

MINUTES  
Regular City Council Meeting  
May 8, 2023  
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MINUTES

CITY COUNCIL MEETING  
COUNCIL CHAMBER, CITY HALL  
MAY 8, 2023  
5:30 p.m.

VIA ZOOM/ IN PERSON

**PRESIDING:** Mayor Richard Mays

**COUNCIL PRESENT:** Darcy Long, Tim McGlothlin, Rod Runyon, Scott Randall, Dan Richardson

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Izetta Grossman, Public Works Director Dave Anderson, Police Chief Tom Worthy, Finance Director Angie Wilson, Human Resources Director Daniel Hunter

**CALL TO ORDER**

The meeting was called to order by Mayor Mays at 5:30 p.m.

**ROLL CALL OF COUNCIL**

Roll Call was conducted by City Clerk Grossman. Runyon, Richardson, Randall, Long, McGlothlin present.

**PLEDGE OF ALLEGIANCE**

Mayor Mays asked Councilor Randall to lead the Pledge of Allegiance.

Councilor Randall invited the audience to join in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

It was moved by Long and seconded by Richardson to approve the agenda as submitted. The

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motion carried 5 to 0; Long, Richardson, Randall, Runyon, McGlothlin voting in favor; none opposed.

### **AUDIENCE PARTICIPATION**

Russ Brown, 903 East 14<sup>th</sup> Thanked Public Works for the good job on streets.

He said crime was on the rise in The Dalles. He said he heard the Police Department was fully staffed not very long ago. Brown said 5 officers have left or are leaving the department. He said he hoped Human Resources was doing exit interviews with those officers.

Brown said he would like to see numbers of the crimes in The Dalles over the last 12 months, including outcomes of the arrests. He said specifically, if people were arrested, jailed, prosecuted and results of the prosecution.

Brown said he attended the Homeless Town Hall at the Discovery Center and the Wasco County District Attorney provided numbers on various items, none were provided on outcomes. He asked the Council to request those numbers and contact him with the results.

He said he wondered if the Council was aware of how bad crime is in The Dalles.

Carol Earl said she had lived in The Dalles for over 40 years and felt safe. She said due to the number of Short Term Rentals in her neighborhood, she no longer feels safe. She said there were parking overflows, loud parties.

Sally Carpenter read a letter prepared and signed by others in the neighborhood. (attached) She said since the owner is not a resident of the Short Term Rentals the entire safe community feel in the Scenic area had been lost.

James "Pat" Madsen; Jan Oldenberg; Paul Peters; Wendy Wilson said

- One property had a tarp on roof for 2 years
- Two properties had been rented together with gate between properties- lots of people in yards all night
- No consideration for the neighborhood
- Everyone staying at the homes do not register with the owner
- Concerned about squatters on the properties – neighbors don't know who belongs there and who doesn't
- Damage done to vehicles
- Street down to one lane
- Need stronger restrictions – enforcement

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- Property values going down
- Neighborhood no longer a family neighborhood

Debi Ferrer said she is an owner of a short term rental. She said the difference is she lives at the property, rents her downstairs about 10 days a month. She said she hasn't had any issues.

Ferrer said they are preparing to sell her mother-in-law's home. She said she is concerned it will be purchased by someone who will turn in into a short term rental. She said if the Code was tougher, perhaps it would be easier to assure it won't become a Short Term Rental.

City Attorney Jonathan Kara said the Ordinance does have a provision for neighbors to complain via form to the Codes Enforcement Officer. He encouraged citizens to contact Nikki Lesich, the Codes Enforcement Officer. He said she would investigate.

Councilor Long said these people shouldn't have to fill out a form, they came to talk to the Council. She said the Council didn't know ramifications at the time the ordinance was enacted. She said the intent was to address issues as they came up. She said it was time to review the code in light of these comments.

City Manager Matthew Klebes said he agreed with Councilor Long. He said he also encourages citizens to file complaints as they occur, to allow staff to investigate.

Klebes said staff was discussing these issues. He said it was time to review the ordinances and address the issues.

Councilor Richardson said with the growth of Short Term Rentals in the last 3 years, it would be helpful to have citizens report issues to determine if issues are citywide.

