

## **MINUTES**

REGULAR COUNCIL MEETING  
OF  
SEPTEMBER 27, 2010  
5:30 P.M.  
CITY HALL COUNCIL CHAMBER  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Jim Wilcox

**COUNCIL PRESENT:** Bill Dick, Carolyn Wood, Tim McGlothlin

**COUNCIL ABSENT:** Dan Spatz, Brian Ahier

**STAFF PRESENT:** City Manager Nolan Young, City Clerk Julie Krueger, Community Development Director Dan Durow, Senior Planner Dick Gassman, Public Works Director Dave Anderson, Police Captain Ed Goodman, Finance Director Kate Mast, Engineer Dale McCabe, Airport Managers Jim Broehl and Chuck Covert

### **CALL TO ORDER**

Mayor Wilcox called the meeting to order at 5:37 p.m.

### **ROLL CALL**

Roll call was conducted by City Clerk Krueger; Ahier and Spatz absent.

### **PLEDGE OF ALLEGIANCE**

Mayor Wilcox invited the audience to join in the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Mayor Wilcox asked the Council to make the following amendments to the agenda: Add World Habitat Proclamation; remove Action Item 12, B, Memorandum of Understanding with Warm Springs Tribe; and add an Executive Session (h) to consider potential litigation. Wilcox also noted a supplemental agenda had been published and would be added to the original agenda.

It was moved by Wood and seconded by McGlothlin to approve the agenda as amended. The motion carried unanimously, Ahier and Spatz absent.

### **PRESENTATIONS/PROCLAMATIONS**

#### **World Habitat Day Proclamation**

Mayor Wilcox read a Proclamation, declaring October 4, 2010 as World Habitat Day in The Dalles and encouraged citizens to participate in local Habitat for Humanity events. Corliss Marsh accepted the proclamation and invited people to visit their booth from 11:00 a.m. to 1:00 p.m. on October 4<sup>th</sup>, at the Congregational Church, located at the corner of Fifth and Court Streets. She said there would also be a potluck dinner that evening to recognize participants of the program.

### **AUDIENCE PARTICIPATION**

Rose Sherrell, 1107 East Ninth Street, The Dalles, addressed the Council regarding dog attacks in the City, saying her dog had been attacked over the weekend and her husband had also been bitten recently. She said people must be made to understand their responsibility to control their animals and that fines should be much higher for impounded dogs. Mrs. Sherrell said when she called the police over the weekend, she was told she would have to wait until Monday for assistance.

City Manager Young said the City Police did respond to dog attacks when they received calls. He said the City had an agreement with Wasco County to provide animal control and the City paid for approximately 75% of the cost of that program. Young said he would provide a report for the City Council outlining the City ordinances, State laws, and procedures.

### **CITY MANAGER REPORT**

City Manager Young said staff had been told by ODOT that the Riverfront Trail grant application should contain more funding for environmental study. He asked that Resolution No. 10-020, which had been adopted at the September 20<sup>th</sup> Council meeting, be amended to reflect an additional \$75,000. He said the correct amounts would be \$1,556,816, with the local match being \$178,185.

It was moved by Dick and seconded by McGlothlin to amend Resolution No. 10-020 to increase the request for transportation enhancement funds for the Riverfront Trail Grant to \$1,556,816, with the local match being \$178,185. The motion carried unanimously, Ahier and Spatz absent.

### **CITY COUNCIL REPORTS**

Mayor Wilcox said he had attended the League of Oregon Cities Conference last week.

Wilcox said he had received a letter from the School District, asking for a letter of support from the City regarding a grant they were applying for to create a math and science facility. He asked for consensus to direct staff to prepare a letter of support. It was the consensus of the Council to direct staff to prepare a letter of support for the grant.

Mayor Wilcox said the Council had previously directed staff to prepare a burn ban ordinance for Council consideration, but had received public comments which would indicate there was a lot of interest in the subject. He suggested the burn ban be a topic for a Town Hall meeting, as well as a discussion regarding business licenses. It was the consensus of the Council to have the burn ban and business license issues be the topics of the Fall Town Hall meeting.

### **CONSENT AGENDA**

It was moved by Dick and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried unanimously, Ahier and Spatz absent.

The item approved by Consent Agenda was: authorization for the City Clerk to endorse an OLCC change in ownership application for Wong's Chinese Restaurant.

### **CONTRACT REVIEW BOARD ACTIONS**

#### **Public Hearing to Consider Exemption for ROM Tec to be Sole Source Provider for Sewer Lift Station Projects**

Mayor Wilcox reviewed the procedure to be followed for the public hearing.

Public Works Director Anderson reviewed the staff report.

#### **Testimony**

No testimony was presented.

#### **Resolution No. 10-021 Granting an Exemption From the Competitive Bid Requirements of ORS 279B.050 for the Sole Source Procurement of Sanitary Sewer and Storm Water Lift Stations**

It was moved by McGlothlin and seconded by Wood to adopt Resolution No. 10-021 granting an exemption from the competitive bid requirements of ORS 279B.050 for the sole source procurement of sanitary sewer and storm water lift stations. The motion carried unanimously, Ahier and Spatz absent.

### **ACTION ITEMS**

#### **Authorization to Sign Connect Oregon III Grant Agreement for Airport Runway Strengthening Project**

City Manager Young reviewed the staff report.

