

MINUTES

REGULAR COUNCIL MEETING
OF
JULY 26, 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, Community Development Director Dan Durow, Police Chief Jay Waterbury, Administrative Intern Cooper Whitman, Engineer Dale McCabe, Librarian Sheila Dooley, RARE Planner Nora Donovan, Codes Enforcement Officer Nikki Lesich

CALL TO ORDER

Mayor Wilcox called the meeting to order at 5:32 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 asked the City Council to add the following items to the agenda: Action Item E, Resolution No. 10-017 supporting the application and participation in the second phase of the Oregon Main Street Program, and an Executive Session in accordance with ORS 192.660 (2) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

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

PRESENTATIONS/PROCLAMATIONS

Americans With Disabilities Act Commemoration Proclamation

Mayor Wilcox read a Proclamation declaring July 26th as a day of commemoration of the Americans with Disabilities Act and congratulating employers, businesses, and government agencies for their efforts to ensure access for all persons with disabilities.

Patriot Day Proclamation

Mayor Wilcox read a Proclamation declaring September 11th, each year, as Patriot Day in The Dalles and encouraged citizens to participate in community activities and display the American flag at half staff each September 11th.

Presentation by Kathy Heitkemper Regarding Burn Ban for the City of The Dalles

Ms. Heitkemper presented a request for the City Council to adopt a resolution to ban backyard burning in The Dalles. She discussed the health hazards caused by burning, talked about alternatives to burning, such as recycling and composting options. She urged the City Council to consider adopting an ordinance to ban back yard burning.

Pam Miller, 807 East 18th Street, The Dalles, spoke in support of a burn ban, saying it was more logical and practical to recycle and compost.

Judy Merrill, The Dalles, said she supported the burn ban proposal and said she had been on the 2006 task force that reviewed a possible burn ban. Merrill said the group had dissolved due to funding issues, but had been very supportive of providing public education on alternative methods to burning. She said burning was hazardous to people's health.

Mayor Wilcox commended Ms. Heitkemper for her presentation and information packets that had been provided to the City Council.

Councilor McGlothlin said it was an excellent presentation. He asked if there was a proposal as to who would be charged with enforcement of illegal burning. Ms. Heitkemper said she was unsure, but believed the Fire District currently investigated illegal burning.

Councilor Spatz commended Heitkemper for her presentation and agreed it was a problem in the community. He said the solutions offered in the presentation were appreciated and urged the City Council to address the issue. He asked that staff to bring back a proposed ordinance and methods for enforcement for further discussion.

Councilor Ahier agreed that City Council should further consider adoption of an ordinance. He asked if this could be accomplished this Fall.

City Manager Young said staff would need to work with the Fire District regarding responsibility for enforcement and would prepare a draft ordinance for Council consideration in the Fall.

Councilor Wood thanked Heitkemper for her presentation and said she supported the concept.

AUDIENCE PARTICIPATION

None.

CITY MANAGER REPORT

City Manager Young said staff had attended a recent meeting regarding the Connect Oregon III grant process. He said there had been some question regarding the status of the Airport and whether it was an Oregon airport, but the Board had determined it was an Oregon Airport. He said the meeting for a decision on the grants for the Airport runway work and the Marine Terminal would be on August 25th.

Young said the Community Outreach Team would be meeting this week to develop their priority projects for a trip to Washington, D.C. in September.

Young said he had provided a memorandum to the City Council explaining his plan to extend the Administrative Intern position for an additional two months. He said he would proceed with that plan unless there were any concerns of the City Council.

No concerns were raised by the City Council.

CITY ATTORNEY REPORT

City Attorney Parker said he had been reviewing some upcoming Public Works contract documents and working on a public information request by a California Longshoremen group. Parker said he would be on vacation the week of August 9th, and would also be taking some vacation time in September.

CITY COUNCIL REPORTS

Councilor McGlothlin said the Traffic Safety Commission had discussed possible placement of sidewalks at the intersection of Brewery Grade, East Ninth Street and Dry Hollow Road. He said no decision had been reached and there would be additional discussions in the future.

