY COUNCIL OF
THE CITY OF RAINIER**

RESOLUTION #23-02-01

**A RESOLUTION ESTABLISHING A POLICY FOR ACCESS TO IMPOUNDED
VEHICLES STORED AT CITY FACILITIES**

WHEREAS, it is in the City's best interests to maintain the security of its facilities; and

WHEREAS, some of those facilities include materials that could be hazardous to the general public; and

WHEREAS, the City wishes not to incur liability for unintended, unsupervised public access to those facilities.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Common Council of the City of Rainier, Oregon that:

The following is adopted as the City's official policy for access to impounded vehicles stored at city facilities:

Anyone wanting to reclaim a vehicle, recreational vehicle or boat stored at a city facility must first provide proof of ownership of the property and that any amounts owed to the city for its towing and/or storage have been paid in full. They must be escorted and accompanied by authorized city staff between the hours of 8:30 a.m. and 4 p.m. Monday through Friday, excluding holidays, and depending upon staff availability.

Anyone wanting to reclaim personal property from the inside of a vehicle, recreational vehicle or boat that has been stored at a city facility must first provide proof of ownership of the property and must be escorted and accompanied by authorized city staff between the hours of 8:30 a.m. and 4 p.m. Monday through Friday, excluding holidays, and depending upon staff availability.

Any violation of these provisions will result in the violator's immediate removal from the property and revocation of permission to re-enter. The City is not responsible or liable for any lost, stolen or damaged property.

This resolution takes effect immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Rainier, Oregon this _____ day of _____, 2023.

Attested:

Jerry Cole, Mayor

W. Scott Jorgensen, City Administrator

An officer appointed by the mayor and city council, the City Administrator works and meets with staff to ensure effective communication and cooperation among departments; coordinates the continuous review of interdepartmental processes for quality control and improvement consistent with the overall goals and objectives of the City; and responds to inquiries from the public regarding issues unresolved at the departmental level;

- *Acts as the City's Personnel Officer and Chief Administrative Officer; specific duties include Risk Management, third-party contract administration, records management and serving as the City's budget officer and Elections Official;

- *Assists the Mayor and chairs of the City's volunteer boards and commissions with agendas and required background information for their meetings; serves as the Mayor's representative to the City Council and staff.

- *Assists the Mayor and City Council with strategic and long-range planning for the City: participates in planning efforts at the local and regional level; keeps the Mayor and Council apprised of developments at the state and federal level that impact the City; monitors pending legislation for impact on the City; and oversee compliance with new legislation;

- *Is responsible for the preparation of the annual budget; prepares departmental budget for the Mayor's Office; reviews departmental budget requests from all City functions for inclusion in the Mayor's recommendation to the City Council; coordinates the scheduling of budget meetings; and ensures compliance with all legal and procedural requirements;

- *Coordinates special projects for the City, including the planning, design, implementation, and evaluation of construction/renovation projects, management studies, introduction of new programs, and various professional services: defines the scope of the project; identifies and ensures proper allocation of financial, material, and human resources committed to the project; formulates solutions and resolves problems; facilitates implementation of the project; and provides administrative support to the project as needed;

- *Represents the Mayor and the City at various meetings, functions, and events: serves as a liaison to various civic or governmental organizations and committees, taskforces, boards, and commissions; confers regularly with officials from the other municipalities, chamber of commerce, authorities, and commissions; provides information about City operations; participates in discussions and decisions; and keeps the Mayor and Council apprised of activities; and

- *Other duties as assigned.

The preferred candidate must have broad knowledge of municipal government organization, power and functions; principles and practices of public administration; understanding of public processes, regulatory and legal compliance and public records and meeting laws.

A working knowledge of planning practices and Oregon's land use laws is required, as well as experience bargaining with labor unions, engaging in legislative advocacy, drafting ordinances, contracts, IGAs, MOUs and updating municipal codes.

The administrator will also perform media relations, as well as applying for and administering grants. The candidate is required to be bondable and must have a valid driver's license.

