

MINUTES

REGULAR COUNCIL MEETING
OF
OCTOBER 11, 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, Dan Spatz, Brian Ahier, Tim McGlothlin

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Senior Planner Dick Gassman, Police Chief Jay Waterbury

CALL TO ORDER

Mayor Wilcox called the meeting to order at 5:34 p.m.

ROLL CALL

Roll call was conducted by City Clerk Krueger; all Councilors present.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mayor Wilcox announced changes to the agenda as follows: Add a Proclamation in honor of Breast Cancer Awareness Month; Add an Action Item concerning property transactions with Wasco County; and remove the Executive Session.

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

PRESENTATIONS/PROCLAMATIONS

Paint The Dalles Pink Proclamation

Mayor Wilcox read a Proclamation in honor of breast cancer awareness, declaring the month of October, 2010 as Paint The Dalles Pink month.

Presentation by Wasco County Commission Regarding November Ballot Issues

Wasco County Commission Chair Dan Ericksen reviewed three items to be voted on for the November election: Measure 33-70, a three year levy for operation of the animal control program; Measure 33-71, a one percent lodging tax; and Measure 33-75, changing the Commission positions to non-partisan offices.

Regarding the animal control levy, Ericksen said if the measure passed, the County would conduct a Request for Proposals (RFP) process for someone to operate the animal shelter. He said this levy would also pay the costs of the animal control officer salary and associated costs.

Councilor Spatz asked if the RFP would be based on the current operation. Ericksen said the current level of service would be used as an example for the document.

Spatz mentioned that stray cats were a big issue for Wasco county and asked if that would be addressed through the RFP process. Ericksen said it could be considered as a criteria.

City Manager Young said he believed the proposed levy was based only on dog control.

Councilor Ahier said many people had approached him regarding concerns about the levy. He said the main concern expressed to him was that people wanted to support the Shelter operations but were upset that the County had added the animal control officer expenses into the levy to free up more money for other programs.

Ericksen said that was correct. He said the County did not have the ability to fund the service and that animal control was not a mandated service. He said when the Commission reviewed County programs, it could be considered an expendable operation and would likely be eliminated if a second three-year levy didn't pass in the future.

City Manager Young said the City had an obligation to pay for 50% of the cost of the program, but had previously agreed to pay 72% and this year was paying between 80 and 85% of the cost of the program.

Regarding the proposed lodging tax, Ericksen said it was estimated the County would collect approximately \$80,000 per year which would be used to pay the bond payment for the Discovery Center infrastructure. He said once the bond was repaid, the tax would sunset. He thanked the City for their financial support in paying the bond for the past three years.

AUDIENCE PARTICIPATION

None.

CITY MANAGER REPORT

City Manager Young said he had previously sent information to the Council regarding an RFP process for use of the vacant Transportation Center building. He proposed an amendment to the criteria that would include input at a future Council meeting from the general public, regarding possible uses for the building.

It was moved by Ahier and seconded by Spatz to authorize the City Manager to proceed with the RFP process for lease of the Transportation Center, as amended by including a public input process. The motion carried unanimously.

City Manager Young invited Police Chief Waterbury to provide a report to the City Council regarding dog control procedures. Chief Waterbury said it was the City's policy to take care of calls for dog bites, barking dogs, and vicious animals, but they did not normally take calls for dogs running at large. He said if the City officers get called out while the Animal Control Officer is off duty, they do sometimes call the County and ask for assistance from Animal Control.

Waterbury said the City did not have a specific dog ordinance. He said the City contracted with Wasco County to provide animal control services and that agreement was based on Oregon State law.

Regarding the specific incident that had previously been reported at a Council meeting, Waterbury said he had read the report and it stated that the reporting party had requested a contact from Animal Control on the following Monday, and requesting additional patrol in the neighborhood, which the City did respond to.

Councilor Wood said an explanation of City procedures should be provided to the newspaper because people seemed to be confused about what services were provided by the agencies.

CITY ATTORNEY REPORT

City Attorney Parker said he was working on the EDA grant bid documents and working to revise language for the yard sale sign ordinance. He said that ordinance would come back for Council consideration at a meeting in November.

Councilor Ahier asked if the ordinance would address political signs. City Attorney said political signs were addressed in the Land Use Development Ordinance (LUDO). He said regulation of political signs may not be enforceable based on State law and political speech rights.

City Manager said it may be appropriate for the Council to direct staff to treat political signs as exempt until there is a resolution through LUDO amendments.

CITY COUNCIL REPORTS

Councilor Spatz congratulated staff for getting the City's Main Street program application approved.

Mayor Wilcox said he had met with all the sixth grade classes last week to talk about the position of the Mayor. He said it had been very interesting and a great experience.

Wilcox said he would be attending a meeting on Friday regarding wetlands issues in the community.

Wilcox said he had attended the Candidate's Forum last week and it had been a positive experience. He said everyone was very respectful.

Mayor Wilcox reminded the Council of the Town Hall meeting, scheduled for November 15th.

