

City of Rainier
Regular Council Meeting Minutes
June 4, 2012
7:00 PM
Rainier City Hall
106 West "B" Street

Mayor Cole called the meeting to order at 7:18 PM.

Council Present: Mayor Cole, Scott Cooper, Sloan Nelson, James Bradfield, William Vilardi, Phil Butcher, Mike Avent and David Sills.

Council Absent:

City Staff Present: Debra Dudley and Chief Griffith.

City Attorney Absent: Stephen D. Petersen.

Flag Salute

Agenda Additions/Deletions: Cooper moved, Butcher 2nd, to add as executive session ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions – **motion passed unanimously.**

Mayor's Address: Mayor Cole read the names of 17 fallen service personnel since the last council meeting and a moment of silence was observed.

Visitor Comments: Tina Edwards, 304 West "D" Street, Rainier, OR 97048 stated she was at a council meeting previously and was directed to look into mitigation for a potential sand area for volleyball courts and in talking to people and residents she said the mitigation was a done deal and wanted clarification from the Council if that was correct. Cooper said the main issue from the State and Foss' point of view is it is a done deal and but it is not a done deal until it has been done. Mayor Cole said he thought the mitigation was going to include trails, elevated walking paths and beach and he was always assured that would tie in with the riverfront esplanade that would go from the senior center to the transient tie-up. Mayor Cole said he was assured there would not be money to do the projects but they would be drawn in on the plans and the money could possibly come later, like the riverfront esplanade from Fox Creek to the transient tie-up, it is drawn in but don't have the money. Mayor Cole added that somewhere along the line that got dropped out. Edwards said she doesn't want to feel like she is spinning her wheels and energy if it is all for not. Mayor Cole said that Foss has some money in the project already and in their eyes it is a done deal and the things that he has tried to advocate was with what they have and be used environmentally, a mitigation project could be done and used publicly and environmentally. Mayor Cole said he felt that the public access part of the project fell out somewhere. Avent stated he remembers the same thing as Mayor Cole and it would be nice to have Foss explain where they are at and the Division of State Lands came in and said it was there project so there is an argument on that side. Avent said it was deeded to the City and then the Division of State Lands came in and said it was their property. Avent said he wasn't sure if Edwards' questions could be answered until

they find out what the State's position is and also from Foss what the benefit is to the community. Nelson said it appears there are two issues, one being Foss and the mitigation and Edwards' project for a volleyball court. Cooper said her reason for being here tonight is loss of public access. Edwards said she understood the mitigation would include a cyclone fence and trees. Nelson said he thinks there would be unencumbered property that would be available for a volleyball court. Mayor Cole clarified that Edwards' concern was about the public access involved with the mitigation. Mayor Cole suggested Dudley contact Foss and have them come to the City and everyone on Council should be aware of what is going on regarding the mitigation and Edwards would be invited to sit down with them also. Butcher said he would find out what was going on, Mayor Cole said Foss is really important down there and what they currently have can be done and if they can tweak it a little it would be a win/win situation. Avent said he has a question that if the City entered into an agreement with them and we need to know what was the intent of the agreement and doesn't know if we can do anything about it. Nelson suggested Foss come in and give a presentation. Mayor Cole advised a sit down with Foss first.

Unfinished Business:

- a. **Approve May 21, 2012 Regular Meeting Minutes** – Nelson moved, Cooper 2nd – **motion passed with Avent abstaining.**
- b. **View Street Update** – not discussed because of Public Works absence.
- c. **“C” Street Slippage** – Dudley said each time Kynsi planed on doing the hydro seeding the weather becomes prohibitive.
- d. **Pocket Park Update** – Nelson said all the rock placement and excavation was completed by Ken Neal, about ten people showed up for the work party and planted juniper and an additional work party is scheduled for this coming Saturday at 10:00 AM. Nelson said they have all the plants and bark dust and will be able to finish Saturday.
- e. **Training Update** – Dudley stated as discussed previously she will be contacting Vernonia, Clatskanie and Columbia City after the budget process to attempt to get some dates and agenda items and she will report back when something is scheduled. Dudley said they are looking more towards July. Mayor Cole suggested bringing it up at the City/County Dinner on the 19th.
- f. **Park & Ride** – Dudley said they are waiting on the City Attorney to provide legal advice.

