

City of Rainier
Regular Council Meeting Minutes
March 3, 2014
7:00 PM
Rainier City Hall
106 West “B” Street

Mayor Cole called the meeting to order.

Council Present: Mayor Cole, James Bradfield, William Vilardi, Scott Cooper, Sloan Nelson and Steve Massey.

Council Absent: David Sills.

City Staff Present: Debra Dudley, City Administrator/Finance Director/Recorder; James Dahlquist, Public Works Supervisor; and Police Chief Griffith.

City Attorney Present: Stephen D. Petersen.

Flag Salute: Cub Scouts led the flag salute.

Additions/Deletions from the Agenda:

Nelson moved, Cooper 2nd, to add three items to the agenda; award bid for pumps; 1996 truck replacement purchase; and executive session – **motion passed unanimously.**

Mayor’s Address: Mayor Cole read the name of two (2) fallen service personnel since Council met on February 3, 2014 and a moment of silence was observed.

Visitor Comments:

Ryan Murphy – representing Rainier Little League requested Council permission to add 8’ onto the existing 8’ x 8’ storage shed located in the park. Murphy stated the supplies would probably be donated and the work done by volunteers. Murphy also requested, on behalf of the Little League, permission to build a three sided 4’ x 12’ temporary scorekeeper’s shed behind home plate. Murphy said at the end of the season the temporary shed will be removed from the park. Mayor Cole said his only request with any of the structures is that they look professional. Nelson moved, Cooper 2nd, to add the Little League request to the agenda – **motion passed unanimously.**

Michael Carter, Rainier School District Superintendent – thanked the City for assisting in tracing and repairing a major water leak at the school campus.

Approve Consent Agenda Items: Dudley stated financial reports will be included at the next meeting. Dudley pointed out a small change has been made to the agenda and in the future consent agenda will include ongoing items. Massey moved, Vilardi 2nd, to approve the consent agenda items – **motion passed unanimously.**

Unfinished Business:

a. Senior Center: Dudley reminded Council of the center's ten year anniversary on April 5th from 1:00 PM to 4:00 PM.

b. "A" Street Update – DOT Order: Dudley said she appeared before the committee for the Connect Oregon grant with Patrick Kerr and they presented the grant to the committee. Dudley added there are a number of people competing for the funds and she feels we have a good chance because it is for railroad corridor safety. They seem to be very receptive to the idea and know it has been a long time coming. Dudley referred to the DOT emergency order in the packet. Massey added DOT issued an emergency order requiring stricter standards to transport crude oil by rail. Massey said the order stated emergency orders are issued to protect the public and environment from the likelihood of substantial harm created by an imminent hazard. Massey, reading the order, stated effective immediately those who offer crude oil for transportation by rail must ensure that the product is properly tested and classified in accordance with federal safety regulations. Massey added the railroad was fined \$93,000 a few weeks ago for failing tests that involved mislabeling the hazardous material. Massey stated the emergency order also requires that all Class III crude oil shipments be designated as Packing Group I or II, thereby requiring the use of a more robust tank car. Massey added Packing Group III, a lower risk designation, will not be accepted until further notice and improper classification of material can hamper emergency responders. Council agreed to send a letter to elected officials and FEMA regarding concerns for rail safety.

c. Highway 30/"B" Street Update: Dudley said the bids will be opened on June 26th. Dudley reported Tom Weatherford, ODOT and W&H Pacific is getting everything together and as soon as the drawings are finalized she will present them at the next meeting since there has been a number of changes to the scope of the project. Dudley added, contractors have up to 45 days to start the project and it should be completed this fall.

d. Street Improvement Update: Dahlquist stated the list is pretty well finalized but needs all the details, including the scope, and it should be ready at the next meeting.

New Business:

a. Approve Resolution 14-03-01 Adopting a Moratorium on Acceptance and Approval of Business Licenses that Seek to Dispense Marijuana: Moved to end of meeting to consult with legal counsel.

b. Accept Contractor Recommendation by Gibbs & Olson for "A" Street TV Work: Dudley referred to the 2-25-14 letter from Gibbs & Olson recommending the City enter into an agreement with Pro-Vac to perform video inspection of 3,500 LF of sanitary sewer and 3,500 LF of storm drainage piping along "A" Street from West 2nd Street to East 6th Street and will include mapping.

