

**City of Rainier
Regular Meeting Minutes
April 4, 2011
7:00 p.m.
Rainier City Hall
106 West "B" Street**

Meeting called to order by Mayor Cole at 7:08 p.m.

Council Present: Mayor Cole, Mike Avent, Sloan Nelson, David Langford, Phil Butcher, Scott Cooper, Russ Moon and Bill Viladri

Council Absent:

City Staff Present: Lars Gare, Gregg Griffith, Darrel Lockard, Patti Stanley, Darlene Lavelle, Bobby Jo Harding and Debbie Dudley

City Attorney Present: Steve Peterson

Visitors Present: Vernae Christophersen, Charles Wardle, Nolan Borders and family, Jewell Lavelle, and Debbie Hazen, Clatskanie Chief

Flag Salute

Additions/Deletions from the Agenda:

Motion by Nelson, 2nd by Avent to add to the agenda forming a committee to look at the contracts for the City Administrator, Finance Director, Public Works Director and Public Works/Clerical Union contracts.

Passed Unanimously

Motion by Langford, 2nd by Nelson to add to the agenda;

ODOT contract for truck inspections.

Authorize expenditure of \$5,000 to repair Lewis Road.

Approve the Eagles request to use the Park for an Easter egg hunt.

Appoint a Sludge committee to look at property for purchase.

Passed Unanimously

Deletions: None

Mayor's Address: A moment of silence was observed for our fallen soldiers.

The recently hired police officer, Nolan Borders and his family were introduced and welcomed to Rainier. He comes to Rainier with 10 years of experience.

Visitor Comments: Vernae Christophersen; at the March 21st work session the budget sub-committee met and briefly talked about timber, sewer and police funds, and I was wondering if that fulfilled what you were looking for in that subcommittee, if not, are we meeting again prior to the first budget committee meeting which is scheduled for May 2. "I felt... we met, Councilman Moon talked about what he wanted to talk about, the hour was just very short". Cole; "if you feel a need to meet again call the committee together and meet".

Visitor Comments Continued:

Christophersen; in reading the March 7th work session minutes, I had a couple of questions about cost saving measures, such as close City Hall for a day a week, have questions about water and sewer funds which will direct to Debbie, budget questions. Langford; I have had concerned citizens ask about the new medical marijuana business, how did they get through the system. Cole; as any business coming to town, they found a property, filled out a business license and opened up, there is no City Ordinance prohibiting this type of business so it falls under the State regulations. Gare; their business license has not been issued; we have 30 days to issue the license after the business license application is complete. Langford directed Gare to consult with the City Attorney about developing a City Ordinance banning this type of business in the future.

Motion by Langford, 2nd by Vilardi to approve the March 21st, 2011 Work Session Meeting Minutes as presented.

Passed, with Avert abstaining

Motion by Cooper, 2nd by Vilardi to approve the March 21st, 2011 Regular Meeting Minutes as presented.

Passed, with Avert abstaining

Motion by Avert, 2nd by Moon to appoint Gare as the representative to the Cowlitz-Wahkiakum Council of Governments.

Passed Unanimously

Motion by Moon, 2nd by Avert to approve the request to keep chickens, maximum of three hens within the City Limits, for a term of one year. Discussion summary; is it necessary to limit the approval to one year? If there is a problem the approval can be revoked.

Aye; Moon, Langford, Cooper, Avert, Vilardi, Butcher

Nay: Nelson

Motion Passed

Motion by Langford, 2nd by Moon to approve an easement to Clatskanie PUD for Underground Electrical Power on City Property. The location is at City Hall and all costs will be borne by Clatskanie PUD.

Passed Unanimously

General Fund Budget Discussion Summary:

Based on the increased revenue projects, property taxes and a reduction of costs in the General Fund, the 2011/2012 ending fund balance is estimated at \$54,280. This does not include the potential ODOT revenue of \$11,000 for truck inspections. When the agreement is approved the revenue will be added to the General Fund. Council may want to look at the expenditures for Columbia County Rider, Columbia County Economic Team and Columbia County Emergency Management.

Moon; where is the REDCO money of 457,500 in unappropriated expenditures, how come we don't have a designated reserve fund for the 457,000 REDCO money that wasn't paid. Gare; "we do have 450,000 in unappropriated, that's what that is...look in unappropriated ending balance on the expenditure side under estimated expenses". Langford; "is that that money...those 3 payments we did not make".

