

**City of Rainier
Regular Meeting Minutes
May 2, 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, Mike Avent, David Langford, Phil Butcher, Scott Cooper, Russ Moon and Bill Viladri

Council Absent:

City Staff Present: Lars Gare, Ron Larson, Ryan Murphy, Bobby Jo Harding, Darrel Lockard and Debbie Dudley

City Attorney Present: Steve Petersen

Visitors Present: Robert Duplessis, Vernae Christophersen, Bill Blank, Al Petersen, Michael Carter, and Debbie Hazen, Clatskanie Chief

Flag Salute

Additions/Deletions from the Agenda:

None

Mayor's Address:

A moment of silence was observed for our fallen soldiers.

Visitor Comments: Michael Carter, on behalf of the Rainier School District thanked everyone for working with them on the sewer rates, had a great meeting, Darrel and Lars did a great job explaining things, thanked everyone for taking time with all of them and working with them, thanked the City's Public Works crew for putting up the School Championship sign that was paid for by private donations.

Motion by Langford, 2nd by Vilardi to approve the April 18th, 2011 Regular Meeting Minutes as presented.

Passed Unanimously

"C" Street Slippage Discussion Summary:

Gare; consulted with City Attorney about the lawsuit, it's proceeding, talked with the engineer, moving ahead with getting quotes for the project, the engineer suggested trying to get 5 quotes, will get the quotes out this week, will give 2 weeks for responses, if everything works out well may have a quote by next meeting, at any rate the work can't be done until it dries out. The City will be in compliance with the State contracting requirements. Once a quote is received that meets the conditions of the project City will need to talk about how to pay for it, there is no money in the budget.

Rightline, Inc. Sewer Rate Issue Discussion:

Lockard handed out information to the Council about the rate currently paid and what the rate would be if they were charged \$10.31 per cubic foot, for the period of 3/2010 to 01/2011. They are under a 1989 contract that includes increase provisions. Avent asked if Rightline had been invited to this meeting, that it would be nice to have them present to eliminate miscommunication. Lockard did tell Rightline that we were reviewing their utility service charges, but did not invite them to this meeting. Staff was directed to bring numbers back to Council, including rates with GO Bond costs and invite Rightline to the meeting. Item tabled until next meeting. Nelson requested for next meeting, Gare have the attorney look at their contract, have all the necessary information so the Council can make a decision and be prepared to take action on the issue. Butcher suggested Gare and Lockard develop a resolution so this can be taken care of at the next meeting.

Ford Family Foundation Leadership Request Discussion Summary:

Butcher introduced Al Petersen and Bill Blank, members of the Ford Foundation Leadership class. They provided a presentation to the Council regarding the banner project for Columbia County. The group is working on developing and replacing the banners in the local communities. They are looking at putting up 120 banners and will need matching funds from the communities to help pay for the costs. The match for each community will depend on how many banners are put up and is estimated to be about \$5,000. The Council was invited to attend the luncheon at 12:00 pm on May 13th at the Scappoose Creek Inn.

City Website Discussion Summary:

Councilor Cooper provided a list of government websites for Council review. The City's website is average but does not provide a lot of content. Some of the other websites include minutes, forms, etc. Cooper and Dudley will meet with the IT consultant and bring back ideas. The Council was asked to review websites and bring back ideas and suggestions. The website topic will be included in unfinished business.

Motion by Nelson, 2nd by Avent to approve the OLCC Liquor License Application for J & R Sales.

Passed Unanimously

Motion by Moon, 2nd by Vilardi to approve the recommendation from the Library Board for a Request for Proposal for Library Services. Discussion summary; the proposal would eliminate the City Librarian, it may improve Library services at a reduced cost, looking at three days per week minimum, one day would include the weekend.

Passed Unanimously

Motion by Langford, 2nd by Avent to approve Resolution 11-05-01 Setting Aside Timber Revenues for Real Property Purchases. Discussion Summary; 5% of the net timber harvest revenue will be set aside to purchase property, the property may include land that could be used for bio-solid disposal, timber harvest revenue should be used to “give back to the community” it could be used to support capital projects like park bathrooms, painting City Hall, “C’ Street slippage, etc, is 5% enough to set aside, set aside gross or net revenue, the Council could elect to put more aside in any given year, this topic has been discussed in prior years.