Councilor Randall and McGlothlin said they live in these neighborhoods and would follow up.

### **CITY MANAGER REPORT**

City Manager Matthew Klebes introduced the new Executive Assistant Amie Ell.

He said the City had move forward in the process of having a RARE Planner.

### **CITY COUNCIL REPORTS**

Councilor McGlothlin reported:

- League of Oregon Cities Conference

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- Budget meetings – smooth working toward common goals

Councilor Long reported:

- League of Oregon Cities Conference
- Missed budget meeting due to migraines

Councilor Randall reported:

- League of Oregon Cities Conference
- Budget meetings

Councilor Richardson reported:

- Budget meetings
- Presented Climate Resiliency Report to Wasco County Commission accepted report

Mayor Mays reported:

- League of Oregon Cities Conference
- Budget meetings
- Virtual Town Hall Jeff Helfrich

## **CONSENT AGENDA**

It was moved by Randall and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried 5 to 0, Randall, McGlothlin, Runyon, Long, Richardson voting in favor; none opposed.

Items approved on the consent agenda were: The minutes of the April 24, 2023 Regular City Council Meeting; Resolution No. 23-013 Public Works Seasonal Employee Wages; Surplus various items at City Hall.

## **CONTRACT REVIEW BOARD**

### Authorization to Award a new 15 year Contract with OMI for Operation of the City's Wastewater Treatment Plant

Public Works Director Dave Anderson said the OMI Regional Manager, Shawn Moffett and Lead Operator Oscar Ferris were in attendance. Anderson reviewed the staff report.

In response to questions Anderson said:

- 10 year renewals were available to the City, not required
- High level of satisfaction with OMI

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- Occasional events do cause odors

It was moved by McGlothlin and seconded by Richardson to authorize the City Manager to enter into a new 15-year contract with Operations Management International (OMI) for operation of the City's wastewater treatment plant with a first-year cost of \$1,359,289.00. The motion carried 5 to 0; McGlothlin, Richardson, Runyon, Long, Randall voting in favor; none opposed.

### ACTION ITEMS

General Ordinance No. 23-1397 An Ordinance Amending The Dalles Municipal Code Title 5 (Offenses) by creating Chapter 5.02 (Smoke-Free Lewis & Clark Festival Park)

City Manager Klebes reviewed the staff report.

Neita Cecil, North Central Public Health thanked the Council for allowing her to bring the Ordinance before council. She said she would work with the city on signage and costs of signage.

Runyon asked if smoking and vaping were addressed in the Ordinance.

City Attorney Kara said Inhalant Delivery System = vaping.

It was moved by Long and seconded by McGlothlin to adopt General Ordinance No. 23-1396, an ordinance amending The Dalles Municipal Code Title 5 (Offenses) by creating Chapter 5.02 (Smoke-Free Lewis & Clark Festival Park). The motion carried 5 to 0; McGlothlin, Long, Richardson, Randall, Runyon voting in favor; none opposed.

### Climate Resiliency Report

City Manager Klebes reviewed the staff report.

Councilor Richardson introduced the Committee members in attendance: Eric Hansen, Carl Schwartz, Kurt Conger, Debi Ferrer. He said the committee worked hard to deliver a feasible, prudent, and actionable report. He said the report was intended for staff to use as a conversation to prioritize actions.

It was moved by McGlothlin and seconded by Long to accept the Climate Resiliency Report and direct staff to evaluate recommendations for potential implementation. The motion carried 5 to 0; McGlothlin, Long, Randall, Richardson, Runyon in favor; none opposed.

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**EXECUTIVE SESSION**

In accordance with ORS 192.660(2)(d) to conduct deliberations with persons you have designated to carry on labor negotiations.

Mayor Mays Recess Open Session at 7:02 p.m.

Mayor Mays Reconvene Open Session at 7:23 p.m.

It was moved by Richardson and seconded by Randall to authorize the City Manager to enter into SEIU Collective Bargaining Agreement to begin July 1, 2023 and continue through June 30, 2026. The motion carried 5 to 0; Richardson, Randall, McGlothlin, Long, Runyon voting in favor; none opposed.

Mayor Mays said being a new City Manager, Klebes had done a great job with the Police Union and SEIU contracts.

