

**City of Rainier
Regular Meeting Minutes
April 18, 2011
7:00 p.m.
Rainier City Hall
106 West "B" Street**

Meeting called to order by Mayor Jerry Cole at 7:15 p.m.

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

Council Absent: none

City Staff Present: Lars Gare, Gregg Griffith, Darrel Lockard, Bobby Jo Harding, Wayne Smith and Debbie Dudley

City Attorney Present:

Visitors Present: Robert Duplessis, Patrick Trapp, Amanda Moravec, Clatskanie Chief and Cheryll Borgaard, Longview Daily News

Flag Salute

Additions/Deletions from the Agenda:

None

Deletions:

Item H - Executive Session

Mayor's Address:

A moment of silence was observed for our fallen soldiers. The presentation to the Painter family was moved to the next agenda to accommodate the family's schedule.

Visitor Comments: Robert Duplessis asked for an update on the "C" Street slippage. The City attorney was not present for an update. Gare did not have the details but believed the attorney had made another approach with the property owners. Council had hoped to have an update for Mr. Duplessis.

Motion by Langford, 2nd by Moon to approve the April 4th, 2011 Work Session Meeting Minutes as presented.

Passed Unanimously

Motion by Vilardi, 2nd by Moon to approve the April 4th, 2011 Regular Meeting Minutes as presented.

Passed Unanimously

Motion by Nelson, 2nd by Moon to direct the City Administrator to come back to the Council at the next meeting with a plan on how to fix "C" Street. Then the Council will figure out where the cash will come from. Asked that the attorney be consulted for any liability issues with fixing the property. There has been engineering and design work done on the site.

Passed Unanimously

Days in the Park Update by Mayor Cole:

The entity Rainier Days in the Park is now its own corporation. The goal is to make it into a non-profit. Another non-profit organization is sponsoring it this year. There are some issues that have been going on but need to be formalized; guarantying that no carnival will be allowed at the park 90 days prior to the event and close "A" street for the event.

Motion by Langford, 2nd by Vilardi to agree that no amusement rides, games or anything resembling the atmosphere of a carnival will be allowed to operate for a minimum of 90 days prior to the Rainier Days in the Park event for the period of such time that Rainier Days in the Park no longer puts on the yearly event. Discussion Summary; concern expressed about the indefinite term of the motion, identified that others may want to use the park for festivals, El Tapatio may want to put on a Cinco de Mayo event. Rainier Days in the Park is an event that has been going on for many years and is a proven event.

Nay: Avent, Butcher, Cooper

Aye: Langford, Vilardi, Nelson, Moon

Motion Passed

Motion by Nelson, 2nd by Langford to close "A" Street in front of the park for the purpose of the Rainier Days in the Park event from Monday July 4th through Sunday July 10th.

Passed Unanimously

Motion by Cooper, 2nd by Vilardi to move forward with Phase I; A, B, C, D in the amount of \$7,700 for the IT updates the Utilize IT, Inc. This will provide better security and storage.

Passed Unanimously

Motion by Nelson, 2nd by Langford to direct the Public Workers Director to bring back proposals to fix the contract with Rightline. The contract dates back to 1989, with an amendment dated 12/1990. Currently Council has already approved rates for outside the City limits at double the inside rates. Notify the Company that the City is looking at the contract.

Passed Unanimously

Police of Chief Employment Contract Discussion Summary:

Moon distributed copies of the employment contract at the meeting for approval. Avent mentioned that in talking with Butcher, the department head contracts should mirror one another. Cole, this one would be a "good foundation and base". The HR consultant Richard Stellner, worked on this contract. Cooper; since that discussion a committee has been appointed to review the City leader's contracts and I think this contract should be turned over to the committee to evaluate them all. Moon; so you're saying that Mayor Cole and myself wasted our time. Cooper; no not at all, the Chief falls in the same category as those three people and we should review them all simultaneously with that group and then bring them all in front of the Council and vote on. Moon; so now we're not going to have a Chief of Police. Langford; as a Council we asked that group to negotiate the Chief contract, I don't think this needs to come to our committee with the other contracts. Butcher; Chief are you happy with your contract?

