

**MINUTES**

REGULAR COUNCIL MEETING  
OF  
SEPTEMBER 10, 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 Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Police Chief Jay Waterbury, Community Development Director Dan Durow, Public Works Director Dave Anderson, Finance Director Kate Mast, Engineer Dale McCabe, Administrative Fellow Garrett Chrostek, Senior Planner Dick Gassman

**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; all Councilors present.

**PLEDGE OF ALLEGIANCE**

Mayor Wilcox invited the audience to join in the Pledge of Allegiance.

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### **APPROVAL OF AGENDA**

It was moved by Ahier and seconded by Wood to approve the agenda as presented. The motion carried unanimously.

### **AUDIENCE PARTICIPATION**

Gary Dunning, 1814 Minnesota Street, The Dalles, said the community had developed a covenant several years ago and that in light of bad things happening in the community, hoped it would be embraced again and suggested the City put it on their website. He distributed copies of the Community Covenant to the City Council.

### **CITY MANAGER REPORT**

City Manager Young reported that The Dalles Dam Tours had been postponed due to the shuttles having axle problems.

### **CITY ATTORNEY REPORT**

City Attorney Parker reported that he had been working with the Airport Managers regarding an appeal to a storm water permit. He said a buffer had been established and a motion had now been filed to dissolve the appeal.

Parker said the Codes Enforcement Officer was currently working through the process to demolish a dangerous building at 600 East 12<sup>th</sup> Street.

### **CITY COUNCIL REPORTS**

Councilor Wood asked if the Council would address the coal train issue at a future meeting. City Attorney Parker said he would be preparing information for Council consideration at their September 24 meeting.

Wood said she had received a complaint about people hunting in the Taylor Lakes area and asked if it was legal to hunt there. Community Development Director Durow said it was legal to hunt in that area.

Councilor McGlothlin noted the next Traffic Safety Commission meeting would be held on September 19.

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Councilor Dick reported there had been no quorum for the last Urban Renewal Advisory Committee meeting, but they had heard a report on urban renewal projects.

Councilor Ahier reported the Council of Governments had a special meeting to make changes to their employee health care plan.

Ahier said since the decision had been made regarding location of a downtown parking structure, the Council should reconsider the Transportation Center lease for the Veterans. He said he supported extending the duration of the lease. Ahier said he also supported the concept of assisting with the financing of the installation of a new flag pole.

There was consensus of the Council to direct the City Manager to work with Wasco County to extend the lease of the Transportation Center for the Veteran's Service Office.

Councilor Dick said the Council should keep in mind the long term use of the building could be returned to use for transportation.

Mayor Wilcox said he had enjoyed the dedication of the new commercial dock and festival park and said the project was a success because of all the work done by City Manager Nolan Young. He said Mr. Young's importance to the project could not be acknowledged enough.

Wilcox said he had attended the grand opening for Coastal Farm Supply. He said the owner had mentioned that he had recently opened three stores and had the best service from the City of The Dalles. Mayor Wilcox thanked the City staff for the great service they provide.

Mayor Wilcox said though he had not added his name to a recent article from the City Council regarding urban renewal projects, he did support urban renewal and hoped the projects were successful.

Wilcox said the yard sale signs continued to be placed on street corners and it looked terrible.

### **CONSENT AGENDA**

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

Items approved by Consent Agenda were: 1) approval of July 23, 2012 regular City Council meeting minutes; and 2) approval of August 13, 2012 special City Council meeting minutes.

**CONTRACT REVIEW BOARD ACTIONS**

**Authorization to Purchase Two Pre-Fabricated Sanitary Sewer Lift Stations from Romtec Utilities to Replace the Meadows and Jordan Street Lift Stations**

Public Works Director Anderson reviewed the staff report.

Councilor Ahier asked how old the east side lift station was when it had to be replaced and what the expected life of a station was. Public Works Director Anderson said the east side station had been installed in the early 1970's and failed in 2009. He said the expected life for a lift station was approximately 40 years.

Councilor Spatz asked for clarification regarding the reasons for using a sole source supplier. Anderson said the reasons were competitive pricing, superior design, no need for staff to engineer them, and to have a standardized product.

It was moved by Wood and seconded by Spatz to authorize the expenditure of funds to purchase two pre-fabricated sanitary sewer lift stations from Romtec Industries for an amount not to exceed \$387,200.51. The motion carried unanimously.

**Award Contract for Installation of Two Pre-Fabricated Sanitary Sewer Lift Stations to Replace Meadows and Jordan Street Lift Stations**

The staff report was reviewed by Public Works Director Anderson.

It was moved by McGlothlin and seconded by Ahier to authorize the City Manager to enter into a contract with Crestline Construction in an amount not to exceed \$236,183.00. The motion carried unanimously.

**ACTION ITEMS**

**Approval to Move the City's Non-Public Safety Retirement Plan**

City Clerk Krueger reviewed the staff report.

It was moved by Wood and seconded by Ahier to authorize the City Manager to proceed with moving the City's non-public safety retirement plan to Standard Insurance. The motion carried unanimously.

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Approval to Enter Into Agreement With Oregon Department of Transportation to Receive Surface Transportation Program Funds for the East 19<sup>th</sup> Street Reconstruction Project

Public Works Director Dave Anderson reviewed the staff report. It was noted the approximate annual allocation of funds was 94% of \$140,000 and the annual allocations were placed in a fund for up to four years to accumulate enough money to construct a project. Anderson said the final cost for the East 19<sup>th</sup> Street project would be less than \$425,000.

