

## MINUTES

REGULAR COUNCIL MEETING  
OF  
MARCH 26, 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 Ahier, Tim McGlothlin

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Attorney Gene Parker, City Clerk Julie Krueger, Police Chief Jay Waterbury, Finance Director Kate Mast, Public Works Director Dave Anderson, Administrative Fellow Cooper Whitman

### 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.

### 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 presented. The motion carried unanimously.

MINUTES (Continued)  
Regular Council Meeting  
March 26, 2012  
Page 2

## **PRESENTATIONS/PROCLAMATIONS**

### **Presentation of Award to Finance Department**

Mayor Wilcox congratulated Finance Director Kate Mast and her staff for the financial accounting award of excellence from the Government Finance Officers Association. He said her work was very much appreciated by the City.

## **AUDIENCE PARTICIPATION**

Bob McNary, 1525 East Ninth Street, The Dalles, invited the City Council to attend a going away party for Earline Wasser, who was instrumental in maintaining the Pioneer Cemetery. He said the event would be at the Methodist Church from 1:00 p.m. to 4:00 p.m.

Marilyn Clifford, PO Box 269, The Dalles, requested on behalf of Sherry Jones documentation which indicated the City could not extend East 16<sup>th</sup> Street until East 19<sup>th</sup> Street had been constructed.

## **CITY ATTORNEY REPORT**

City Attorney Parker reported he had been working with staff to develop language regarding the fire suppression systems development charge ordinance and hoped to provide the information to City Council in April or May.

## **CITY COUNCIL REPORTS**

Councilor McGlothlin reported on the Traffic Safety Commission meeting, saying they would be reviewing data from the new radar equipment; investigating a concern about vehicles parking in bike lanes in the Port area; congestion and safety concerns in the neighborhood of East 10<sup>th</sup>, East 12<sup>th</sup>, and Kelly Avenue; and discussed potholes on City streets.

Councilor Ahier reported QLife Agency was going through it's budget process.

Councilor Spatz reported on the activities of the Community Outreach Team from their recent trip to Washington, D.C. He said they had met with veteran's agencies and gathered information on how to prepare for the return of veterans into the community; met with staff regarding the readiness center, marine terminal and festival area projects; robotics funding for the School District; met with EPA; and made inquiries to meet with Homeland Security regarding our airport.

Spatz said the Mid Columbia Economic Development District (MCEDD) was working to establish a revolving loan fund for small infrastructure projects in the area and was working to designate a pilot area for an attainable housing program.

Mayor Wilcox said the Airport was working to put together an open house in April or May and reported that the Sister City Association had interviewed students for the next trip to Miyoshi City. Wilcox said he had attended a meeting sponsored by Representative Walden and hoped it would help local, state and federal agencies to work together.

### **CONSENT AGENDA**

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

Items approved by Consent Agenda were: 1) approval of March 12, 2012 regular City Council meeting minutes; 2) approval to declare two printers as surplus property; and 3) approval to declare Public Works Department vehicle as surplus property.

### **PUBLIC HEARINGS**

#### **Public Hearing to Receive Testimony Regarding Proposed Ordinance to Restrict Outdoor Burning in the City of The Dalles**

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

City Clerk Krueger reviewed the staff report. It was noted the proposed ordinance had been posted and could be adopted by title if the Council wished to do so.

#### **Testimony**

Karen Murray, Tri-County Hazardous Waste Recycling Program, 419 East Seventh Street, The Dalles, provided information to the Council regarding free yard debris drop off and a free document shredding event, noting these were both good alternatives to burning.

Bonita Ross, 1622 Riverview Street, The Dalles, asked if current burn permits would be honored through June. Mayor Wilcox said they would and that if the ordinance was adopted, people would still be able to get permits for open burning on a seasonal basis.

Daniel (no last name provided), 845 Snipes Street, The Dalles, said if the Council adopted an ordinance based on adverse health conditions, they would soon consider banning vehicles because of their emissions causing adverse health conditions. He said he didn't think it was anyone's business what he burned and was opposed to the ordinance. He said the Council was punishing all citizens because a few chose to burn garbage.

Councilor Wood said burning was a health hazard for many people in the community. She said the Council needed to consider the health and safety of the entire community and there were alternatives to burning.

Marilyn Clifford, 1280 Oak Hill Drive, The Dalles, said she lived outside the City, but that when she lived in the city limits, she burned debris for her entire neighborhood and it was good to control overgrowth of brush and yard debris. She said if people were burning garbage, the City should write citations to the offenders, not ban burn barrels.

Jerry Harris, 1200 East 11<sup>th</sup> Street, The Dalles, said he burned yard debris in his barrel and did not have any problem with smoke leaving his property. He suggested allowing burn barrels but citing people who burned garbage.

Councilor Spatz noted there would still be seasons for burning if the ordinance was adopted, but the Council needed to address the health concerns of the citizens. He said the ordinance was a good compromise and provided balance.

Debbie Richelderfer, 2310 East 19<sup>th</sup> Street, The Dalles, said she hoped the community would not see more trash problems due to the fact people could no longer burn their trash.

