

## MINUTES

REGULAR COUNCIL MEETING  
OF  
FEBRUARY 27, 2012  
5:30 P.M.  
THE DALLES CITY HALL  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Jim Wilcox

**COUNCIL PRESENT:** Bill Dick, Carolyn Wood, Dan Spatz, Brian Abier, Tim McGlothlin

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Police Chief Jay Waterbury, Community Development Director Dan Durow, Finance Director Kate Mast, Administrative Fellow Cooper Whitman, Associate Planner Dawn Hert, Senior Planner Dick Gassman

### CALL TO ORDER

Mayor Wilcox called the meeting to order at 5:33 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**

It was moved by Wood and seconded by Spatz to approve the agenda as amended. The motion carried unanimously. Amended agenda included the Supplemental Agenda and addition of authorization for City Clerk to endorse OLCC New Outlet License for Astro Mini Mart.

### **PRESENTATIONS/PROCLAMATIONS**

#### **Historic Landmarks Commission Annual Report**

Associate Planner Dawn Hert provided an overview of the annual report for 2011. She said the Rock Fort Maintenance Plan was available for review. The City Council asked that the Plan be posted to the City's website.

Councilor Spatz expressed appreciation for the Historic Landmarks Commission, saying they provided a valuable resource in the preservation of our local history.

#### **Introduction**

Mayor Wilcox introduced Larry Constock, third grade student at Chenoweth Elementary School. He said they had become acquainted about a year ago and he wanted Larry to have a better understanding of how City Council meetings worked.

### **AUDIENCE PARTICIPATION**

Jeff Clifford, PO Box 269, The Dalles, questioned whether the park at Klindt Cove was owned and operated by the City. He said it had signage prohibiting alcohol and tobacco and noted that boaters who used that beach often had alcohol on their boats.

City Manager Young said the Parks and Recreation District had responsibility for the park. Police Chief Waterbury said the City had an ordinance prohibiting drinking in public places and thought the tobacco prohibition was a regulation of the District.

Mr. Clifford said he was opposed to government encroachment on his liberties in the community, including sign regulations, demands on small businesses, and the proposed burn restrictions. He said the Mayor claimed to be conservative, but governed liberally. He said the City Council should not encroach on the liberties of its citizens.

### **CITY MANAGER REPORT**

City Manager Young reported he had been appointed by the League of Oregon Cities to serve on the City-County Insurance (CCIS) Board for a four year term. Young said School District 21 had been discussing the possible East 19<sup>th</sup> Street extension and would be discussing the matter again at a future meeting. He said the City had agreed to gravel a 100 x 100 foot area for additional parking at the track as part of their agreement for the project.

### **CITY ATTORNEY REPORT**

City Attorney Parker said he had recently attended the Government Law Seminar and many topics had included information regarding social media policies. He said staff would be reviewing the City's current policies regarding email, cell phones and internet to ensure our policies were current with changing technology. Parker said he had also learned information regarding electric car charging stations.

### **CITY COUNCIL REPORTS**

Councilor Dick reported he had attended the Urban Renewal Advisory Committee meeting and staff had made a very good presentation regarding urban renewal projects.

Councilor Spatz noted the Mid Columbia Economic Development District (MCEDD) would hold their third Strengthening the Economy session on March 8<sup>th</sup> in Sherman County.

Councilor Ahier said the City had received cards from St. Mary's Academy students, thanking the City for its work for the community.

Mayor Wilcox said the Sister City Association was working to establish a teleconference with the City Council of Miyoshi City in the spring.

### **CONSENT AGENDA**

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

Items approved by Consent Agenda were: 1) approval of February 13, 2012 regular City Council meeting minutes; 2) approval of January 30, 2012 goal setting minutes; 3) authorization for City Clerk to endorse OLCC New Outlet application for The Daily Special BBQ Restaurant; and 4) authorization for City Clerk to endorse OLCC New Outlet application for Astro Mini Mart.