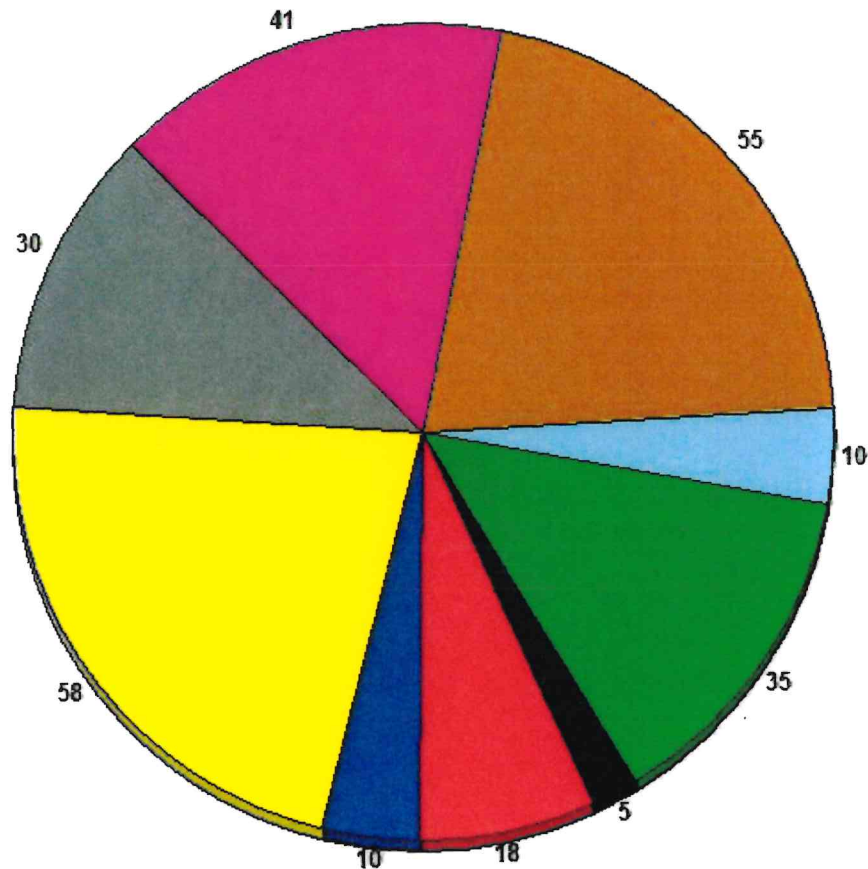
CITY ORDINANCE VIOLATIONS

January thru December 2022

Abandoned Vehicle	41
Animal Complaint	55
Boat Complaint	10
Tall Grass	35
Junk	5
Noise	18
Other	10
Parking Complaint	58
RV	30

Total to Date	262
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CITY ORDINANCE VIOLATIONS



- ABV
- ANIMAL
- BOAT
- GRASS VE
- JUNK
- NOISE
- OTHER
- PARKING
- RV

City Administrator Report
February 6, 2023 Rainier Council Meeting

Mayor Cole and Members of the Council,

I spoke with Oregon Senator Suzanne Weber December 30 about the city's legislative priorities. On February 4, Sue and I did a virtual meeting with the city's engineering firm about the next steps for the Fox Creek project.

There are two new businesses coming to the location of the former archery store downtown, and I toured them on January 5.

I met with representatives of the city's insurance company January 10. Later on that day, I spoke with Andrew Demko, a teacher at Rainier High School who advises its history club, about an upcoming event we're putting together.

On January 12, I attended the Rainier Chamber of Commerce meeting. Its board meeting was six days later, and I also went to that.

The library board met January 13 and conducted an evaluation of Library Director Allan Snider. He received high marks for his performance.

I toured another new downtown business on January 18 and met with the Rainier Oregon Historical Museum board the following day. On January 20, I met with Matt Thomas from the local Little League organization. Later on that day, I spoke with Paul Vogel from Columbia Economic Team about development prospects on the west side of town.

On January 23, I provided the financial report and revenue and expenditures summary for REDCO's 2021-22 fiscal year to its taxing districts and finalized updating the city administrator job description, in coordination with Mayor Cole.

Along with Cole and Council President Kreger, I attended City Day at the Capitol in Salem on January 25.

