

## **MINUTES**

REGULAR COUNCIL MEETING  
OF  
MAY 23, 2011  
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, Public Works Director Dave Anderson, Community Development Director Dan Durow, Senior Planner Dick Gassman, Police Chief Jay Waterbury, Engineer Dale McCabe, Administrative Intern Will Norris

### **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; Spatz in attendance by telephone; Ahier absent.

### **PLEDGE OF ALLEGIANCE**

Mayor Wilcox invited the audience to join in the Pledge of Allegiance. He observed a moment of silence in honor of those serving in the military and all Veterans.

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### **APPROVAL OF AGENDA**

Mayor Wilcox asked the City Council to approve adding an Action Item to authorize the City Manager to sign an agreement with US Forest Service for work on the Dog River Pipeline project and an Executive Session in accordance with ORS 192.660 (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. He said Action Item 12, C regarding the agreement with PUD for the WiFi project would be removed from the agenda because the agreement was not finalized yet.

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

### **PRESENTATIONS/PROCLAMATIONS**

#### **Report from Tree Policy Committee**

Senior Planner Gassman introduced Committee Member John Rockwell, who reviewed the recommendations of the Committee.

Mayor Wilcox thanked the Committee for their work.

There was discussion regarding the types of trees that were approved to be planted and an expectation that the list be updated by someone with expertise. There was discussion regarding the need to look at the current ordinance and include more specific language regarding criteria for approving the planting or removal of trees.

#### **Councilor Ahier in attendance at 5:55 p.m.**

It was moved by Wood and seconded by Dick to accept the report of the Committee and to direct staff to continue working with the Committee to address issues identified in the report. The motion carried unanimously; Ahier abstaining.

### **AUDIENCE PARTICIPATION**

April Moore, John L. Scott Real Estate, 3206 West Sixth Street, The Dalles, addressed the Council regarding a request to place temporary open house signs in City right of way. She said it was a very effective way to provide directions to homes she was selling. Moore said other cities in the Columbia Gorge allowed it and provided an example from the City of White Salmon, Washington. She asked for a variance to the current ordinance to allow her to place the signs.

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Councilor Dick said signs in City right of way could be very distracting and even dangerous to drivers and said he especially would be opposed to allowing them in the round about.

City Manager Young said he had been asked for a variance by Ms. Moore and did not feel comfortable with granting the request because of previous Council discussions where the City Council was opposed to any signs in the right of way.

Ms. Moore requested a letter from the City denying her request to place signs in the right of way. It was the consensus of the City Council to direct the issue to the Planning Commission for further review and a recommendation.

Ken Allmer, 2119 East 16<sup>th</sup> Street, The Dalles, said he had worked for the Oregon Department of Transportation for many years and the State never allowed signs to be placed in the right of way.

Dennis Kramer, 2303 East 16<sup>th</sup> Street, The Dalles, said he had worked for Wasco County and they also never allowed signs to be placed in right of way. Mr. Kramer asked for an update on the Thompson Street improvement project.

City Manager Young said it was a Council goal to pursue the East 19<sup>th</sup> Street extension and Thompson Street improvements. He said staff would be working on the project and meeting with property owners in late summer.

Mr. Kramer said he hoped the City would consider providing access from the Oakwood Subdivision to 14<sup>th</sup> Street, saying there was no easy way to leave that subdivision, heading to the downtown area.

### **CITY MANAGER REPORT**

City Manager Young introduced Administrative Intern Will Norris and said he would be working on several projects, including a water rates study, census information and grants for The Dalles Dam tours.

Young reminded the Council that a Town Hall meeting had been scheduled for June 6, 5:30 p.m. at the Senior Center. He said two topics had been identified; updated regarding the Granada Block Development and comments regarding control of dangerous animals. He asked if there were any other specific topics the Council wanted to add to the agenda. No additional topics were added.

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### **CITY ATTORNEY REPORT**

City Attorney Parker said the new towing contract would soon be in place and he was working with the Police Department on some policy changes regarding towing.

### **CITY COUNCIL REPORTS**

Councilor Wood reported the next Historic Landmarks Commission meeting was scheduled for May 25.

Councilor McGlothlin reported on the recent Traffic Safety Commission meeting, saying they had heard an update on the 10<sup>th</sup> Street project, discussed a sidewalk request near Fort Dalles Museum, discussed parking at the intersection of East 12<sup>th</sup> and Oregon Streets, a concern about faded striping on Trevitt Street, and a possible update to the Bicycle Plan. He said there was a new member, Jaime Van Den Bosch.

Councilor Ahier said the Council of Governments meeting was scheduled for May 24.

Councilor Spatz said community members were currently attending a wind energy conference and had made several contacts with companies regarding locating in our area.

Mayor Wilcox said he had met with the new Community Solutions staff person and discussed industrial land issues. He said he was proud to attend an Armed Forces Celebration last Saturday and reminded the Council there would be a special meeting on June 8<sup>th</sup> to complete the performance evaluations for the City Manager, City Attorney and Municipal Judge.

### **CONSENT AGENDA**

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

The item approved by Consent Agenda was: approval of the May 9, 2011 regular City Council meeting minutes.

