

MINUTES

REGULAR COUNCIL MEETING
OF
APRIL 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

COUNCIL ABSENT: Council Position #1 Vacant

STAFF PRESENT: City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Finance Director Kate Mast, Community Development Director Dan Durow, Police Chief Jay Waterbury, Associate Planner Dawn Hert, Engineer Dale McCabe

CALL TO ORDER

Mayor Wilcox called the meeting to order at 5:30 p.m.

ROLL CALL

Roll call was conducted by City Clerk Krueger; all Councilors present, Position #1 vacant.

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 approval of an OLCC New Outlet Application for Cruz Thru Grocery to the Consent Agenda.

It was moved by Wood and seconded by Spatz to approve the agenda as amended. The motion carried unanimously, Position #1 vacant.

OATH OF OFFICE

City Clerk Krueger administered the Oath of Office to Mayor Wilcox.

PRESENTATIONS/PROCLAMATIONS

Presentation by Alex Jara Regarding Cultural Concerns

Alex Jara, 4405 Highway 30, The Dalles, and Angelica Perez, 1605 East 12th Street, The Dalles, addressed the City Council with concerns regarding violations of civil rights of the Hispanic community.

Ms. Perez read a statement into the record, saying the Hispanic community did not receive impartial justice or any civil rights. She said when Hispanics were stopped for traffic violations, they were intimidated and shown no respect by police officers. She said there needed to be programs in place to educate about civil rights and that programs were needed to educate Hispanics regarding the laws.

Mr. Jara said he had met with officials over the past year and brought families to meet with the police regarding their concerns and had held a public forum, providing ten points which the Hispanic community asked to have addressed by government officials. He said a reply had been received by the City Manager, but that points #5 and #10 had not been addressed. He questioned whether the reply from the City Manager reflected the views of the City Council. Mr. Jara said there were continued instances of harassment. He said the police officers didn't speak Spanish and that the translator at the Police Department was not certified and that if she didn't like someone, she had a conflict of interest. He said officers went to people's homes with no translator or warrant. Jara said when complaints were made to the Police Chief, the answer was always that the officers had acted correctly. He asked for an outside investigation of the Department.

Mr. Jara said his group had written letters to the Attorney General, Governor, State representatives and the Commission on Hispanic Affairs, calling for an investigation of the local agencies, including the District Attorney's abuse of power and the regional jail. Jara said the jail was funded by private investors and that should be revealed. He accused local agencies of racial profiling and said no Hispanics were selected for juries. He said he was tired of the poor

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treatment of Hispanics and that they were afraid. Jara said justice was needed and the corruption needed to be stopped. He distributed a newspaper which he said contained an article about the District Attorney.

Mayor Wilcox said he had read that publication and it was all innuendo with very few facts. Wilcox said the City Council had no control of the District Attorney and court systems. He said he had met with the group, with staff and with the Commission on Hispanic Affairs. Wilcox said many of things Mr. Jara said were not true and said that an outside investigation of the Police Department had already been conducted and there was no truth to the allegations presented.

City Manager Young said the City Manager was responsible to make sure the laws and policies were followed and the City Attorney's responsibility to provide legal advice. He said a claim of sexual harassment had been filed which was investigated by an outside agency and was resolved. Young said the City did investigate issues brought to their attention.

Young said the group had requested implementation of a Latino oversight committee, but that in a small city, an additional layer of committees to oversee departments was not necessary or appropriate. He recommended against the formation of a committee.

Young said staff had met with the Hispanic Affairs Commission representatives and had an additional meeting scheduled with them in May. He said many of the claims made at this meeting were personal attacks and not related to City government. Young recommended the City Council take no action until after staff had their next meeting with this group and the Hispanic Affairs Commission to see what could be resolved.

Councilor Ahier thanked the group for attending the meeting and assured them the City Council took their concerns seriously. Ahier said he was pleased to hear the Mayor and staff were already involved in a process to resolve the issues. He asked if item #10 was nearly completed.

Police Chief Waterbury reported the pamphlet to educate rights of students had been completed and would be printed within the week, then distributed to the schools.

Councilor Spatz said he would not be opposed to the formation of an ad-hoc committee of limited duration, to ensure the issues were resolved.

Eloy Pando, The Dalles, said he thought it would be helpful to have some educational opportunities for Hispanics to learn about the laws and for the Anglos to learn about the Hispanic culture.