General Fund Budget Discussion Summary Continued:

Gare; “yes we’re saving it because we haven’t appropriated it for anything”. Dudley; referred to the email sent to all Councilors defining unappropriated ending fund balance and its use. Explained that in the past the City did not include unappropriated ending fund balances in the budget. When the Council terminated the IGA with REDCO and the REDCO payments were not paid in 2008, 2009, and 2010, this allowed the City to establish this unappropriated balance. A designated reserve fund was not set up, but the payment amounts are in the unappropriated ending fund balance in the amount of \$450,000. In the event the City choose to pay REDCO the three payments, the difference of \$7,500 could be taken from either beginning cash or contingency and the remaining \$450,000 would come from the unappropriated balance. Moon; so the money has been spent. Langford; no it’s right there. Moon; it’s just a coincidence that the \$450,000 and \$457,000 are close to being the same. Dudley; the amount that was not spent on the REDCO payments allowed the City to establish the \$450,000 as an unappropriated ending balance. The unappropriated balance is like a savings account, if we need it we can use it and then put it back, for example if the City needed to use some of the unappropriated balance until revenues like property tax receipts come in, it’s there and then we would put it back. Cole; the \$450,000 can be used to cover our expenses until revenues like taxes come in, public agencies either borrow money until taxes come in or use their unappropriated balance then pay it back, the bonus is you don’t have to pay interest on the money borrowed. Avent; so we borrowed that money from ourselves, Langford; the easiest way to explain it is, you have a savings account and a checking account, you get paid on Friday but you have bills due on Tuesday, you take money from your savings account and put it back on Friday. Dudley; the City never budgeted an unappropriated balance before, not paying the REDCO payments allowed us to set this money aside, like a savings account. We have the money to pay REDCO the three payments, but we may need to adjust the budget for the amount that may be needed to cover expenses before taxes or other revenue is received. Dudley offered to meet with anyone who had additional questions or wanted more detail.

Motion by Moon, 2nd by Avent to extend the employment agreement of the Finance Director on a month to month basis with no change to the current salary or benefits.
Passed Unanimously

Motion by Nelson, 2nd by Cooper to form a committee to review the City Administrator, Public Works Director, Finance Director, and Public Works/Clerical contracts. Discussion Summary; committee volunteers were Nelson, Avent, Langford and Cooper. Cooper rescinded to avoid having 4 councilors on the committee. Christophersen was appointed due to her expertise in employment issues. Nelsen was appointed as chairperson. Cole and Moon will continue to negotiate the Police Chief contract. The Council authorized the use of services by Richard Stellner, a human resource consultant for review of the employment contracts.
Passed Unanimously

Motion by Moon, 2nd by Butcher to approve the contract between ODOT and the City for truck inspections by the Rainier Police Department. The contract was reviewed and approved by the City Attorney.
Passed Unanimously

Motion by Moon, 2nd by Langford to authorize the expenditure of \$5,000 to fix Lewis Road and View Street. The road repair will be contracted out.

Passed Unanimously

Motion by Langford, 2nd by Moon to authorize the Eagles to use the park on April 23rd for an Easter Egg Hunt.

Passed Unanimously

Motion by Butcher, 2nd by Langford to form a committee of Moon, Rickert, Langford, and Lockard to look into property purchase for bio-solid disposal (sludge).

Passed Unanimously

Staff Reports:

Lockard – The bathrooms are now open, working on the bull rails at the Marina, Midland Water District is now OK.

Dudley – Written report discussed during meeting, asked if there were any questions on the information provided.

Gare – The funds available for the Highway 30 project are decreasing, the State is working on the right of way access with construction scheduled for the summer of 2012, working on getting the information about the Marina hasn't received a call back, Nelsen offered to help.

Council Reports:

Cole – Reported that he had testified before the House of Representatives committee about renaming a portion of Highway 30 to honor Chief Painter, if passed it will then move to the Senate, the events for Days in the Park should be the same except for the logging show, the committee has taken over planning the event and is selling t-shirts, buttons, and taking donations to help fund the approximate cost of \$15,000, the next committee meeting is Wednesday at 6:00 at City Hall.

Moon – Announced that a Texas Hold Em tournament will be held at the Old Pastime sponsored by Willie Thayer to raise money for the event, asked that the "C" street slippage be included on the agenda under unfinished business.

Avent – Questioned what steps had been taken to lower costs before the 23% rate increase was passed and what is the proper allocation for salaries. Lockard responded that there was very little in the public works budget that could be cut.

Langford pointed out that the Sewer Fund was in the red, the increase to residential, commercial, multi-units, USG and the School District fixed the problem and will allow the fund to become self-sufficient.

Cooper – The computer and technology upgrades are something that will need to be addressed before it becomes a problem, also look at electronic documentation and forms on the City's website, expressed concern that the proper chain of command is not being observed, questions, budget issues, balancing the budget, budget cuts should be directed to the City Administrator not department heads.

Nelson – Expressed frustration that the City was fined another \$1,000 for failure to provide reports to the State and notification was not provided to all Councilor's by administration. Need to be able to ask questions and get answers to be an effective Councilor. Asked if the annual performance evaluation for the Finance Director was completed, requested that it be done. Asked that the City Administrator's performance evaluation to added to the next agenda.

Council Reports Continued:

Langford – There continues to be an issue with Fat Jacks as far as Sign Ordinance compliance, where are we at with that, we need to get control, asked Administrator to contact the Port of St. Helens Executive Director about the availability of having a Coast Guard Boat on display during the Days in the Park.

Butcher - informed the Council that there is a measure being discussed at the State level which would allow medical marijuana to be dispensed at liquor stores.

Meeting Adjourned at 9:45 p.m.

Jerry Cole, Mayor

Attested: _____
Debra Dudley, Recorder