Mayor Wilcox said the title of the fund, Street and Bridge Replacement Fund, should be changed because it really didn't fit with the projects.

It was moved by Spatz and seconded by Wood to authorize Agreement No. 28661 with ODOT to accept funds exchanged under the Surface Transportation Program for the East 19<sup>th</sup> Street Reconstruction Project in an amount not to exceed \$425,000. The motion carried unanimously.

General Ordinance No. 12-1317 Regulating the Conduct and Business of Second Hand Dealers and Certain Sales of Used Property; Requiring Records; Requiring a License for Second Hand Dealers; Providing Penalties; and Repealing General Ordinance No. 83-1048

City Attorney Parker reviewed the staff report. He said Section 1, C had been changed to clarify that the ordinance intended to regulate businesses that purchased regulated property at any business location for resale. Parker said Section 1, D had been changed to delete the exemption for used goods less than 50% of gross sales, and said Section 8 had been revised to provide for weekly reporting instead of daily reporting.

Councilor Ahier asked if this ordinance would apply to businesses who come to town to buy and sell gold. It was noted this type of business would fall under the rules of the transient merchant ordinance.

Eric Stovall thanked the City for allowing Second Hand Dealers to participate in the process of drafting the ordinance language. He said the ordinance was an improvement and urged the Council to adopt it. He said reporting may be more work but was good protection for the merchants.

There was a discussion regarding how the proposed ordinance may affect other businesses who primarily sell new merchandise, but some of their merchandise could be used. City Attorney Parker said he would contact businesses and let them know about the new ordinance.

Mary Merrill, The Dalles, asked if the ordinance included charitable organizations who sell used clothing. City Attorney Parker said non-profits had been exempted.

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City Clerk Krueger read General Ordinance No. 12-1317 by title.

It was moved by Wood and seconded by McGlothlin to adopt General Ordinance No. 12-1317 regulating the conduct and business of Second Hand Dealers and certain sales of used property; requiring records; requiring a license for Second Hand Dealers; providing penalties; and repealing General Ordinance No. 83-1048, by title. The motion carried unanimously.

General Ordinance No. 12-1325 Amending Land Use Development Ordinance

City Attorney Parker reviewed the staff report. He said staff had drafted language for Section 1, M and asked that they select either option #1 or #2. Following discussion, the City Council agreed the language outlined in option #2 was most suitable.

There was discussion regarding language restricting the height of shrubs. It was noted this subject would be revisited in 2013 when the next round of LUDO amendments were discussed.

City Clerk Krueger read General Ordinance No. 12-1325 by title.

It was moved by Spatz and seconded by Wood to adopt General Ordinance No. 12-1325 with the option #2 language Section 1 (M) of the ordinance concerning accessory use size, by title. The motion carried unanimously.

General Ordinance No. 12-1326 Amending General Ordinance No. 97-1216 Concerning Regulation of Food Carts and Other Transient Merchant Vendors on City Owned or Leased Property

City Attorney Parker reviewed the staff report.

City Clerk Krueger read General Ordinance No. 12-1326 by title.

It was moved by Ahier and seconded by Wood to adopt General Ordinance No. 12-1326 amending General Ordinance No. 97-1216 concerning regulation of food carts and other transient merchant vendors on City owned or leased property, by title. The motion carried unanimously.

**DISCUSSION ITEMS**

Discussion Regarding Main Street Steering Committee's Economic Improvement District Plan

City Manager Young reviewed the staff report.

Mayor Wilcox, Councilor Wood and Councilor Dick disclosed they all owned property in the proposed Economic Improvement District. City Attorney Parker said it was proper to disclose, but this proposal was for a class of properties and could be discussed and voted on.

Chuck Covert expressed support for the Plan and said the Main Street Committee supported the proposal. He said he had heard positive comments regarding implementation of an Economic Improvement District.

Mary Merrill said the Main Street Committee had been working hard to improve the downtown economic conditions, helping with the Jammin July event and inventorying empty buildings in the downtown. She noted one building had already been rented as a result of that information being available on face book. Merrill expressed her appreciation of the City for their support but said it was time for the Program to have its own staff.

Bob McNary asked if the City would have to pay the proposed assessment on properties they own in the district. City Manager Young said governments would be exempt from the assessment.

Councilor Ahier said he appreciated the City's role in supporting the program and hoped the program would spur development in the downtown.

It was moved by Wood and seconded by Spatz to direct the City Attorney to publish a 30 day notice for the first public hearing on October 22, 2012 and prepare the EID ordinance for Council consideration. The motion carried unanimously.

Discussion Regarding an Opportunity to Enter into a Ground Lease for Construction and Operation of an Electric Vehicle Charging Station

Public Works Director Anderson reviewed the staff report.

Councilor Spatz said he was familiar with the company proposing the project. He asked who would pay for the grid power. Public Works Director Anderson said the company would pay for the power. Spatz asked who would be responsible for insurance and indemnification, what the depreciation would be and if the City would have to buy the station at a later time. He asked how many parking spaces would be required to install the station. Public Works Director Anderson said the City would have an opportunity to buy the station but it would not be required. He said three parking spaces would be needed to install the station.

Spatz said he supported the concept, but would like to have more information regarding the specific project. Council Ahier agreed with Spatz that he supported the concept.

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Mayor Wilcox said within 10 years, the station would be old technology. He said he did not support the project and opposed using the ARCO parking lot as a location because there was not enough parking in that area.

Staff was directed to consider other possible locations, provide more detailed information and report back to Council.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 7:23 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

  
James L. Wilcox, Mayor

ATTEST:

  
Julie Krueger, MMC, City Clerk