Sincerely,

W. Scott Jorgensen, Executive MPA
City Administrator

Rainier Police Department
Reportable Incidents
2022

INCIDENT	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	TOTAL
Abandoned Vehicles	6	2	5	6	2	8	10	5	3	2	2	3	54
Agency Assists	13	16	17	21	25	24	23	22	17	24	15	15	232
Alarms	9	7	2	3	3	1	3	3	1	3	3	7	45
Animal Complaints	4	2	5	2	1	8	14	3	2	2	3	2	48
Arson	0	0	0	0	0	0	0	1	0	0	0	0	1
Assault	1	0	1	0	0	2	3	0	1	1	0	0	9
Assault on Police	0	0	0	0	0	0	0	0	0	0	0	0	0
Attempt to Elude Police	0	0	1	0	0	0	2	0	1	0	0	1	5
Attempted suicide or suicidal	0	0	0	2	1	2	0	2	0	0	0	0	7
Burglary	1	2	2	1	2	3	1	1	1	2	6	1	23
Child Abuse	0	0	0	0	0	0	1	0	0	0	0	0	1
Citizen Assists	88	78	76	92	73	78	121	97	47	224	70	62	1106
City Ordinance Violations	5	0	8	9	14	33	8	10	11	2	3	2	105
Criminal Mischief	10	7	18	3	6	6	4	4	0	4	0	0	62
Criminal Trespass	3	1	2	0	2	0	0	5	0	0	0	2	15
Death Investigations	0	1	0	0	0	1	0	0	0	0	1	0	3
Disabled Vehicles	0	0	1	1	0	0	0	0	0	1	0	0	3
Disorderly Conduct	0	0	0	0	0	0	1	0	0	0	0	0	1
Disturbances	8	5	3	3	1	9	9	12	5	9	4	6	74
Domestic Disputes	6	3	1	2	2	1	0	1	1	0	0	0	17
Driving/Parking Complaints	3	6	14	9	12	15	19	16	7	7	9	4	121
Drug Activity	0	0	0	0	1	0	2	0	0	0	0	0	3
D.U.I.I.	1	2	0	2	1	0	3	0	1	1	0	0	11
Escape	0	0	0	0	0	0	0	0	0	0	0	0	0
False Info to Police	0	0	0	0	0	0	0	0	0	0	0	0	0
Forgery/Fraud	3	0	1	2	2	3	0	2	2	2	3	2	22
Follow Up	18	23	19	14	12	22	29	33	16	21	23	13	243
Furnishing Alcohol	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	1	2	1	3	4	0	3	1	1	0	1	1	18
Hazard	2	4	3	12	6	4	10	6	2	4	4	3	60
Hit & Run	4	1	2	1	1	2	1	0	2	4	1	1	20
Juvenile Problems	5	0	4	1	3	5	6	1	0	0	0	0	25
Menacing	1	0	0	0	0	0	0	1	0	0	0	0	2
M.I.P.	0	0	0	0	0	0	0	0	0	0	0	0	0
Misc.	11	4	7	7	8	14	8	6	20	10	4	8	107
Motor Vehicle Crashes	1	6	2	9	1	5	10	3	5	9	2	6	59
Premise Check	528	510	537	493	532	300	331	242	341	435	372	350	4971
Probation/ No contact Violation	0	0	0	0	0	0	0	0	0	0	0	0	0
Property Reports	1	3	3	3	4	9	4	5	6	2	1	2	43
Prowler	0	0	0	1	0	0	0	0	0	0	0	0	1
Rape	0	0	0	0	1	0	0	0	0	1	0	0	2
Reckless Driving	0	0	0	0	0	0	0	0	0	0	0	1	1
Recovered Stolen Vehicles	1	0	0	1	0	0	1	1	0	0	2	1	7
Resisting Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0
Restraining Order Violations	0	1	0	1	0	0	2	1	1	0	0	3	9
Robbery	1	0	0	0	0	1	0	0	0	0	0	0	2
Sex Crimes	0	0	1	0	1	0	0	0	0	1	0	0	3
Sex Offender Registration	5	5	2	3	2	6	0	2	3	3	3	1	35
Suspicious Circumstances	28	37	50	41	21	37	45	43	23	35	44	52	456
Theft	15	14	16	3	7	11	9	10	11	4	1	2	103
U.U.M.V.	0	3	1	0	0	3	3	9	2	3	0	2	26
Vehicle Impounds	0	0	0	0	0	0	0	0	0	0	0	0	0
Warrant Arrests	1	2	1	0	3	1	1	3	1	1	0	0	14
Weapon Charges	0	0	0	0	0	0	0	0	0	0	0	0	0
Welfare Check	7	1	5	5	3	2	7	12	1	4	3	6	56
TOTAL	791	748	811	756	757	616	694	563	535	821	580	559	8231
Traffic / Parking													
Warnings	23	10	13	16	19	8	27	21	17	12	26	16	208
Citations	7	6	6	18	15	14	36	29	16	16	13	14	190
Total	30	16	19	34	34	22	63	50	33	28	39	30	398