Police of Chief Employment Contract Discussion Summary:

Griffith; yes sir. Nelson; I don't think it's any disrespect to the two working on it to give us an opportunity to look at it. Maybe we can use that as a stepping stone for the rest of the group, we have our Chief, he's working, if it takes a little bit longer to come up with something that everybody on the Council felt like they were part of, does it matter if we wait another week. Avent; I agree, nobody is saying the contract isn't right or good but it would be nice to utilize this to work on the others. As we look through the contracts there is a lot of inconsistency in the process. As I discussed with Phil, it would be nice to have them fairly resemble one another. Why make a mistake? Vilardi; Council should have at least time to take a look at it. Moon; one thing you probably don't understand is our new officer is here for 60 days, if this goes past 60 days he could be on his way back to St. Helens, he has an open door to go back to that police department. Avent; what does that have to do with the Chief contract? Moon; if we don't have a Chief he may go back. Langford; we as the Council appointed the committee and now we're going to take it away from the committee, is the same thing going to happen in two weeks when our committee comes back, are they going to go "well we want to review what you guys did", if we are not going to use those committee's then why are we appointing them. Cooper; if we are going to bring a 6 page contract in for the Council to review and give it to them and say just zip through, what is the purpose of having a City Council.

Motion by Moon, 2nd by Langford to approve the Employment Contract for the Police Chief position with Gregg Griffith as written.

Aye: Langford, Butcher, Moon

Nay: Nelson, Vilardi, Cooper, Avent

Motion Failed

Motion by Nelson, 2nd by Cooper to table the Employment Contract for the Police Chief position with Gregg Griffith until the next meeting.

Discussion summary; Moon; make notice to all the other Council people here, don't ask me to be on another committee, we went through 6 or 7 different contracts making sure they were right, brought in a HR specialist to do this, you put Jerry and I in charge, then you turn around and jerk the carpet out from under us, I'm not going to waste my time doing this, I've got plenty of other things to do than to take and work on a committee and be given the go ahead to do this and bring back the recommendation and thinking the Council would go ahead with our recommendation, so just making a notice "don't ask me again". Nelson; if we could have gotten it Friday, how can we approve a contract without a chance to look at it. Moon; I've looked at it, Jerry's looked at it and Stellner looked at it, I'm not taking back what I said, so just move on with the meeting. Vilardi; we appreciate all the effort and work that went into it; we just want a chance to review it.

Nay: Langford, Butcher, Moon

Aye: Nelson, Vilardi, Cooper, Avent

Motion Passed

Motion by Moon, 2nd by Langford to approve the renewal of the Engineering Contract with Gibbs and Olsen for two years, expiring on 04/30/2013.

Passed Unanimously

2011/2012 Budget Worksheet Discussion:

As requested by Councilor Moon a straw budget worksheet was presented of the primary funds.

The timber harvest revenue for the period of 07/01/2010 to 03/31/2011 was identified as \$270,172. During the Timber Fund discussion it was identified that approximately \$16,000 of timber harvest money would need to be moved from the Timber Fund to the General Fund due to the harvest at the water plant. Gare was asked to provide a resolution to set aside 5% from the net profit of timber harvest for property purchase. This had been discussed at previous meetings but needs to be addressed formally, \$28,000 had been identified in the 2010/2011 budget.

Motion by Nelson, 2nd by Avent to direct the City Administrator to prepare a resolution designating 5% of the net timber harvest for property purchase starting in 2010/2011. The funds are to be restricted to property purchase.

Passed Unanimously

Motion by Moon, 2nd by Avent to include the estimated revenue and expenditure recommendation by Byron Rickert in the Timber Fund Budget. The recommendation does not include all expenses for the fund.

Passed Unanimously

Butcher; what is the \$80,000 expenditure in the Timber Fund? Dudley; during the last budget process we recognized that we were going to need capital improvement money from the Timber Fund, so we passed a budget transferring the \$80,000.

Butcher; the Water & Sewer Fund shows City Administrator and Finance Director salaries. Dudley; the administrative departments provide service to these funds, in the water & sewer fund alone we handle over 900 transactions per month specific to these funds, there is a lot more activity in these funds than any other fund.

Gare; its standard practice to allocate costs associated to the various departments.

Avent; we need to look at our costs, we can't raise taxes but we can raise rates, so we need to look at our costs so we aren't disproportionately charging rates in the various funds. Langford; the percent of salaries coming out of the various funds doesn't appear to be out of line. Avent expressed concern over the 23% increase in the Sewer Fund. Gare responded that the increase was a result of the debt service for the sewer treatment plant.