Carlos Perez, The Dalles, said he wanted a better community and to help solve the problems. He said they were not criminals and should be treated better. Perez said many Hispanics didn't speak English and didn't understand the laws.

Mayor Wilcox said it was their responsibility to learn the laws and compared it to himself visiting a foreign country and expecting to obey their laws while in their country. He said they needed to take the responsibility to learn the laws.

Councilor Dick said he had appreciated the presentation, but noted that many issues raised were not within the control of the City Council.

Councilor Wood said she also appreciated hearing the concerns and suggested much education could come from working with local churches and schools.

AUDIENCE PARTICIPATION

Doug Hattenhauer, 3205 Doane Road, The Dalles, said the roundabout was looking great and the project nearing completion. He said the City Council should consider providing a subsidy to the Cannon Packer store for the loss of business they suffered through the project and suggested the City give them a rebate on their rent.

Bob McFadden, 2472 Mountain View Drive, The Dalles, thanked the staff for attending a recent meeting of the Port District to discuss transportation systems development charges. He said the subject would be discussed later in the agenda, but he wanted to let the Council know that the Port would be willing to have a representative on a committee if one was formed.

CITY MANAGER REPORT

None.

CITY ATTORNEY REPORT

City Attorney Parker reported he had been working with staff on several urban renewal issues. He said he would be attending a City Attorney conference on Friday.

In response to a question, Parker said he was working on possible amendments to the Sign Ordinance.

CITY COUNCIL REPORTS

Councilor Spatz reported on his attendance at the Columbia Gorge Transportation Summit and provided a written summary (attached as Exhibit "A").

Mayor Wilcox reminded the City Council of their Airport tour and Master Plan meeting, scheduled for May 19th.

CONSENT AGENDA

It was moved by Spatz and seconded by Wood to approve the Consent Agenda as amended. The motion carried unanimously, Position #1 vacant.

Items approved by Consent Agenda were: 1) approval of April 12, 2010 regular City Council meeting minutes; 2) authorization for City Clerk to endorse OLCC Change in Ownership application for Ninth Street Sugar Bowl; and 3) authorization for City Clerk to endorse OLCC New Outlet application for Cruz Thru Grocery.

CONTRACT REVIEW BOARD ACTIONS

Award Contract to Oregon Department of Transportation (ODOT) for Upgrade of Webber Street Traffic Signals

Public Works Director Anderson reviewed the staff report. He said staff had been working with Mid Columbia Fire and Rescue District to ensure the proper preemption system was included in the project. He said this project would also link with the system at West Sixth and Cherry Heights Road intersection to ensure proper sequencing.

Dan Hammel and Joel Brown, Mid Columbia Fire and Rescue District, both addressed the Council regarding the importance of including a preemption system to provide for better response time to emergencies and for the public's safety.

It was moved by Spatz and seconded by Ahier to authorize the agreement with ODOT for the upgrade of Webber Street traffic signals in an amount not to exceed \$78,500. The motion carried unanimously, Position #1 vacant.

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Award Contract for Periodic Review Work Program and Planning Services With Winterbrook Planning

Community Development Director Durow reviewed the staff report. He said this process had been slowed down because of the time it took to respond to the Friends of the Gorge objections.

It was moved by Ahier and seconded by Wood to approve the Periodic Review Work Program and contract with Winterbrook Planning in an amount not to exceed \$190,000. The motion carried unanimously, Position #1 vacant.

ACTION ITEMS

Approval to Sign a Grant in the Amount of \$4,350 for Historic Landmarks Commission Certified Local Government

The staff report was reviewed by Associate Planner Dawn Hert.

It was moved by Wood and seconded by Dick to approve the recommended projects and grant request for the Pioneer Cemetery workshop and Rock Fort preservation and maintenance plan in the amount of \$8,700; \$4,350 in State Historic Preservation Office (SHPO) grants; \$2,350 in-kind; \$1,500 from the General Fund; \$500 donated labor. The motion carried unanimously, Position #1 vacant.

Resolution No. 10-007 Establishing Public Improvement Requirements for Local Streets in Residential Zones

The staff report was reviewed by Community Development Director Durow.

City Manager Young said if there were streets found not to be included in the report, staff would make corrections and report any changes to the City Council.

It was moved by Ahier and seconded by Wood to adopt Resolution No. 10-007 establishing public improvement requirements for local streets in residential zones. The motion carried unanimously, Position #1 vacant.