City Manager Klebes said the Human Resource Director and Finance Director, as well as the Police Chief, and Public Works Director made a great team.

Mayor Mays reminded Council the City Manager, City Attorney and Judge evaluations were scheduled for May 19<sup>th</sup> at 11 a.m. He said the self-evaluations had been completed.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 7:27 p.m.

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Submitted by/  
Izetta Grossman, CMC  
City Clerk

SIGNED:



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Richard A. Mays, Mayor

ATTEST:



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Izetta Grossman, CMC City Clerk

**From:** [Matthew Klebes](#)  
**To:** [Izetta E. Grossman](#)  
**Subject:** FW:  
**Date:** Wednesday, May 10, 2023 7:59:02 AM

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FYI

[Matthew Klebes](#)  
City Manager  
City of The Dalles  
313 Court Street  
The Dalles, Oregon 97058  
(541) 296-5481

**PUBLIC RECORDS LAW DISCLOSURE:**

This email is a public record of the City of The Dalles and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the City's Public Records Retention Schedule.

**From:** Joyce Overeem <outlook\_5972CB5CECBC18E7@outlook.com>  
**Sent:** Tuesday, May 9, 2023 9:34 PM  
**To:** Matthew Klebes <mklebes@ci.the-dalles.or.us>  
**Subject:**

**WARNING: Email from external source. Links and attachments could pose security risks. Investigate sender and think before you click.**

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My husband and I live next to 303 West 20th street and behind 300 West Scenic Drive. These properties have been a noise nuisance for quite some time. The pool house at 300 West Scenic Drive has a sound system that's created a Disco/Roadhouse atmosphere almost every weekend. The THUMP, THUMP, THUMP, BOOM, BOOM, BOOM bass can go on all weekend all day and into the night. My husband and I can hear the thundering sound system into our living room and bedroom. This noise prohibits us from enjoying our balcony and backyard, especially on the weekends. When we have complained to the Air B&B manager, she informs us that quiet hours are from 0700 to 1100 pm and it's just people laughing and dancing. Apparently, we have to just put up with it until 11:00 PM.

Also, there are parties, loud laughing and shouting that go on in the backyards late into the night on weekends. There is also a hot tub on the property line that is a source of noise during the night.

There are people tramping back and forth between the houses and all hours of the day and night causing my dog to bark. I have had to buy my dogs bark collars and tranquilize them to keep them from barking at the constant noise on the weekends when groups of people are wandering back and forth, day and night. There is a large tarp over the roof and in the backyard that flaps day and night that also creates a constant noise nuisance. The pool water treatment or circulating pumps gurgle all night disturbing our older dog.

We have enjoyed our lovely home since 2003. We have had good neighbors and beautiful views. We now have loud nuisance noises almost every weekend, strangers tramping around behind our property at all hours of the day and night. The owner of these Air B&Bs have asked us numerous times if they can buy our property. We would like to stay in our home, but we are becoming increasingly concerned about the noise and strange groups of people we have to tolerate every weekend.

I hope that the city can investigate the proliferation of short-term rentals in our neighborhood and create some ordinances to stop the deterioration of the quality of life in our neighborhood.

Sincerely Michael and Joyce Overeem

Sent from [Mail](#) for Windows

The Dalles City Council  
313 Court Street  
The Dalles, Oregon 97058

May 8, 2023

Dear City Council,

We are residents of The Dalles who live south of West 14<sup>th</sup> Street and west of Sorosis Park in a section of the city that is zoned as Low Density Residential.

Within areas zoned as Low Density Residential, the City permits outright the primary use of single family residences, such as our own. Within areas zoned as Low Density Residential, the City permits outright the accessory uses of “Bed and breakfast and vacation rentals, subject to the provisions of Article 6.040: Bed and Breakfast and Vacation Rentals.”<sup>1</sup>