Dudley said in the past Redco has agreed to support some of that project and Council could defer to Redco or use funds in the City's budget. Cooper asked if there was any chance of recouping some of the cost when this work was done previously and Dudley said the City attempted to recoup some of the cost but the company had gone out of business. Cooper requested this item be put on the next Redco agenda. Dudley said the City can authorize them to start and decide later who is going to pay for the project. In the event the contractor needs something they will contact public works. Nelson moved, Cooper 2nd, to accept the **recommended contract by Gibbs & Olson** (better wording might be, the "recommended contractor by" or "to accept the Gibbs & Olson recommended contractor for") for the "A" Street camera work with financing to be worked out – **motion passed unanimously.**

c. Pledge Support for 2nd Annual Mayors Day of Recognition for National Service: Mayor Cole stated he was asked by the RSVPs, a national senior volunteer program, to support the annual Mayor's Day of Recognition of Service scheduled for April 1st. Mayor Cole stated he supports the request and requires no Council action.

d. Discuss Geotechnical Concerns for the City of Rainier: Dudley stated Connie Budge attended the last Council meeting and expressed concerns regarding geotechnical issues in regard to the railroad. Massey stated the geotechnical report is dated 1989 and Budge urged the Council to make that geotechnical report, or a new geotechnical report, part of the rail upgrade. Nelson said he thinks Council should become familiar with the document so they can make a decision on what they want to do. Mayor Cole suggested the Council review the study in the next few weeks and keep this on the agenda as unfinished business.

e. Little League Request: Cooper moved, Vilardi 2nd, to approve the improvements including the storage shed and scorekeeper's structure. Mayor Cole added, ~~to work~~ **the work should be coordinated** with Dahlquist. Nelson announced he has a possible conflict of interest since his son plays in Little League. **Motion passed unanimously.**

f. Award Bid for Pumps: Dudley stated Dahlquist had updated the bids received previously for the variable speed pump at the marina. Dudley added it will save power cost and 70% will be paid by grant funding. Dudley stated the apparent low bid is from Hamer Electric for \$23,843.45. Nelson moved, Vilardi 2nd, to award the pump bid to Hamer Electric – **motion passed unanimously.**

g. Authorize Purchase to Replace 1996 Pickup: Dudley reminded Council there is money in the budget to replace the truck and added it is barely drivable. Dudley stated Dahlquist found a replacement at or below budget and would like approval to move that purchase ahead. Dudley added it is 2010 GMC four wheel drive, multi passenger and a four door. Nelson moved, Vilardi 2nd, to authorize purchase to replace the 1996 pickup. Dahlquist added the cost is \$21,000. Dudley added that most of the vehicles are aged. Nelson asked if the City was going to be getting rid of the smaller truck and Dudley said it would be kept until it quits working. **Motion passed unanimously.**

Mayor Cole stated Council was going to go into executive session after staff reports and then would discuss the business license moratorium regarding marijuana dispensaries.

Staff Reports:

Chief Griffith – Not present at this time.

Dahlquist – Public works announced the water plant is working well with no issues since the repair of the level controller. The water leak on Fox was repaired and a leak on Norwood which was the pressure reducing valve on the main line ~~was repaired that~~ which had also caused two other blow outs, one on Debast and one on Alder. As far as the wastewater plant, they met with two different bio solid haulers and are replacing the sludge pump motor. Dahlquist reported they cleared over 8,400' of ditches on Old Rainier Road, Maple Street, Larch Street, Lewis Road, View Street and Washington Way. Dahlquist said the street sweeper will be in town for an out of cycle sweep due to the snow storm sand and gravel. The park bathrooms are open with maintenance repairs done, Christmas trees have been disposed and the RV dry camp is cleaned up and a kiosk will be placed.

Dudley – There was a Rainier Diking District meeting she and Mayor Cole attended and the Army Corps of Engineers need to ascertain that deficiencies have been resolved. Mayor Cole stated there are steps and they are trying to finish the pre-step projects.

Council Reports:

Cooper – thanked public works for the work they are doing and thanked Massey for his involvement regarding the railroad.

Massey – hasn't heard back from the Attorney General on the timber matter.

Executive Session:

ORS 192.610(2)(H) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Chief Griffith returned during executive session.

Executive session over and regular meeting reconvened at 8:05 PM.

Vilardi moved, Cooper 2nd, to approve Resolution 14-03-01 – **motion passed unanimously.**

Mayor Cole adjourned the meeting adjourned at 8:06 PM.

_____ Attested by: _____

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Mayor Cole

Debra Dudley, City Admin./Fin. Dir./Recorder