New Business:

- a. **Discuss Potential Revenue Sources** – Dudley hopes to be able to generate additional revenue in the general fund. When the City raised the daily launch fee from \$4 to \$5, the annual launch pass was not increased. The City needs to look at raising the annual pass to compensate for that. Dudley said that there has been some research and investigation regarding SDCs and added a lot of organizations and municipalities charge SDCs for new development coming in for parks and streets. Dudley informed the Council the City currently charges SDCs for sewer and water so we can put together more comprehensive information for Council consideration. The SDC's help

offset the increased traffic on our streets and the increase wear and tear on our parks. Avent suggested talking about a parks and recreation district like Clatskanie. Dudley said this is open for everyone to participate. Mayor Cole said another potential revenue source is every once in a while he gets people asking about dry camping in the empty lot by the wastewater treatment plant and they would be more than willing to pay a fee. Mayor Cole added you could put a maximum amount of stays there to deter squatters. Dudley added that would be a good idea since we get a lot of calls. Nelson said as a long term thing if we created a six or ten space facility could generate revenue because the closest other place to stay is Hudson Park even though it doesn't currently fit within our zoning and Mayor Cole and Nelson agreed the zoning could be changed if there was a need for it. Mayor Cole said people would use it as is if there was a box to deposit their money. Dudley said she would check into programming the launch ticket machine as a possible deposit box for the overnight campers. Mayor Cole said he also wonders if it would make much money since we had to use \$6,000 in carryover to even out and if it made \$6,000 in a year we wouldn't have had to touch the carryover. Mayor Cole added that we are in a situation now that every nickel counts. Dudley said that most agencies charge \$7 to \$10 for an RV sewer dump and we offer it free. Nelson asked Griffith if we enforce parking or launch permits and Griffith said we are enforcing that.

Nelson added he had a question about the agenda because he was thinking the judge topic was going to be discussed tonight and Mayor Cole said it got moved to the second meeting in June. Nelson asked if they could add it to this meeting to talk about and Mayor Cole said he would rather not because he would like to have the Judge present and he told the Judge it would be discussed at the 2nd meeting. Bradfield asked if there was any information that could be discussed. Mayor Cole said that Dudley got contracts from Scappoose and Dudley added they all should have received those. Mayor Cole added the Judge requested a meeting and basically what he (Mayor Cole) decided was we were going to see what was best for the City. Mayor Cole said a problem that arose was that in his meeting with the Judge and Avent and he couldn't tell them if the City was looking at \$375 or \$475 per month. The Judge threw it back to Mayor Cole saying what is the magic number, \$375 or \$475. The judicial contracts from Scappoose and St. Helens were emailed to all Councilor and the Judge, to help make an educated decision on judicial services. Mayor Cole added that in all fairness and Avent made a good point to him because Mayor Cole originally wanted it to be on the agenda for tonight, Avent said we always rush into these things let's wait two weeks for a guy who has worked for them for 25 years and Mayor Cole said he agreed that was the right thing to do so we are going to wait until the second meeting of the month, everybody has the contracts, and the Judge can decide whether or not he is interested. Avent said he was concerned with letting somebody go when we didn't know who would replace him. Cooper said he has looked into this, has made several phone calls and talked to potential candidates. Mayor Cole advised Cooper that they couldn't totally lean on that because it wasn't in writing and Cooper said he understood. Nelson said there were some concerns about how we would change and sign search warrants and things like that. Mayor Cole said those were all addressed in the contract in the email. Nelson asked Chief Griffith how often we do search warrants and Chief Griffith replied that search warrants usually came from the county and he couldn't think of a time when we needed something signed in the middle of the

night. Mayor Cole said he couldn't ever think of a time that was needed. Griffith said the only other time he might be called was if someone violated probation and they needed to see what the Judge wanted the police to do with them.

Back to the topic of potential revenue, Dudley asked if anybody has ideas or suggestions, everything was open for discussion. Dudley said she will come at the first meeting in July with a recommendation regarding dry camps. Dudley said as far as looking at our SDC rate structure right now there is not a lot of activity so it would not be perceived that we were targeting somebody, Dudley said those are some things to offset some of the services we currently provide. Dudley said one other thing she will bring to them at the next meeting even though it is not a revenue source is a records request policy. Other agencies have policies in place and Rainier does not. Dudley added that typically what that policy does is identify the cost and process for the request of records. Dudley said if somebody wants a one page copy it would be a moot point but if someone wants lots of reports that take significant hours of investigation we need to be able to offset our cost to provide the records and have better accountability. The records request policy would be in compliance with State Statute. Nelson asked about information regarding gas tax moratoriums and Dudley said she would check on that and a hotel tax probably isn't feasible here. Dudley said we do get money from the State for cigarettes and from the OLCC but unfortunately it is not pro-rated for our area.

Staff Reports:

Chief Griffith – the Reserve Officer Association is providing service...

Dudley – Michael Kreger from the Chamber has requested permission to reserve parking for the Saturday market. Council consensus was to allow reserve parking equal to the amount of vendors.

Executive Session:

The regular meeting reconvened.

The meeting adjourned at 8:30 PM.

Mayor Cole

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