It was moved by Dick and seconded by Wood to authorize the City Manager to sign the Connect Oregon III grant agreement for airport runway rehabilitation with the Oregon Department of Transportation. The motion carried unanimously, Ahier and Spatz absent.

#### **Household Hazardous Waste Program Update and Recommendation**

Public Works Director Anderson reviewed the staff report. He introduced Glenn Peirce, David Skakel, and Cindy Brown of Wasco County to present additional information.

Mr. Pierce said the program had been very successful and credited the success to the partnerships.

Mr. Skakel provided a Power Point presentation, showing the program's mission, structure, funding, and program elements. He noted the funding was achieved through solid waste tipping fees and reviewed several components of the program, noting there were now up to 40 events per year, including events in Hood River, Sherman, and Wasco Counties and in schools. Skakel said up to 75% of the items collected were recycled.

Glenn Pierce noted the intergovernmental agreement would expire at the end of the year and would automatically renew unless partners requested any changes to the agreement.

It was moved by Wood and seconded by McGlothlin to authorize continued City participation in the Tri-County Hazardous Waste Management Program at the proposed level of service. The motion carried unanimously, Ahier and Spatz absent.

Approval of a Guarantee to Complete Environmental Impact Statement for East Portion of Airport Property

The staff report was reviewed by City Manager Young.

It was moved by Wood and seconded by McGlothlin to approve the guarantee of payment of an amount up to \$60,900 to Kennedy/Jenks Engineering upon publication of the Environmental Impact Study. The motion carried unanimously, Ahier and Spatz absent.

Approval of a Ground Lease for construction of a Hangar at the Airport

The staff report was reviewed by City Manager Young. In response to a question, it was noted that all the existing hangars were full and there was a waiting list for them.

It was moved by McGlothlin and seconded by Dick to approve a ground lease with William K. Bottomley for construction of a hangar at the Airport. The motion carried unanimously, Ahier and Spatz absent.

Mayor Wilcox suggested the City give authority to the Airport Board to approve future leases. City Manager Young said the intergovernmental agreement required leases in duration of more than five years be approved by the City and Klickitat County. He said it would be wise to leave that authority in the agreement.

Resolution No. 10-022 Supporting Skamania County Board of Commissioners Concerns Regarding Testimony for Whistling Ridge Wind Energy Project

The staff report was reviewed by Mayor Wilcox. He distributed a map to the City Council, showing the location of the proposed project.

It was moved by Dick and seconded by McGlothlin to adopt Resolution No. 10-022 supporting Skamania County Board of Commissioners concerns regarding testimony for Whistling Ridge Wind Energy Project. The motion carried unanimously, Ahier and Spatz absent.

**Recess**

Mayor Wilcox recessed the meeting at 6:57 p.m. to allow staff to set up equipment for a presentation.

**Reconvene**

the meeting reconvened at 7:06 p.m.

**DISCUSSION ITEMS**

Discussion Regarding Chenoweth Interchange Area Management Plan Systems Development Charges

Senior Planner Gassman reviewed the staff report. He said staff would need guidance from the Council regarding the regulations for an overlay district in the study area, which projects to include, cost sharing to pay for the projects, the amount of systems development charges (SDC), and the need for intensive use of the study area.

Gassman introduced Susan Wright of Kittleson and Associates and DJ Heffernan of Angelo Planning who provided a power point presentation, showing a summary of the overlay district, cost sharing proposal, compliance with the Land Use Development Ordinance (LUDO) and Comprehensive Plan, and proposed cost sharing to pay for the projects.

Regarding cost sharing, questions were asked regarding whether the Council believed the balance of allocation was fair with the City and ODOT paying 12%, property owners and developers

paying 33% and SDC costs at 43%. Other questions were whether the plan was economically feasible with a cost of \$3,641 per trip, and how to address the current City SDC reduction within the area.

Mayor Wilcox said he would like the SDC Committee to convene and review the information and asked staff to provide them with examples for redevelopment, new development and existing business expansion.

Councilor Dick said he was in support of the concept that developers pay a large portion of the cost of the projects.

Wilcox asked staff to provide comparison information with other communities.

It was noted that if the large property adjacent to the proposed Hostetler Street crossing was developed as one business, the crossing could remain private, so SDC's would have to be adjusted with the removal of the crossing project from the plan.

#### **RECESS TO URBAN RENEWAL AGENCY MEETING**

Mayor Wilcox recessed the City Council meeting at 7:55 p.m.

#### **RECONVENE TO CITY COUNCIL MEETING**

The City Council meeting reconvened at 8:14 p.m.

#### **EXECUTIVE SESSION**

Mayor Wilcox recessed the meeting to Executive Session at 8:15 p.m., in accordance with ORS 192.660 (2) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

#### **Reconvene to Open Session**

The meeting reconvened to open session at 8:28 p.m.

#### **DECISIONS FOLLOWING EXECUTIVE SESSION**

It was moved by McGlothlin and seconded by Wood to comply with the District Attorney's Order of September 24, 2010, concerning the release of information to Rodger Nichols. The motion carried unanimously, Ahier and Spatz absent.

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**ADJOURNMENT**

Being no further business, the meeting adjourned at 8:30 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

  
James L. Wilcox, Mayor

ATTEST:

  
Julie Krueger, MMC, City Clerk