In the past several years, our neighborhood has devolved, unexpectedly, into a short-term rental haven. There has been a purchasing spree by shadow limited liability companies<sup>2</sup> of former single-family homes in our neighborhood. In turn, most of those companies have posted the properties on websites including Airbnb.com which advertise and broker these homes for short-term stays. To the best of our knowledge, no long-term residents live at these vacation rentals. Since the posting of these properties on websites like Airbnb.com, our neighborhood has experienced increased noise, decreased parking space, general crowding, increased traffic, increased criminal presence, lack of awareness of children playing in the neighborhood, and general disrespect for community norms. Additionally, we can no longer maintain any kind of Neighborhood Watch program because we can no longer discern short-term renters from trespassers and drug traffickers. Finally, our region is experiencing a long-term housing shortage driven, in part, by the prominence of short-term rentals. We have observed companies now buying properties that historically were owner-occupied single family residences. The result is that the number of owner-occupiers – folks who would otherwise have a personal stake in where they live – is dwindling. The number of single-family homes that are available for sale is so small as to squeeze a middle-class family with children out of our community.<sup>3</sup>

The City’s current zoning provisions are permissive of these short-term rental properties being located in Low Density Residential neighborhoods. The majority of the City’s code addressing short-term rentals is contained in Chapter 8.02, which really only addresses licensing and limiting the stay of guests to 30 days maximum.

In order to minimize or limit the multiple negative aspects of short-term rental activity in our zone, we propose the City to take the following actions:

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<sup>1</sup> Per City Code 10.2.030, an accessory use is a use on the same lot with and of a nature customarily incidental and subordinate to the principal use.

<sup>2</sup> For example, according to the Wasco County Public Basemap (viewable at <https://public.co.wasco.or.us/gisportal/apps/webappviewer/index.html?id=80a942ec81da4dd2bcc16032cc329459>), the property at 303 West 20<sup>th</sup> Street is owned by “TD 303 W 20TH LLC.” The property at 322 West 20<sup>th</sup> Street is owned by “TD 322 W 20TH LLC.” The property at 300 West Scenic Drive is owned by “1121 SE LINCOLN LLC.” The property at 416 West Scenic is owned by “TD 416 W SCENIC LLC.” The property at 318 West 20<sup>th</sup> Street is owned by “TD 318 W 20TH LLC.”

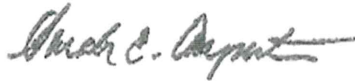
<sup>3</sup> See, for example, the United States Census Bureau data for Wasco County at <https://www.census.gov/quickfacts/fact/table/wascocountyoregon/INC110221#INC110221>



- (1) Establish a minimum period of stay of 30 days in any short-term rental property sited in a Low Density Residential zone. In addition, set a maximum number of total rental contracts that may be formed per year for any short-term rental property sited in a Low Density Residential zone.
- (2) Require a person who owns or operates a short-term rental property sited in a Low Density Residential zone to reside on the premises being rented.
- (3) Establish a limit for how many short-term rental licenses the City will grant per year in Low Density Residential zones. Maintain the licensing provisions of City Code 8.02.030. Establish a lottery to determine which licenses will be extended each year. Establish benchmarks which each property must meet before having its license renewed.
- (4) Change short-term rentals from being an accessory use to being a conditional use within a Low Density Residential zone. Ensure the City notifies all neighbors about each conditional-use application and subsequent hearing.
- (5) Fund increased police patrols in neighborhoods with short-term rental properties.
- (6) Evaluate making each of the above actions apply to all residential zones.

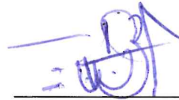
Our greatest concerns are community safety, affordable housing, and maintaining the livability and family-friendly nature of our city. We encourage all city residents to share in these concerns.

Sincerely,



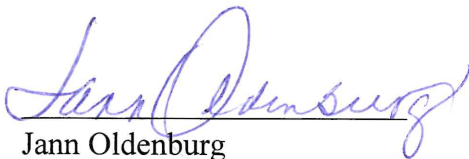
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Sarah E. "Sally" Carpenter  
PO Box 371  
The Dalles, Oregon 97058



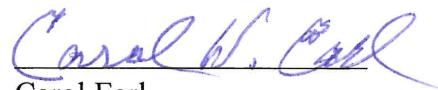
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Wendy Wilson  
PO Box 371  
The Dalles, Oregon 97058



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Jann Oldenburg  
2151 Radio Way  
The Dalles, Oregon 97058



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Carol Earl  
420 West Scenic Drive  
The Dalles, Oregon 97058