Councilor Spatz said the Mid Columbia Economic Development District would be involved in a meeting with Gorge Technology Alliance to provide information regarding wind turbines. He said that meeting was scheduled for July 27th.

Councilor Ahier said the QLife wi-fi project was still underway and would likely require additional funding or the project to be scaled back in scope.

Mayor Wilcox said he had recently attended a handgun safety class and learned that a City employee, John Baker, was the instructor. He said it was nice to see City employees volunteering in the community.

Wilcox said he had been meeting with a group of local business people who were working to bring development and jobs to the community. He said he had met with Wal-Mart representatives and WM3 representatives to see if he could assist them in moving through permitting issues with other agencies. He said it was very frustrating to not be moving forward with the project.

CONSENT AGENDA

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

Items approved by Consent Agenda were: 1) approval of the July 12, 2010, City Council meeting minutes; and 2) authorization for the City Clerk to endorse an OLCC New Outlet application for The Dalles Civic Auditorium.

PUBLIC HEARINGS

Public Hearing to Receive Testimony Regarding Proposed Surplus Real Property Described as 1N 13E 3BD Tax Lot 2700

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

City Manager Young reviewed the staff report

Testimony

No testimony was offered.

Resolution No. 10-016 Declaring a Parcel of Real Property Described as 1N 13E 3BD Tax Lot 2700 to be Surplus Property and Accepting an Offer from Lisa Wallace to Purchase Said Property

It was moved by Wood and seconded by Spatz to adopt Resolution No. 10-016 declaring a parcel of real property described as 1N 13E 3BD #2700 to be surplus property and accepting an offer from Lisa Wallace to purchase said property. The motion carried unanimously.

CONTRACT REVIEW BOARD ACTIONS

Award Contract for the East Tenth Street Sewer Project

The staff report was reviewed by Engineer Dale McCabe.

Councilor Ahier asked if the low price for the rock removal could cause future change orders to the contract. McCabe said it was a per cubic yard price.

It was moved by Spatz and seconded by Wood to authorize the City Manager to enter into contract with Cascade Equipment and Construction, in an amount not to exceed \$457,173 for the East Tenth Street Sewer Project. The motion carried unanimously.

ACTION ITEMS

Recommendation from Columbia Gorge Regional Airport Board to Approve a Three Year Airport Management Agreement With Aeronautical Management, Inc.

City Attorney Parker reviewed the staff report. He highlighted minor changes proposed by Klickitat County, saying the monthly base compensation would be paid retroactive to July 1; clarification to additional compensation for rent of certain specified hangars; the indemnification provision be mutual in nature; and provisions for termination of the agreement would outline the authority of Aeronautical Management, City and Klickitat County.

Chuck Covert, Aeronautical Management, said they were in agreement with the proposed changes. He said they preferred a three year term for the agreement so it would be re-negotiated at the same time as the Fixed Base Operator agreement.

It was moved by Ahier and seconded by Wood to authorize the City Manager, City Clerk and City Attorney to execute the three year airport management agreement with Aeronautical Management, effective July 1, 2010, as amended and subject to approval by Klickitat County. The motion carried unanimously.

Authorization for City Manager to Sign Amendment to the Third Intergovernmental Agreement to Provide Library Services to Wasco County Library Service District

Librarian Sheila Dooley reviewed the staff report.

Councilor Spatz asked the status of the Gorge Link program due to the closing of the Hood River Library, who had been a partner.

Librarian Dooley said Hood River had paid for the Gorge Link program this year. She said they were looking into an Eastern Oregon program, using the SAGE system, which would also be able to link with the community college.

It was moved by Wood and seconded by McGlothlin to authorize the City Manager to amend the third intergovernmental agreement for the City to provide library services to the Wasco County Library Service District as proposed. The motion carried unanimously.

