

City of Rainier
Regular Council Meeting Minutes
November 5, 2012
7:00 PM
Rainier City Hall
106 West "B" Street

Mayor Cole called the meeting to order at 7:04 PM.

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

Council Absent: Phil Butcher.

City Staff Present: Debra Dudley, City Admin./Fin. Dir./Recorder, Kevin Patching, Public Works Foreman and Chief Griffith.

City Attorney Present: Stephen Petersen.

Flag Salute.

Additions/Deletions to the Agenda: Dudley stated she got a call from Hudson Garbage with a scheduling conflict and he will attend the next meeting to present a recycling update. Item b. New Business was removed. Cooper said item b, Unfinished Business, Volleyball Court Update, could be removed since they are still waiting on sand bids. Dudley suggested removing item c., Unfinished Business, View Street Update, since Patching was going to be meeting to take a look at the situation.

Mayor's Address: A moment of silence was observed after Mayor Cole read the names of nine fallen service personnel since the last council meeting. Mayor Cole reminded everyone to vote.

Visitors Comments: None.

Unfinished Business:

- a. Approve October 15, 2012 Regular Meeting Minutes** – Vilardi moved, Sills 2nd, motion passed with Cooper and Avent abstaining.

- d. EDU Committee Update** – Mayor Cole and Dudley asked Curt Lahti, committee member, if he wanted to give an update and Lahti stated so far they have reviewed scenarios Dudley put together and decided to look at a couple of other scenarios which they will be

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reviewing at the next meeting. Dudley said the next meeting is scheduled for November 13th at 6:00 PM.

e. Best Business Practice – Insurance Review: Chad Womack, Insurance Agent, said the City has a couple of bonds currently in place and one is the position bond which is for the City Recorder/Treasurer and the other is a blanket bond that covers everyone else that deals with the monies beside the City Recorder/Treasurer. Womack said the two bonds in place are both currently for \$50,000 and those are low so he obtained quotes on what it would be to increase that amount. Womack pointed out the position bond is for one person and if the City Recorder happens to be a different person there would have to be a complete new application, the blanket bond is cut and dry and goes by city employees. Womack stated the figures to increase the coverage amount and Nelson asked why there had to be two bonds if the blanket bond covered all the employees and Womack said the blanket bond does not include the recorder/treasurer. Womack stated the premium goes up with the increase and the auditors recommend that the City look at if the coverage needs increased, so Dudley asked Womack to present information to the Council. Mayor Cole asked what the auditors recommend. Dudley replied that they haven't made recommendations, it is a council decision. The City's cash balances have increase and that also increases exposure. Dudley added the City currently has three people that are involved with dealing with money and it's not uncommon to have some type of coverage for all three positions, the question is the amount. As a small city, we are not able to segregate duties as much as larger cities, so that does increase the exposure, however policies and procedures are in place to provide safeguard. The Council needs to make a decision if the current levels are satisfactory or do they need to be increased. Womack read a portion of the auditors report addressing this issue and reiterated Dudley's comments on it being a council decision whether or not to increase the coverage. Dudley clarified with Womack the blanket bond covered the three employees rather than having separate bonds for each individual and the blanket bond could be increased and he said that was correct. Womack added the blanket bond covered 15 employees. Nelson asked if there was a cap on the City credit card and Dudley explained there is not a credit card but a gift card with a small limit. Cooper asked if Dudley and Womack could present recommendations to the Council at the next meeting and she would look around and see what other cities are doing. Dudley asked Womack if the City was adequately covered in regard to liability and Womack said he feels it is adequate. Nelson said he would like to see the figures from Womack and Dudley at the next meeting if the coverage was lowered since Rainier Days In The Park is paying for their own insurance coverage. Womack said that premiums for the last couple of years have increased state wide and if the City of Rainier has been fortunate with credits on the renewals. Womack said he will come up with numbers and he will present ways to save money such as older vehicles.