### **PUBLIC HEARINGS**

Public Hearing to Receive Testimony Regarding Declaration of the 19<sup>th</sup> Street Reservoir and Associated Real Property as Surplus

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

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Public Works Director Anderson reviewed the staff report.

### Testimony

Hearing no testimony, the public hearing was closed.

### Resolution No. 11-014 Declaring a Parcel of Real Property and Associated Reservoir Commonly Known as the 19<sup>th</sup> Street Reservoir Property as Surplus Property

It was moved by Wood and seconded by Ahier to adopt Resolution No. 11-014 declaring a parcel of real property and associated reservoir commonly known as the 19<sup>th</sup> Street Reservoir property as surplus property. The motion carried unanimously.

### **ACTION ITEMS**

### General Ordinance No. 11-1312 Amending the City of The Dalles Comprehensive Land Use Plan, Updated January 2006

City Attorney Parker reviewed the staff report. Community Development Director Durow noted that all documents pertaining to the ordinance were present for review. City Manager Young asked the City Attorney if minor text amendments could be made at this time. City Attorney Parker said it would be acceptable to make some minor amendments and still adopt the ordinance.

Mayor Wilcox outlined the amendments he wanted to be included in the Comprehensive Plan as follows:

Page 27, Goal 9, remove the reference to the mind and body center because it has already been completed.

Page 29 regarding having adequate industrial lands for development through the year 2026 be linked with a later reference regarding wetlands in industrial zones. Wilcox said the statements needed to be attached to each other.

Page 35, remove the reference to Dallesport lands. Wilcox said Dallesport lands should not be included as land available to the City for development as it is not located within the City or the State. Community Development Director Durow said the finding stated that consideration of developable land in Dallesport was not viable and said the finding would help in dealing with Gorge Commission issues in the future. City Manager Young suggested language be added to the finding to state why it would not be viable.

Page 36, third bullet, Wilcox asked that the wetlands language be added to the stated language.

Councilor Ahier said there needed to be balance between the wetlands concerns and available land within the Urban Growth Boundary. Public Works Director Anderson said the availability of the industrial land for development was also linked to the ability to maintain the Columbia River water right in the future.

Mayor Wilcox asked for clarification of the commercial uses in industrial zones that was stated on page 37. City Manager Young provided an example that a restaurant may want to locate in the zone to provide a service to the companies who have employees in the area. He said the commercial uses would have to complement other uses.

It was moved by Ahier and seconded by McGlothlin to approve the changes proposed. The motion carried unanimously.

City Attorney Parker read General Ordinance No. 11-1312 in full.

It was moved by Ahier and seconded by McGlothlin to approve the first reading of General Ordinance No. 11-1312. The motion carried unanimously.

Mayor Wilcox said if the ordinance was adopted, he would not sign it. He said he did not believe the Council had enough time to thoroughly review all the information before adopting the ordinance.

City Attorney Parker read General Ordinance No. 11-1312 by title.

It was moved by Wood and seconded by Dick to adopt General Ordinance No. 11-1312 amending the City of The Dalles Comprehensive Land Use Plan, updated January 2006, by title.

Councilor Ahier said he also felt the process had been rushed, but that the Council should trust the Planning Commission and staff. He said he would support the adoption of the ordinance and would sign the ordinance as Mayor pro-tem.

The motion to adopt General Ordinance No. 11-1312 amending the City of The Dalles Comprehensive Land Use Plan, updated January 2006, by title was voted on and carried unanimously.

#### Approval of Fiscal Year 2011-12 QLife Agency Budget

City Manager Young reviewed the staff report.

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It was moved by Wood and seconded by Spatz to approve the 2011-12 QLife Agency Budget and Work Scope as presented. The motion carried unanimously.

Resolution No. 11-013 Declaring the Necessity and Intent to Acquire Easements and Right of Way from Certain Described Real Property, Authorizing the Oregon State Department of Transportation to Negotiate for its Acquisition

Community Development Director Durow reviewed the staff report.

It was moved by Dick and seconded by Wood to adopt Resolution No. 11-013 declaring the necessity and intent to acquire easements and right of way from certain described real property, authorizing the Oregon State Department of Transportation to negotiate for its acquisition. The motion carried unanimously.

Approval of Agreement With US Forest Service to Conduct Environmental and Engineering Analysis Related to Proposed Replacement of Dog River Pipeline

Public Works Director Anderson reviewed the staff report. He noted the actual cost information had been received after the completion of the staff report, so the amount was \$53,853.

It was moved by Wood and seconded by Ahier to authorize the City Manager to sign a Collection Agreement with the US Forest Service in the amount of \$53,853 for work related to permitting the Dog River Diversion Pipeline replacement project. The motion carried unanimously.

### **EXECUTIVE SESSION**

Mayor Wilcox recessed the meeting to Executive Session at 7:38 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; and ORS 192.660 (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.

### **Reconvene to Open Session**

The meeting reconvened to open session at 8:00 p.m.

### **DECISIONS FOLLOWING EXECUTIVE SESSION**

None.

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**ADJOURNMENT**

Being no further business, the meeting adjourned at 8:00 p.m.

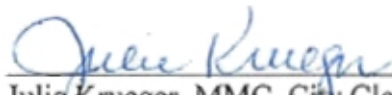
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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

  
James L. Wilcox, Mayor

ATTEST:

  
Julie Krueger, MMC, City Clerk