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Resolution No. 10-015 Initiating a Street Vacation Procedure for a Portion of West Seventh Street

The staff report was reviewed by Community Development Director Durow. He noted the topography was very rocky and steep and no street would be developed there.

It was moved by Spatz and seconded by Wood to adopt Resolution No. 10-015 initiating a street vacation procedure for a portion of West Seventh Street. The motion carried unanimously.

Approval of Airport Master Plan

The staff report was reviewed by Chuck Covert. He said it had been a long process to develop the Plan and it now contained current, accurate information. He recommended the Council authorize them to submit the Plan to the FAA for final approval.

It was moved by Spatz and seconded by Wood to submit the Master Plan of the Columbia Gorge Regional Airport to the FAA for review and approval. The motion carried unanimously.

Resolution No. 10-017 Supporting the City's Application and Participation in the Second Phase of the Oregon Main Street Program Process, Transforming Downtown

RARE Planner Nora Donovan said this was the last meeting she would attend as her term as the RARE Planner was nearly complete. She thanked the City for the opportunity to work in the community. Donovan reviewed the staff report.

Councilor Spatz and Councilor Ahier both commended Donovan for her work at the Port and for the City.

It was moved by Spatz and seconded by Wood to adopt Resolution No. 10-017 supporting the City's application and participation in the second phase of the Oregon Main Street Program process, Transforming Downtown. The motion carried unanimously.

DISCUSSION ITEMS

Update Regarding Yard Sale Sign Program

City Attorney Parker reviewed the staff report.

Councilor Spatz said he noted the staff report mentioned that the yard sale sign process was a distraction from other duties of the Codes Enforcement Officer. Codes Enforcement Officer

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Lesich said it was distracting her from other duties and that if there were no consequences for people putting out the signs in the rights of way, they would continue to do it.

Mayor Wilcox asked how many of the yard sale signs were for sales outside the city limits. Lesich said approximately one or two per week were for sales outside the city limits.

Councilor Ahier asked if residents outside the city limits could be penalized for violating a City ordinance. City Attorney Parker said if the violation occurred within the city limits, they would be subject to the ordinance.

Councilor Wood said the process was too complicated and suggested a central location be provided to let people post their signs. She said it seemed too intrusive to people who were just trying to clean out items they no longer needed.

Councilor Spatz agreed, saying it was too complicated and that if no fines were imposed, there was no solution.

Councilor Dick said there were signs everywhere and not just for yard sales. He said it may be more effective for the City to say where the signs could be place.

Councilor Ahier said it should be kept simple and expressed concern that government may be over reaching by being so restrictive with this issue. He said the Council was spending too much time on the matter and suggested just letting staff determine the best way to address it.

Councilor McGlothlin said often rules were made to deal with a small group of people. He suggested identifying areas that needed to be controlled and relax the process that works for most people.

Mayor Wilcox said there were many rules to regulate commercial and business signs and it was not fair to do nothing with the yard sale signs. He said it was littering for people to leave the signs out and was not legal to place them in the City's right of way. Wilcox suggested imposing a fine, and to revise the ordinance so the signs that were picked up didn't have to be retained for 30 days.

It was the consensus of the City Council to discontinue publishing a weekly flyer of the sales, to focus on picking up the signs on Mondays following the sales.

Mayor Wilcox said it was very hard to sell homes in a community that looked trashy. He said the Council had spent a lot of time on this issue, but no time on important economic development issues.

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Councilor Spatz disagreed, saying the Council spend a lot of time on issues surrounding economic development for the community.

EXECUTIVE SESSION

Mayor Wilcox recessed the meeting to Executive Session at 7:41 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 7:53 p.m.

DECISIONS FOLLOWING EXECUTIVE SESSION

None.

ADJOURNMENT

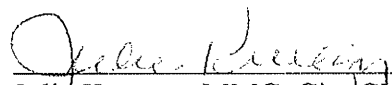
Being no further business, the meeting adjourned at 7:53 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:


James L. Wilcox, Mayor

ATTEST:


Julie Krueger, MMC, City Clerk