New Business:

a. Approve the Intergovernmental Agreement between Columbia County and the City of Rainier for Community Justice Adult Division Work Crews – Mayor Cole said this is a program that is working out well and Dudley said they are a valuable and inexpensive resource for the City. Dudley said it does not take away work from the City’s current crew so there are not any violations of the union contract. Cooper moved, Avent 2nd, to approve the agreement – **motion passed unanimously.**

c. Foss Maritime Company Presentation – Gene Henley, Foss Shipyard Director of Administration Facilities, gave a presentation to Council stating Foss’ main theme was to repair and alteration of marine vessels and new construction. Henley stated Foss is excited about the bulkhead extension project because it will increase their capacity for what types of vessels they can build, currently have a work force of 44 individuals and hopefully they can expand their employee base with the implementation of the bulkhead extension. Mayor Cole asked Henley if he was going to present the mitigation information that was presented at a previous council meeting and Henley stated he did not have that information. Cooper added that was why they were inviting people because that is where the concerns are, the mitigation, rather than Foss’ shipyard. Henley stated a lot of the mitigation was covered last time and Cooper said the public was not aware of the mitigation information at the previous meeting. Mayor Cole asked Henley if he could address the mitigation and Henley replied the site was selected and Council probably had more information than he did. Henley stated the mitigation site was selected as an improvement because of the bulkhead extension. Cooper said people were curious as why Foss would choose a site in the middle of town when they could have chosen outside of town that would not have impacted the City’s waterfront. Henley said he doesn’t know why that site was selected and he doesn’t know the particulars. Mayor Cole said he didn’t think Foss had anything to do with selecting the site, it was DSL. Mayor Cole said he thinks some of the people doing the mitigation work were also going to be working on the bulkhead project, there would be a cost savings and Henley agreed. Cooper asked if the drawings were altered regarding the bridges and river walk access. Dudley stated there is an executive session scheduled after the presentation to discuss the mitigation. Mayor Cole said one of the reasons Foss was requested to attend the Council meeting was so the public could comment regarding the mitigation. Bud Appleby, condo owner, said the condo owners heard they were going to dig 14 feet from the condos and the river could flood their homes. Mayor Cole said one of the confusing issues is the Council has been told the property owners are happy with everything up to this point so far and now Council is being told they are not happy. Cooper, Councilmember and property owner, stated the mitigation period is considered in process is seven years and at the end of the seven years

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any liability on the people who did the mitigation go away. Cooper said that is a concern and right now the vegetation that is there they don't see any kind of a change but if all that is going to be scraped out erosion is a concern. Cooper said they have worked with Foss and Foss has been very accommodating and the condo owners should end up with their view and there will be river access and past councils should have caught and Cooper said his concern as a council member is making sure DSL puts something in writing stating that if we need to bridge across the cut out that is going to go through there to Fox Creek for public access or if a bridge is needed to cross Fox Creek as part of the river trail. Mayor Cole said he agreed but what concerns Mayor Cole is when Appleby comes in and tells him he has a concern regarding undermining because it is two separate things. Mayor Cole asked Cooper if he had any concerns regarding the erosion and Cooper said he did but is happy with what he feels is as much as they could get, if the bank goes away there homes will be sitting in the river and that is a sore subject with the condo owners. Cooper added it is like the state, DSL and a big corporation saying it is done and are moving forward with it and give the condo owners seven years to test it. Cooper said they were told the property is a mitigation project for seven years because they also offer at the end of the seven years the state will take responsibility for it again but will they be willing to sell it at that point to the adjacent property owners. Nelson said he was under the impression the height issue has been addressed and access issue is news to him as far as the erosion concern. Avent added that DSL cannot assure access, there has to be Corps permits. Cooper said once a mitigation site is in place it cannot be altered, it can never go away.

Executive Session: ORS 192.660(2)(e) To conduct deliberations with persons designated by a governing body to negotiate real property transactions. Mayor Cole stated the executive session was to discuss the quit claim deed and the regular meeting would reconvene after executive session.

Regular meeting convened,

The quitclaim Deed discussion was moved to the next agenda.

Staff Reports:

Griffith – One of the Police Department Officers may be taking a position at another agency, will start the application process for replacing the officer immediately.

Dudley – Provide in work Session

Patching – Excited to be working for Rainier, getting acquainted with staff and projects.

Council Reports: None

ORS 192.660(2)(h) Consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

The Convening of a Meeting for November 6th at 5:30 pm for an Audit Presentation by Pauly Rogers and Company was cancelled.

Meeting Adjourned at 9:15 p.m.

Mayor Jerry Cole

Attested: _____
Debra Dudley, City Administrator, Recorder/Fin. Director