

City of Rainier
Regular Council Meeting Minutes
April 16, 2012
7:00 PM
Rainier City Hall
106 West “B” Street

Mayor Cole called the meeting to order at 7:17 PM.

Council Present: Sloan Nelson, William Vilardi, Phil Butcher, James Bradfield, and Scott Cooper.

Council Absent: Mike Avent

City Staff Present: Debbie Dudley, Gregg Griffith and Dan Foultnier.

City Attorney Absent: Stephen D. Petersen

Flag Salute:

Agenda Additions/Deletions:

Addition – Nelson moved, Vilardi 2nd, to add the USG settlement to the agenda, **motion passed unanimously**. Mayor Cole added it as item “e” under New Business.

Addition – Nelson moved, Vilardi 2nd, to add a trip to Washington DC regarding the National Fallen Police Officer ceremony, **motion passed unanimously**.

Mayor’s Address:

Mayor Cole read the names of fourteen fallen service personnel since the last council meeting and a moment of silence was observed.

Mayor Cole announced today is Emancipation Day.

Visitors Comments: None.

Unfinished Business:

- a. Approve April 2, 2012 Work Session and Regular Meeting Minutes – Cooper moved, Vilardi 2nd, to approve both minutes, **motion passed unanimously**.
- b. View Street Update – Foultnier reported everything’s ready, waiting for dryer weather and should be moving forward in the next couple of weeks.
- c. “B” Street Update – Dudley reported the City is waiting for information from Tom Weatherford. He is working with the engineers compiling right of way information. When that’s done we will meet to develop the scope of the project, with a better idea regarding expenditures.
- d. “C” Street Slippage – Foultnier reported he reviewed the approved plans and there is nothing in the plans that specified the contractor spread the area between the

sidewalk and the curb with top soil or hydro seed. Foultnier said he will talk with the contractor about hydro seeding that area when the contractor returns to hydro seed the area behind the retaining wall. Nelson had concerns with the sidewalk crumbling in the future because there isn't a support under the edge. Dudley said she and Foultnier will be meeting with Gibbs & Olson regarding a different matter and at that time will look at the sidewalk and ask for Gibbs & Olson's opinion. Mayor Cole requested Dudley to find out when the contractor was returning to hydro seed. Foultnier added that if the couldn't take care of the concerned area the public works department could take care of it. Dudley said they would report back at the next meeting.

- e. Council Training Update – Dudley reported Columbia City, Clatskanie and Vernonia want to participate and she requested Council get back to her with training criteria interests. Dudley will send the list of training options to those cities and see if they are interested in adding to it. Nelson suggested hosting the training in Rainier and the senior center was suggested as a location.
- f. Parking During Little League Season Update – Nelson reported they have not met, the Little League did put up “safety men with flags” and his belief is that traffic has slowed drastically and the police have been involved.
- g. Pocket Park Update – Nelson reported the project is moving along, the group has purchased the plans for the site, June 2nd is the tentative day for the planting, and a letter will be distributed to the adjacent neighbors to see if they will be interested in contributing funds to finish it. Sills added that he is the adult supervisor of Rainier Pride Club at the high school and the club members offered to help as volunteers. Dudley suggested the club volunteering at the May 5th Cleanup Day.

New Business:

- a. Approve the Friends of Fox Creek Earth Day Event on April 21st from 9am to 1pm – Nelson moved, Sills 2nd. Dudley said they have an agreement through SOLV that the City will sign that covers the City regarding liability. **The motion passed unanimously.**
- b. Approve Friends of Fox Creek Request to Place 2 Wood Duck Nest Boxes on City property near Fox Creek – Nelson moved, Vilardi 2nd. **The motion passed unanimously.**
- c. Approve a Request by the Rainier Chamber of Commerce to Sponsor a Saturday Market in the City Park. Cooper moved, Butcher 2nd. Mike Kreger, Saturday Market representative, stated the market will start off small and will grow in time, and right now they are looking for permission to set up in the small parking lot at the park and then expand if they get more vendors.

Dudley said the City has already received the insurance binder for the Saturday market and for the event at the marina. **The motion passed unanimously.** The market would be held the first and third Saturdays of the month. Kreger said they are looking primarily for home made type crafts and food and right now because of the slow response they will take pretty much anything and currently they have possibly three food vendors, three sales vendors, and two non-profits. Kreger said they will have a banner by the end of the week to put up on the park entrance. Dudley stated the banner is permitted through the sign code because it is a temporary non-profit.