## **PUBLIC HEARINGS**

### **Public Hearing to Receive Testimony Regarding Annexation of Lee Street Island Properties**

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

Senior Planner Gassman reviewed the staff report. He said the City had received one written comment, which he distributed to the City Council for review (attached as Exhibit "A").

Councilor Ahier asked staff to explain the County's support of the island annexations and to explain that the County would not be harmed by loss of tax revenue.

Senior Planner Gassman said the County was notified regarding all proposed annexations and had never opposed one. He said he believed they appreciated not having responsibility for the rights of way. Gassman said there were various categories of streets, and the local access streets or public rights of way were not improved or maintained and would not be unless they were brought up to the standards required by the entity in which the street was located. He said staff continued to bring the annexations to City Council because it was the direction from Council to annex to the Urban Growth Boundary to the extent possible.

City Manager Young said the letter submitted by Dennis Hester expressed concern about taking property tax revenue away from the County. Young said the County would continue to collect property taxes, as they did on all properties located in the City. He said annexation would provide for improved law enforcement protection.

City Attorney Parker said a few clerical changes had been made to the ordinance and the title should state this was Round 9, not Round 8.

### **Testimony**

Patricia Combs, 733 Lee Street, The Dalles, said she did not support the annexation of her property and noted that many of the properties included in the proposed annexation were empty and decaying homes and that most of the residents had died. She questioned whether annexation would still allow her to keep her widow tax exemption status and what she would gain by being included in the city limits.

City Manager Young said public access roads would not be improved but that sewer rates would be reduced to in-city rates and police protection would be greater. He said the City did not regulate tax exemptions by the County.

Hearing no further testimony, the public hearing was closed.

Special Ordinance No. 12-547 Annexing Certain Additional Properties and Public Right of Way Located in the Urban Growth Boundary of the City of The Dalles Pursuant to ORS 222.750 (Island Annexations - Round 9)

Councilor Ahier expressed concern regarding a greater burden being placed on the City to make street repairs, saying there was not adequate funding to bring all the public streets up to City standards.

Councilor Wood said the local improvement district process was the mechanism for people to raise the street standards and once a street met City standards, the City was obligated to maintain it.

Councilor Spatz said funding for street maintenance did need to be addressed.

City Clerk Krueger read Special Ordinance No. 12-547 by title.

It was moved by Wood and seconded by Spatz to adopt Special Ordinance No. 12-547 annexing certain additional properties and public right of way located in the Urban Growth Boundary of the City of The Dalles pursuant to ORS 222.750 (island annexations - round 9), by title. The motion carried unanimously.

**ACTION ITEMS**

Approval of New Full-time Position of Information Technology (IT) Manager

City Manager Young reviewed the staff report.

Mayor Wilcox expressed his support of having the position be in-house.

Councilor Ahier said the contract with the Education Service District (ESD) had increased every year and it made sense to have the position in-house due to cost savings, availability and accountability. He said he believed better service could be provided.

Councilor McGlothlin said he too supported having the position in-house.

Councilor Spatz asked if the flow chart indicated the position would work directly under the City Manager. City Manager Young said that was correct.

It was moved by Spatz and seconded by Ahier to direct the City Manager to create and fill a full time IT Manager position effective July 1, 2012. The motion carried unanimously.

Approval of Agreement With Department of Land Conservation and Development for the Periodic Review Work Program, Phase II

Community Development Director Durow reviewed the staff report.

Mayor Wilcox asked if the studies that had been completed previously would still be accurate or if they would have to be updated because they had been done a long time ago.

Community Development Director Durow said he did not believe the previous work would be outdated.

It was moved by Wood and seconded by McGlothlin to authorize the City Manager to sign the contract with Department of Land Conservation and Development to receive the periodic review grant of \$150,000. The motion carried unanimously.