Approval of Employee Compensation Plan for Non-Union Employees

City Manager Young reviewed the staff report. He noted staff had sent a memo to the City Council regarding changing the position of Building and Grounds Worker to Maintenance Worker, which better reflected the work being done by the employee. Young acknowledged the

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work of Finance Director Kate Mast in her re-organization proposal, saying she had acted very professionally.

It was moved by Wood and seconded by Ahier to approve the reorganization of the Finance Department and Maintenance Worker positions as recommended by staff. The motion carried unanimously, Position #1 vacant.

Councilor Ahier he had some discomfort providing cost of living increases for public sector employees while private sector employees were cutting salaries, positions, and benefits. He said he also was not comfortable in not awarding a salary adjustment to the exempt employee group when the unions were already guaranteed increases through their contracts. Ahier said the previous salary study had shown some of the exempt positions as being well behind in salary and he believed those positions should at least receive an increase.

Councilor Spatz said he would support a 3% increase, saying the salary plan approved by the Council had been delayed for at least 18 months due to the economy and those positions were only getting further behind. He said it was important to recognize the work and value of this professional staff.

Councilor Dick said he could support a 3% increase.

Councilor Wood said she too could support a 3% increase.

Mayor Wilcox said he supported the staff and believed they did a good job, but that if they didn't get a salary increase, they would not quit their jobs. He said the City should not give salary increases during a poor economy. Wilcox suggested the Council hold off giving any increases, but continue to pay the current insurance benefit.

Councilor Ahier said the Council was not following the pay plan they adopted in 2007 because of the economy but that it was important to address the underpaid positions at a minimum.

Councilor Dick said if staff recommended a 3% increase, he was comfortable that it was affordable and within the budget and that it was important to morale and the employees deserved to be rewarded for their work.

Councilor Wood said the City did lose good employees many years ago because of pay issues. She said it was reasonable to give a pay increase to reward the work of this group.

Mayor Wilcox expressed concern that the salary increases may not be sustainable and could lead to lay offs in the future.

Councilor Ahier said he was not supporting the proposal because he was afraid employees would leave but because it was right to reward the employees for their work. He said he would support a 3.2% increase and ask staff to revisit the salary study in the near future.

Wilcox said the bargaining units would be negotiating contracts next year and they would expect salary increases then. He said it needed to stopped now.

It was moved by Ahier to authorize a 3.2% salary adjustment for exempt employees. The motion died for lack of a second.

It was moved by Wood to authorize a 2.5% salary adjustment for exempt employees. The motion died for lack of a second.

It was moved by Spatz and seconded by Dick to authorize a 3% salary adjustment for exempt employees effective July 1, 2010 and continue the current insurance premium payment formula.

The City Manager was directed to investigate salary comparisons and insurance premium options in the Fall, to be considered at a later time.

The motion to authorize a 3% salary adjustment for exempt employees effective July 1, 2010 and continue the current insurance premium payment formula was voted on and carried unanimously, Position #1 vacant.

Approval of Chamber of Commerce Tourism Promotion Scope of Work and Budget for Fiscal Year 2010-11

City Manager Young reviewed the staff report.

Chamber of Commerce Executive Director Dana Schmidling reported on the success of the recent Cherry Festival and Cherry Blossom Cycling Classic, saying all the hotel rooms in town had been booked over the weekend. She said the GeoCaching program had brought over 2,000 people to the area and was very popular. Schmidling reported on the recognition by National Geographic, saying The Dalles was included on their map of the Cascades due to the Discovery Center and that the Columbia River Gorge was also listed in the top ten global destinations.

Councilor Ahier commended the Chamber for their use of social media, saying it was very well done.

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Schmidling reported that the staff was currently working on a program called 36 hours in the Gorge, where families or single people would be provided with lists of things to do on a short visit to the area. She said they were also working on a way to promote the hidden gems of our community.

It was moved by Wood and seconded by Dick to approve the proposed fiscal year 2010-11 Work Scope and budget for the Community Marketing Program as presented by the Chamber of Commerce. The motion carried unanimously, Position #1 vacant.

DISCUSSION ITEMS

Discussion Regarding Process to Review Transportation Systems Development Charges

Mayor Wilcox provided a list of possible questions regarding the topic (attached as Exhibit "B"). He said he hoped these questions would help with discussion and review by staff and a committee of the transportation systems development charges (SDC's).

City Manager Young reviewed the staff report.