- d. Approve a request by the Rainier Chamber of Commerce to Provide Activities, Promote Business and Coordinate Booth Space at the Marina When the Cruise Ship Docks – Nelson said today the high school band played and Dudley said Foultnr facilitated with the power. Foultnr said that he was present when the band was playing and they were well received by everyone who came off the boat and the three booths that were set up. Cooper moved, Sills 2nd. **The motion passed unanimously.** Nelson and Cooper complimented the Chamber for their efforts.
- e. USG Settlement Agreement between all parties to include professionals. Mayor Cole stated he read it and asked what the City was getting out of it and Dudley said nothing. Dudley stated by signing the agreement the attorney costs will stop. Mayor Cole said this is a lot of wasted money and an embarrassment. Nelson stated the City Attorney advised to sign it and moved to sign the final mutual release settlement agreement between all parties including the professionals, Cooper 2nd and the **motion passed unanimously.**
- f. National Police Week trip to Washington D.C. – Mayor Cole referred to Chief Griffith who stated that in 1962 a proclamation was signed designating May 15th as national police officer day and the week surrounding that date is national police officer week. Chief Griffith said there is a ceremony and wall honoring fallen officers and Chief Painter will be honored in that manner. Chief Griffith asked Council if they would be willing to approve money for some of the cost of the trip for him and a designee, he feels obligated to go and will go without using City money if need be. Nelson asked if there would be billed time to the department, regardless of money spent for airfare and hotels. Chief Griffith stated if Council was willing to let them go on their regular time, no overtime, and if council says no he will take vacation time to go anyway because he feels it is important. Griffith said he would take vacation if that's what council wanted him to do. Mayor Cole added that what Chief Griffith is looking for is a contribution up to \$2,000 to send him and Sgt. Murphy to Washington D.C. to represent the City of Rainier. Mayor Cole said that several months ago Chief Griffith asked if anyone wanted to go and

Officer Larson didn't even blink an eye, took vacation time and every penny is on him because he is going to do a vacation before and after and Mayor Cole said he is advocating this because the City did lose somebody in the line of duty this year, we are not sending them back just because. Mayor Cole said it is important that we send them back this year because of what happened and feels that at a minimum compensate Officer Larson for his airfare in good faith. Chief Griffith said the best airfare they could find is around \$511.20, hotel was \$645.00 per both of them, not per person, for those days that pertain to the ceremony. Mayor Cole said it would be about \$1700, still be around the \$2,000 if they picked up Officer Larson's airfare. Nelson asked if it was in the budget now and Chief Griffith said they do not but maybe in the traffic fines. Dudley stated there may be a couple of other items that need to be done by budget appropriation and this is not budgeted but it could be re-appropriated to the necessary item. Cooper said he thinks it is for a good thing because the police department lost their Chief, Cooper said he is still trying to process this since he just found out about it. Nelson said that since Griffith said he and Sgt. Murphy would not bill the city overtime would there be overtime to the department because of their absence or could they adjust the schedule so the City doesn't have to pay overtime why they are away. Griffith said they will adjust the schedule while they are gone, he has talked to the Chief in Clatskanie to help out and the reserves will help out so it is not going to be any worse than any other time when they have somebody on vacation. Vilardi asked how long it would be and Chief Griffith said the week runs the 13th through the 19th. Nelson asked Griffith if he would be gone the whole week and Griffith said he would be gone the 13th through the 19th which would be four working days and Nelson asked if that would be for the two of them and Griffith stated Larson took vacation beforehand so we bounced shifts around for maximum coverage and will be utilizing the reserves and Clatskanie for help. Mayor Cole said this would be a reimbursement and if Council needs time to think about it that would be okay. Griffith said he is going to go regardless because he thinks they need to be there. Vilardi said they need to be there because it is not an every year thing. Nelson said he is not against it but a week is a long time so what events happen that Council might say they are good for half a week. Griffith said the first official day is the 13th and that's when they have the candlelight vigil, there are conferences and Thursday is the departure date. Mayor Cole added that with the uniqueness of what happened he is in favor of sending the minimum two representatives and the highest and second highest paid people in the police department are getting their way paid and the officer is paying his own way. Sills asked if there was a way to allocate \$2000 towards the three individuals and they split it up how they see fit. Dudley said it would cost more than that to cover the flight and hotels and Sills said it needed to be capped somewhere. Griffith said he is the only one that is going on the day they need to be there and coming back on the

day they need to come back. Mayor Cole asked how many nights lodging and Griffith said they leave on Friday night and get there Saturday so it would be five nights and the hotel for the two rooms was \$625.00 for two people. Mayor Cole said that \$600.00 to Washington DC is pretty cheap, Cooper agreed. Nelson moved, Cooper 2nd, to pay for the round trip airfare for the three officers going and the five nights hotel stays for the time of the conference, food or anything like that would not be included not to exceed \$2300. Dudley asked if the hotel would be for the three officers and Mayor Cole and Griffith said the one is staying in a house about one hour away. Sills said it is very important that Council does this and a great opportunity for closure. **The motion passed unanimously.** Mayor Cole asked Chief Griffith to let Officer Larson know.

Staff Reports:

Foultner - public works is moving along and getting all the fires out that they can, started putting in the sign posts up today, working on View Street with Connie Budge but waiting on dryer weather.

Butcher asked if there were any water pressure problems because he seems to be having some at his residence on "A" Street. Foultner said there hasn't been anyone else complain and before Days In the Park they are going to try to flush all the lines out. Mayor Cole asked what the water pressure had to be and Foultner said 20 at the meter is what the state requires and Foultner added that 85 is the maximum.