Mayor Wilcox noted it had never been legal to burn trash.

Hearing no further testimony, the public hearing was closed.

General Ordinance No. 12-1321 Adopting Burn Restrictions for the City of The Dalles

Councilor Ahier said he agreed with the basic philosophy of government not interfering with the rights of citizens, but that this issue was one of public health and safety. He said it had been a good public process, with several opportunities for public input, a citizen committee appointed to make a recommendation and was a good compromise. Ahier said he would support adoption of the ordinance.

City Clerk Krueger read General Ordinance No. 12-1321 by title.

It was moved by Spatz and seconded by Wood to adopt General Ordinance No. 12-1321 adopting burn restrictions for the City of The Dalles, by title. The motion carried unanimously.

Public Hearing to Receive Testimony Regarding Amendments to the City's Sign Ordinance

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

City Attorney Parker reviewed the staff report.

Testimony

Rodger Nichols, 1617 Oregon Street, The Dalles, said he believed the Council was off base to adopt the proposed yard sale sign restrictions and questioned their authority to prohibit someone placing a sign on a neighbor's property.

Barbara Pashek, 1332 West 10<sup>th</sup> Street, The Dalles, said the proposed regulations were too much. She said she understood it could look messy, but yard sales were a way of life in the community.

Debbie RicheIderfer, 2310 East 19<sup>th</sup> Street, The Dalles, asked if real estate signs were exempt from the ordinance. She said the City should be more concerned about fixing potholes on City streets than yard sale signs.

Marilyn Clifford, 1280 Oak Hill Drive, The Dalles, said regulating yard sales signs was a terrible waste of time and resources of the City, was too restrictive and was harassment of the citizens.

Hearing no further testimony, the public hearing was closed.

Council Deliberation

Councilor Ahier said he didn't generally support government regulations and believed the ordinance adopted in 2010 was not effective. He said citizens needed to be responsible for picking up their signs after yard sales, but thought the ordinance went too far. Ahier said this proposal was not a health and safety issue and didn't support its adoption. He suggested the current regulations be repealed.

Councilor Spatz said he didn't think it was a health or safety concern but a visual issue. He said he did not think the signs caused traffic congestion and that the proposed ordinance was too restrictive. Spatz suggested addressing left behind signs as a litter issue.

Councilor Dick said he agreed with the comments made by Councilors Ahier and Spatz. He said he supported the Burn Restriction Ordinance because of health concerns, citizen participation and that it was a compromise the community could live with, but that the proposed rules for the yard sale signs were too complicated and needed to be more reasonable.

Councilor McGlothlin said he sought input from citizens and came to meetings with an open mind. He said his goal was to serve the interests of the community and did not believe the proposed yard sale sign requirements were supported by the citizens.

Councilor Wood said the issue seemed to have been made larger than it really should be and said laws had to apply to everyone, not just a few. She said it was a complicated issue but she did agree with the recommendation to install sign boards in certain locations where people could post their sales. She said before repealing the current ordinance, staff should investigate and make sure there were no gaps by doing so.

Mayor Wilcox said the proposed amendment was only to address signs in the public right of way and all signs would be banned, not just yard sale signs. He said if people believed this was a culture of our community, there was no reason to talk about having community pride because when people didn't pick up their signs, it was an unsightly garbage issue. He said it was also an economic development issue because people did not want to move to the community, residential or businesses, because it was unsightly. Wilcox said he supported adopting the ordinance and said it was important to keep the rights of way cleaned up. He said the proposed community sign boards would give people a place to advertise their sales and said the proposed amendment didn't have anything to do with the other requirements of the sign ordinance.

Councilor Spatz said he agreed that the community needed to have a nice appearance to attract business, but didn't think such a restrictive ordinance was needed to address a simple litter problem.

It was the consensus of the City Council to direct staff to proceed with installation of the proposed community sign boards and to investigate whether the left over yard sale signs could be addressed through littering laws.

Councilor Dick said he could support regulating yard sale signs in specific business areas, but not in residential neighborhoods.

Mayor Wilcox said it would be a good business opportunity for second hand dealers, who had said they get most of their merchandise from yard sales, to offer to post yard sale signs at their businesses.

MINUTES (Continued)  
Regular Council Meeting  
March 26, 2012  
Page 7

City Attorney Parker verified the Council's wish to repeal General Ordinance No. 10-1303 after reviewing to make sure it didn't leave gaps in the law; proceed with installation of community sign boards; and to look into possible enforcement of abandoned yard sale signs through the littering or other laws. The Council agreed they supported the items mentioned by the City Attorney.

Barbara Pashek suggested the City investigate the possibility of having the sign materials and labor donated by citizens, local contractors, or civic groups.

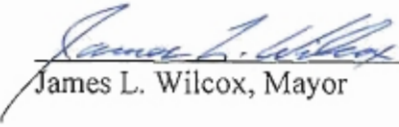
**ADJOURNMENT**

Being no further business, the meeting adjourned at 7:14 p.m.

---

Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

  
James L. Wilcox, Mayor

ATTEST:

  
Julie Krueger, MMC, City Clerk