Water Tampering Fee Discussion Summary:

The City is continuing to have problems with citizens tampering with water meters. It is a cost to the City for staff time and broken meters. Citizens are encouraged to have a shut off on their side in the event of emergencies. Usually the tampering is a result of users trying to turn their water back on after the service has been interrupted due to non-payment. The City does help with past due accounts by offering payment plans and providing a list of agencies that may be able to provide funding. Langford suggested a fee of \$100 plus time and materials. The City has an Ordinance that allows charges to be computed at actual cost to the department plus 15% overhead. If changes are made to the Ordinance, the City must go through the public process. When tampering occurs the office needs to be notified and the costs identified so the residents can be charged. Council requested that Gare provide a copy of the Ordinance.

There is a meeting between the Rainier School District and the waste water committee of Lockard, Gare, Butcher, Langford, and Vilardi to discuss the rates. The School claims the rates are not fair or just. The meeting is scheduled for 4:30, Monday April 25th at City Hall. The City has a stake in the district and wants to resolve this issue. Gare will provide a copy of the proposal offered by the School District

Staff Reports:

Dudley – Most of my report was covered in the worksheets provided in your packets and discussed earlier in the meeting, please don't hesitate to contact me if there are any questions about the budget worksheet, also provided a revenue and expense report that addresses the conversation from the last meeting about total revenue versus total expenditures and the unappropriated balances, I'll be available after the meeting to discuss it in detail or you can call me later.

Lockard – Getting the park ready for the Easter egg hunt, missing a fire hydrant on 4th Street, had a slide that damaged part of the pipe at Fox Creek, pump station needed more modification, running good.

Griffith – April 28th will be providing a program at the High School about drinking and driving, all officers will be done with the emergency vehicle response training this week.

Gare – Complimented Officer Borders and welcomed him, April 29th to May 2nd the Hawaiian Chieftain and the Lady Washington will be at the pier, provided a copy of the launch fee information, the City will still be ahead if we raise rates even through we'll lose the map grant money. Most of the area charges \$5 for launching. Gare will check to see if there is a maximum that the City can charge due to the grant.

Council Reports:

Langford – Fat Jacks is still out of sign compliance, we need to do something, out of compliance signs need to be removed, asked if Gare had contacted Petersen about the Ordinance prohibiting certain kinds of businesses and drug paraphernalia, the sooner the better, also want to impose a 25 feet no smoking zone in the central business district, his City email is not working, Cooper suggested Dudley contact the IT consultant for him to get it fixed.

Nelson – The contract committee met, it was a positive meeting, and hopefully by next meeting they'll be able to bring a recommendation to the Council. The utility company is responsible for fixing the sidewalks when done with the work, asked that the launch fee discussion be placed on the next agenda, asked that the committee have their scope of work expanded to include the Judge's compensation, will ask for that at the next meeting. The Committee was asked to provide their recommendations prior to the next meeting in writing. Nelson questioned about how to present the recommendations to the Council other than in writing, obviously in writing, do we want to run through the normal, will converse later. Cole; we'll figure out a way.

Vilardi – Fat Jacks, seems like it's been going on forever.

Butcher; email problem, but fixed now, went to the Ford Leadership class, working on a project for Columbia County, it will provide benefit to the County.

Council Reports Continued:

Cooper; Appreciate the gentleman coming back on "C" slippage, we made a point of asking him to come back and then didn't have the information for him. We need to be more responsive and follow through and make sure the information promised is provided. In regard to the discussion on the Chief contract; as Bill said, if we could have gotten it in the packet we could have reviewed it. Maybe we should consider if information is not in the packet it does not get acted on at that meeting but at the following meeting. We shouldn't be putting things that involve citizen dollars in front of us the same day we need to act on it, that's just not good. Also at the next meeting add website links and content discussion, if you have problems Debbie can direct you to the IT service department.

Avent; Thanked the contract review committee, it's going well, appreciate Moon for the work he does.

Moon; Thanked the audience for being here all night and putting up with the long meeting, based on that I like to make a request that everyone of the Councilors from now on refrain and hold their comments to 3 minutes, there's no need to be talking 5 - 7 minutes and be rambling on, that would be my suggestion.

Meeting Adjourned at 8:50 p.m.

Jerry Cole, Mayor

Attested: _____
Debra Dudley, Recorder