Chief Griffith – regarding money and budget, he found that CIS would give them a break on their insurance if they had procedures in place for certain things, he looked and made sure they did and they did so he sent them their policy book and saying that for this week we get a bonus credit for fiscal year 2012 2013 and will receive a credit of 1% or up to \$1,000 next year on their renewable specific to law enforcement. Distributed last year's annual report in the council boxes, the national drug take back will take place on April 28th, shared the survey results and explained the method of the compiling the numbers and 52% of the people who responded to the survey rated them as good or above. Dudley asked if any of the surveys had comments and Griffith said some of them did have comments. Mayor Cole stated he knew what his interpretation was of visibility and patrol and asked Griffith what his interpretation was and Griffith stated that he things it was the same as Mayor Cole's and on the survey #3 indicated that 19% of the people said they were doing good at visibility and on #4 said they need to work on it. Griffith said he thinks they are doing it but it would hurt to be seen more. Mayor Cole asked if that was in the community and not necessarily on the highway and Griffith agreed. Mayor Cole said that in the last month he has seen the police car drive past his house more than in the last four years. Griffith said that tomorrow the department was going to have a staff planning meeting and identify some of the areas they want to focus on, it is a three year plan.

Mayor Cole stated a citizen complaint he gets on and off quite a bit and wanted to know why he sees the Rainier Police car in the lower football field parking lot and by the grange and not in city limits, why does he see that all the time even as early as three or four days ago. Griffith said that as far as certain events sometimes there is a call. Griffith said he can guess and say there are sometimes calls out there. Mayor Cole said he has a scanner and it doesn't go off and he thinks that sometimes the officers get bored and they drive out there. Griffith asked Mayor Cole he would try to find out if he had specifics and Mayor Cole said he would start keeping track. Mayor Cole said if we want the police department to cruise the high school and that area let's make it official rather than have the city resources out of city limits. Cooper said he sees drivers talking on their cell phones a lot on Highway 30. Griffith said they would like to have a plan in place by July. Cooper said he would be interested in the assists and get that broken down in future reports. Bradfield asked for clarification regarding citizens assists and Griffith replied that it has a wide range and it means any call for service that does not fall into any of the other categories such as someone locked out of their car. Griffith stated Dudley asked him to break it down but it can't be done because there would be so many sub-categories. Bradfield commented the drug activity is going up and Griffith gave an example of a DUII with pills or marijuana would be classified as a DUII and drug activity. Bradfield asked if suspicious circumstances was another catch all and Griffith stated yes and no and that people actually call in. Sills asked if the increase in statistics is because more crimes or an increase in the miscellaneous category and Griffith said it's not necessarily crimes but miscellaneous and he would check with Sgt. Murphy regarding the reporting method. Sills clarified that crime is increasing but not quite at the 20% mark and Griffith said to look at it more of calls for service are increasing.

Dudley – said the risk management was something that had been talked about but it didn't get as far this year as hoped, every time you complete a category you save money in the insurance premium and part of it is done and there is a couple of years to get the savings. Dudley commended Darlene Lavelle, utility billing clerk, for researching the cost of colored vs. black and white utility statements and the cost between the of using the black and white will be a savings of half the cost of the colored statements. Cooper asked for an update on the park and ride matter and Dudley replied the letter went out on the 9th with a 30 day notice to remove the materials and she will check with the surveyor. Cooper asked if there has been any growth with electronic utility bills and Lavelle said she would check with Lavelle. Nelson added that he does not view it as saving money since the City has to pay a fee although it is a convenience. Mayor Cole stated as a cost savings it would be good if the statements could be emailed. Dudley said that might be the next step and she would check on it. Sills said a bill pay system would also be a cost savings. Cooper said that is what he thought the City was actually getting. Mayor Cole suggested charging 3% to pay by credit card.

Griffith said they would not be receiving as much money back for the portable defibrillators as they thought, they cost \$1200 or \$1300 and would cost \$1000 and are not obligated to purchase.

Council Reports:

Sills – Thanked Chief Griffith for his outstanding report and he is learning more about the City.

Vilardi – Thanked everyone for the hard work and Chief Griffith for the report.

Nelson – Reiterated the thanks and stated the park has never looked better from what he can remember.

Cooper – Reiterated thanks.

Bradfield – Asked the status of the marijuana store, Chief Griffith said if the grand opening occurs the police department will check it out.

Butcher – Complimented the response time from the police department regarding an airplane incident.

Mayor Cole – Signed a sign request for ODOT for the banner project.

Calendar:

Annual clean up day May 5th, City Council Work Session May 7th at 6:00 PM followed by the Regular meeting at 7:00 PM and Waste Connections Curbside Recycling Presentation at the May 7th Council Meeting.

Executive Session convened at 8:45 PM.

ORS 192.660(2)(h) Conduct deliberations with persons designated by the governing body to carry out labor relations and to conduct deliberations with the persons designated by the governing body to negotiate real property and consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Convened Regular Meeting and adjourned at 9:30 PM.

Mayor Jerry Cole

Attested : _____
Debra Dudley, City Administrator,
Finance Director and City Recorder