CONSENT AGENDA

Councilor McGlothlin said he had reported on activities of the Traffic Safety Commission in the minutes of September 20, 2010, but failed to report that the Traffic Safety Commission meeting had been held on August 17, 2010. He asked that the date of the Traffic Safety Commission be included.

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It was moved by Wood and seconded by Ahier to approve the Consent Agenda as amended. The motion carried unanimously.

Items approved by Consent Agenda were: 1) approval of September 27, 2010 regular City Council meeting minutes; 2) approval of September 20, 2010 regular City Council meeting minutes; 3) authorization for City Clerk to endorse OLCC New outlet application for Montira's Thai Cuisine; 4) Resolution No. 10-024 concurring with the Mayor's appointment to the Museum Commission; and 5) Resolution 10-025 concurring with the Mayor's appointment of Dan Richardson to the Tree Policy Committee.

ACTION ITEMS

Resolution No. 10-026 Initiating a Street Vacation Procedure for a Portion of Right of Way in the Alley Between West Third, West Fourth, Liberty and Lincoln Streets

Senior Planner Gassman reviewed the staff report.

It was moved by Spatz and seconded by McGlothlin to adopt Resolution No. 10-026 initiating a street vacation procedure for a portion of right of way in the alley between West Third, West Fourth, Liberty and Lincoln Streets. The motion carried unanimously.

Approval of Memorandum of Understanding With the Warm Springs Tribe Regarding Protection of Fishing Right Adjacent to Proposed Marine Terminal at Union Street

City Manager Young reviewed the staff report. He said the agreement was still be negotiated but asked for approval so the process could move forward. He suggested the Council include in their motion that the agreement would be similar to the previously approved agreement with the Yakama Nation.

It was moved by Spatz and seconded by Wood to authorize the City Manager to sign the Memorandum of Understanding with Confederated Tribes of the Warm Springs Reservation of Oregon, similar to the previously approved agreement with the Yakama Nation.

Mayor Wilcox said he did not agree and that the Council should review the final document before allowing staff to sign the agreement.

City Manager Young suggested changing the words "similar to" to "same as".

It was moved by Dick and seconded by Ahier to amend the motion, changing the words "similar to" to "the same as". The motion was voted on and carried unanimously.

The amended motion to authorize the City Manager to sign the Memorandum of Understanding with Confederated Tribes of the Warm Springs Reservation of Oregon, the same as the previously approved agreement with the Yakama Nation was voted on and carried unanimously.

Property Transactions With Wasco County

Wasco County Commission Chair Dan Ericksen said the staff report had recommended that the Council decline the offer of the Rock Fort property, but that the County wanted the City to have ownership of that property. He said it seemed a logical extension of the development planned for that area.

Councilor Wood said she had been involved with the Rock Fort site for many years. She said the original signs had been funded through license plate sales. Wood said the property was included in the National Register of Historic Places and was also listed with the National Parks Service. She said the intent had always been to keep it a primitive site and said the Historic Landmarks Commission had expressed an interest in maintaining the property. Wood said she supported having the property in City ownership. She said funding was available through the Oregon Trail Advisory Fund for replacement of signs.

Councilor Ahier said he agreed with Wood that the property should be in the City's ownership.

City Manager Young said there would be a cost to the City for maintenance and staff time would also be involved if the Historic Landmarks Commission wanted to maintain the property.

Councilor Dick said he also agreed with previous Council comments, saying it might be appropriate to include the property's historical significance into the deed for future conservation of the site.

Councilor Spatz said he was not opposed to delaying acceptance of the Rock Fort property until staff had an opportunity to research into the cost of maintaining the site.

Mayor Wilcox said the City had several small properties in its ownership and it was difficult to keep them maintained. He said the Sister City area in front of City Hall was a continual problem with people littering and that was right in front of everyone. Wilcox said he had concerns about keeping trash picked up and having transient camps at the site.

Councilor McGlothlin said he supported accepting the property, but also supported waiting until staff had an opportunity to research costs for maintaining the property.

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City Manager Young recommended that staff investigate costs for maintenance of the property and report to City Council at their goal setting session in January, with consideration of acceptance in 2011.

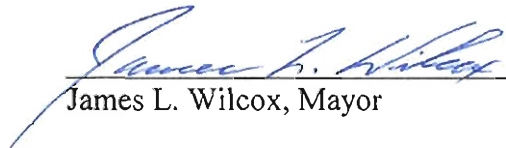
It was moved by Ahier and seconded by McGlothlin to accept the property offered by Wasco County with the exception of the Lewis and Clark Rock Fort site. The motion carried; Wood opposed.

ADJOURNMENT

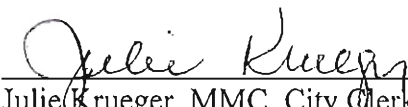
Being no further business, the meeting adjourned at 7:25 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:


James L. Wilcox, Mayor

ATTEST:


Julie Krueger, MMC, City Clerk