Aye: Moon, Langford, Vilardi, Butcher

Nay: Nelson, Cooper, Avent

Motion Passed

Consider Employment Agreement with Gregg Griffith Discussion Summary:

Cole; this was an item from the last agenda, Council wanted time to look it over, did you have time to look it over? Nelson; wanted to correct item #2 in the 05/02/2011 memo from Gare, “the Committee appointed to look at all management level contracts has examined the Agreement”, “that is not true, we have not had an opportunity to look at that, we did not get approval to do that ...so when we met last time we didn’t talk about it because we weren’t allowed.” When the committee met “there was some thought that maybe we didn’t have authorization to do that.” Moon; “as Council Members everyone has had a chance to look at the agreement correct?” Cooper; that defeated the purpose of why it was tabled; it was tabled specifically so the contract committee could look at it and compare it to the other contracts. Moon; they weren’t “given permission by City Council to do that, if you want that, make a motion”.

Motion by Cooper, 2nd by Nelson to allow the contract committee to review the Police Chief contract along side the City Administrator, Finance Director and Public Works Director’s contract. Discussion summary; Langford; the Chief contract was tabled at the last meeting so Council could look at the contract, Cooper; there was discussion about the contract committee looking at the Chief contract as referenced in the 05/02/2011 memo by Gare. Moon; are you terminating the committee of Moon and Cole, then putting it into the other committee, are you taking us off that contract?

Aye: Vilardi, Nelson, Cooper, Avent

Nay: Moon, Langford, Butcher

Motion Passed

Cole; “so what do you guys want to do with it at this point, do you want to put it on another agenda? Technically you can vote to approve it...just because it’s approved doesn’t mean you can’t still review it, you want to review it first then approve it, I need to know what direction you want to go”. Avent; one thing we talked about is when we look at the contracts we should look at them all, you don’t treat different people differently, it should be equal for everybody. Moon; we are all different. Cooper; I suggest that the contract be tabled until we look at all the contracts. Butcher; can we continue the discussion in executive session?

Motion by Nelson, 2nd by Cooper to raise the Boat Launch Fee to \$5.00 effective 07/01/2011. Discussion Summary; the increase will result in a loss of MAP grant funds of \$1,475, but will increase launch revenue by substantially more than the grant funds received. All other launch fees in the area are \$5.00. The increase will allow the City to provide needed maintenance at this facility.

Nye: Langford

Aye: Avent, Nelson, Butcher, Vilardi, Cooper

Moon: Abstained

Motion Passed

Staff Reports:

Lockard – Working on getting the park in shape.

Dudley – Staff report was covered in the Budget Meeting.

Police Department – (Murphy) The Eugene Memorial Service for the fallen Police Officer was attended by 6 of the Rainier Police Department, in Salem at 1:00 pm, this Thursday at the DPSST Training Center, Chief Painters name will be added to the Memorial Wall.

Council Reports:

Langford – Thanked Gare and the Police Department for taking care of the compliance issue with Fat Jack sign permit, still believes he's out of compliance, where is the City on an Ordinance banning certain types of businesses?

Vilardi – When the Tall Ships come in, it would be a great opportunity to have some type of activity in the marina area.

Nelson – Thanked Cooper for his expertise in the IT areas, it has been beneficial to the City.

Butcher – Rural Community Development Seminar coming up, provided a flyer with details.

Nelson; the purpose of the Executive Session is to present the information to the Council as to the recommendation of the contract committee.

The City Administrator, Finance Director and Public Works Director were asked if they wanted to go into Executive Session. The Police Chief Contract discussion was removed due to his absence.

Gare; what is the purpose of the executive session, I have no idea, is it to negotiate, is it to discipline, to evaluate, what's the purpose, I have no idea.

Nelson; the purpose of the Executive Session is to present our findings to the rest of the Council.

Executive Session IAW ORS 192.660(2)(i) to Discuss Appointed Officers Contracts convened at 8:18 pm.

Reconvened Regular Meeting at 8:50

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Motion by Nelson, 2nd by Avent to appoint Nelson, Avent and Langford to meet with the City Administrator, Finance Director, and Public Workers Director individually to discuss their contracts.

Nye: Butcher

Aye: Langford, Nelson, Vilardi, Cooper, Avent, Moon

Motion Passed

Meeting Adjourned at 8:55 p.m.

Jerry Cole, Mayor

Attested: _____
Debra Dudley, Recorder