**DISCUSSION ITEMS**

Discussion Regarding Proposed Burn Restrictions

City Clerk Krueger reviewed the staff report and noted Committee members, Fire Marshal, and The Dalles Disposal representatives were in attendance to help answer questions of the Council.

Fire Marshal Dan Hammel said the Fire District would work on an appropriate permit form and said he would work with City staff to determine the exact dates for the open burn seasons, based on the State burning regulations. He suggested the ordinance also contain an exemption for agricultural burning.

The City Council discussed the proposed roll cart proposal that would include one garbage, one recycle, and one yard debris/food waste cart per residence. It was noted if customers no longer needed the large garbage can, they could get a smaller one which would help reduce the monthly cost of the service.

The City Council discussed the length of the open burning seasons. Councilor Wood favored reducing the amount of time allowed. Mayor Wilcox said due to high wind days and other weather issues, the actual number of days for each season would likely be reduced.

Bruce Lumper, DEQ and Burn Committee Member, said the DEQ was prepared to provide burn advisory information for the community.

In response to a question, Jim Winterbottom, The Dalles Disposal, said his company would be able to meet the City's proposed time frame to roll out the new cart program, but they needed direction as to whether service would become mandatory or based on subscription service and whether the Council intended to include only the city limits or the urban growth boundary, before they could provide accurate rate information for the program.

It was the consensus of the City Council to direct staff to work with Wasco County to determine whether the burn restrictions could be extended out to the urban growth boundary.

Burn Committee Member Kathy Heitkemper noted that the City could implement the burn barrel ban and still decide to only provide garbage service. She said there was no requirement to provide the yard debris service as part of the package.

Jim Winterbottom noted the current cost for weekly yard debris pick up was \$7.70 per month.

Committee Member Pierce Louis said people would still have the ability to burn yard debris during the open burning seasons. Committee Member Karen Murray said the yard debris program was much more than backyard composting because so much more organics could be disposed of through the program. Mr. Louis said many communities already had the three cart disposal system and the Northwest was a leader in using the system.

Burn Committee Member Russ Brown said if citizens obeyed the law regarding what could be burned in barrels, there would not be an issue, but they frequently burn trash in the barrels.

Councilor Ahier said he supported individual property rights and understood people wanted to burn, but when the smoke affected neighboring properties, the neighbor's property rights were violated too. He said there were times when government did need to implement regulations such as banning burn barrels.

It was the consensus of the City Council to direct staff to schedule a public hearing and adoption of a burn restriction ordinance.

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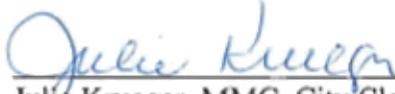
**ADJOURNMENT**

Being no further business, the meeting adjourned at 7:50 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:   
~~James L. Wilson, Mayor~~  
Brian Ahier, Mayor pro-tem

ATTEST:   
Julie Krueger, MMC, City Clerk

FEB 24 2012

Richard Gansman

I Dennis Hecter I live at 739 Lee St  
and I am not ~~for~~ this Annexing into  
the city Cause All you are doing is  
Taking Property Tax Revenue money  
from the County and they are hurting  
had enough as it is. I want my Home  
Block left in the County Cause that  
is the way I bought back in March  
of 2002 been their counts January of  
1999. I don't care what you say about  
lower the sewer bill or not. It  
was voted down for the City Take over  
before so leave us the Hell alone.  
The City limit's line look like's the  
Person was either Drunk or High on  
Drugs or Blind has a bat. I most  
~~likely~~ likely won't be at your bitch  
Session due to I my wheels arent Turning  
I am not making any money to pay my  
bill's and stay above water. Their should  
a law against you Taking money From the  
County on Property Taxes and not the laws  
That you write down ~~either~~ either, Cause I  
Feel the Dallas City has hurt the County  
Sheriff Dept Plus County head left Bad enough.  
Dennis Hecter

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