Councilor Ahier said if fees were raised too much, no one would buy a service, so revenues would be decreased. He said if fees were reduced, it would stimulate economic development and increase revenue to the City.

Mayor Wilcox said he had not heard any complaints about the water, storm and sewer SDC's, but that transportation SDC's needed to be reviewed. He asked the Council to consider an expedited review, but to ensure good public input, including the creation of a committee of both staff and citizens. He suggested a small group of three to four citizens and whatever staff the City Manager selected.

Councilor Wood expressed concern about changing the adopted methodology or formula to establish the SDC's.

City Manger Young said the methodology should not be changed and said doing so would cause a much longer delay because there was a 90 day notification period involved in that. He recommended the review include using the base information and working toward a balance between new development and change in development.

Councilor Dick asked that staff review the credit procedure as well. He said new development should pay the normal SDC's, but people who had already established businesses and wanted to increase or move their business should not be penalized.

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It was the consensus of the Council to include Port and Mid Columbia Economic Development District representation on the committee. It was also suggested a Planning Commission member be included, as well as a representative of Crestline Construction.

Staff was directed to begin reviewing the transportation systems development charges using an expedited review process, but including the formation of a staff and citizen committee.

OTHER BUSINESS

Election of a City Council President

Mayor Wilcox said with his appointment to the position of Mayor, the Council should elect a new Council President.

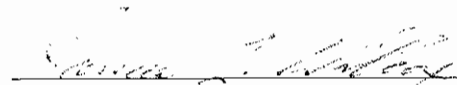
It was moved by Dick and seconded by Spatz to elect Councilor Brian Ahier as Council President. The motion carried; Ahier abstaining, Position #1 vacant.

ADJOURNMENT

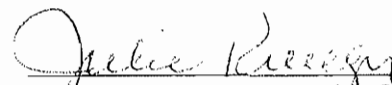
Being no further business, the meeting adjourned at 8:15 p.m.

Submitted by/
Julie Krueger, MMC
City Clerk

SIGNED:


James L. Wilcox, Mayor

ATTEST:


Julie Krueger, MMC, City Clerk

Columbia Gorge Transportation Summit – April 22, 2010
Pioneer Center – White Salmon
Organized by Mid-Columbia Economic Development District

Strategic Recommendations:

Public transit:

1. Assign MCEDD lead role to study regional coordination of current providers, exploring such options as:
 - a. Centralized drop-off and pick-up points
 - b. Fixed-route networks
 - c. Ride coordination through software solution to link existing carriers
 - d. Central dispatch
 - e. Long-term consolidation into a single network for both states and multiple counties?
2. Political support for efforts to re-establish Amtrak on Oregon side, and improve Amtrak service on Washington side
3. Investigate opportunities for EV vans and coordinated EV network

Bicycles and pedestrians:

1. Organize tour of public officials for on-site inspection of possible system improvement
2. Complete Transportation System Plan (TSP) in coordination with safe routes to schools
3. Offer fixed-route transportation across Columbia River bridges
4. Complete restoration of the Historic Columbia River Highway

Van pool and ride sharing:

1. Improved coordinated with existing public transit providers; MCEDD lead role
2. Create a “family plan” discount for van services
3. Investigate subsidy grants available through National Transit Data Systems, which recognize reduced road maintenance requirements resulting from efficient mass transportation
4. Improve marketing and education outreach, including social media, and coordination with anticipated Tri-State van database (this will start soon)
5. Create van pool demonstration project (contingent upon Item 6 below)
6. Conduct marketing study to determine van pool feasibility

TRANSPORTATION SYSTEM DEVELOPMENT CHARGE (TSDC) QUESTIONS

- 1) When is application of TSDC triggered on existing buildings?
 - a) any building permit
 - b) \$ value threshold of building permit
 - c) Existing business moving to new existing address
 - d) Any change of use/expansion of business

- 2) What credit is given to existing business if moving to pre-existing space?
 - a) credit for business preceding new business
 - b) credit for new business in old location

System Development Charges are also known as 'Impact Fees'.

What impact do the TSDC fees have on a businesses ability to justify the initial capital investment?

What is the net impact of an existing business moving from one location to another?

What is the impact of a business choosing locate in another community?

What is the impact of an existing business not expanding?

Are measurements consistent? (rentable space vs floor space)

Are we using the most appropriate measurements?

When researching other communities fees, remember that some communities use SDCs to inhibit growth.