

AGENDA

REGULAR CITY COUNCIL MEETING

March 10, 2014

5:30 p.m.

CITY HALL COUNCIL CHAMBER  
313 COURT STREET  
THE DALLES, OREGON

1. CALL TO ORDER
2. ROLL CALL OF COUNCIL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. PRESENTATIONS/PROCLAMATIONS
6. AUDIENCE PARTICIPATION

During this portion of the meeting, anyone may speak on any subject which does not later appear on the agenda. Five minutes per person will be allowed. If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting agenda for City Council consideration.

7. CITY MANAGER REPORT
  - A. Approval of SEIU Collective Bargaining Agreement
8. CITY ATTORNEY REPORT
9. CITY COUNCIL REPORTS
10. CONSENT AGENDA

Items of a routine and non-controversial nature are placed on the Consent Agenda to allow the City Council to spend its time and energy on the important items and issues. Any Councilor may request an item be "pulled" from the Consent Agenda and be considered separately. Items pulled from the Consent Agenda will be placed on the Agenda at the end of the "Action Items" section.

**CITY OF THE DALLES**

*"By working together, we will provide services that enhance the vitality of The Dalles"*

- A. Approval of February 24, 2014 Regular City Council Meeting Minutes
- B. Approval to Declare Police Department Vehicle as Surplus Property

11. ACTION ITEMS

- A. Special Ordinance No. 14-561 Assessing Properties at 306 East Eighth Place and 1290 West Eighth Street for Cost of Abatement of Hazardous Vegetation [**Agenda Staff Report #14-016**]

12. ADJOURNMENT

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**This meeting conducted in a handicap accessible room.**

Prepared by/  
Julie Krueger, MMC  
City Clerk



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**CITY of THE DALLES**313 COURT STREET  
THE DALLES, OR 97058PH. (541) 296-5481  
FAX (541) 296-6906**AGENDA STAFF REPORT**  
**CITY OF THE DALLES**

<b>MEETING DATE</b>	<b>AGENDA LOCATION</b>	<b>AGENDA REPORT #</b>
March 10, 2014	Consent Agenda 10, A - B	N/A

**TO:** Honorable Mayor and City Council

**FROM:** Julie Krueger, MMC, City Clerk

**THRU:** Nolan K. Young, City Manager

**DATE:** February 25, 2014

**ISSUE:** Approving items on the Consent Agenda and authorizing City staff to sign contract documents.

A. **ITEM:** Approval of February 24, 2014 Regular City Council Meeting Minutes.

**BUDGET IMPLICATIONS:** None.

**SYNOPSIS:** The minutes of the February 24, 2014 regular City Council meeting have been prepared and are submitted for review and approval.

**RECOMMENDATION:** That City Council review and approve the minutes of the February 24, 2014 regular City Council meeting.

B. **ITEM:** Approval to Declare Police Department Vehicle as Surplus Property.

**BUDGET IMPLICATIONS:** If the vehicle is sold, instead of traded, proceeds from sale of the vehicle will be credited to the General Fund.

**SYNOPSIS:** A 2011 Dodge Charger patrol vehicle, VIN #2B3CL1CG3BH540042, will be replaced with a new vehicle this year, per the vehicle replacement schedule. The mileage will be approximately 85,000 at time of disposal. The vehicle will either be used for trade in, or sold.

**RECOMMENDATION:** That City Council declare the vehicle as surplus and authorize staff to dispose of the vehicle.

## MINUTES

REGULAR COUNCIL MEETING  
OF  
FEBRUARY 24, 2014  
5:30 P.M.

THE DALLES CITY HALL  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Steve Lawrence

**COUNCIL PRESENT:** Bill Dick, Carolyn Wood, Dan Spatz, Tim McGlothlin, Linda Miller

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Public Works Director Dave Anderson, Finance Director Kate Mast, Police Chief Jay Waterbury, Senior Planner Dawn Hert

### CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:32 p.m.

### ROLL CALL

Roll call was conducted by City Clerk Krueger; all Councilors present.

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

Mayor Lawrence asked the Council to add the authorization for the City Clerk to endorse an OLCC application for The Dalles Fitness and Court Club to the Consent Agenda.

It was moved by Wood and seconded by Dick to approve the Agenda as amended. The motion carried unanimously.

### **PRESENTATIONS/PROCLAMATIONS**

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

Senior Planner Hert summarized the Historic Landmarks Commission annual report. She handed out pictures of what the historical signs would look like, noting they would be in place within approximately two weeks.

Mayor Lawrence asked if the goal to preserve the Lewis and Clark memorial should be removed since it had been demolished. Hert said that should have been removed from the report. She noted there had been a time capsule in the monument, which was now in the possession of the Parks and Recreation District. Hert said they would be revealing the contents of the capsule, and the items would later be on display at the Discovery Center.

### **AUDIENCE PARTICIPATION**

None.

### **CITY MANAGER REPORT**

City Manager Young said the Public Works Department would be increasing hours for the street sweeping activities in order to get the gravel removed from City streets in the next two weeks. He said two shifts would be working five days per week, from 4:00 a.m. to 9:00 p.m. He said it was important to get the project done for dust control, safety, and re-use of the gravel. It was noted that approximately 60% of the gravel was reclaimed, cleaned and re-used.

Young said he would be attending a City-County Insurance conference this week and traveling to Washington, D.C. with the Community Outreach Team next week.

### **CITY ATTORNEY REPORT**

City Attorney Parker said he had attended a government law seminar and learned about some City reclamation projects going on in Oregon City and Sweet Home. He reported that the tort claim limits issue may go to the Supreme Court for a decision on whether the limits were constitutional. Parker said he would monitor the case.

### **CITY COUNCIL REPORTS**

Councilor Wood said she would be attending the Council of Governments meeting on Tuesday, Historic Landmarks Commission meeting on Wednesday, and that the Qlife Agency meeting for Thursday had been postponed. Wood said items on the agenda for Historic Landmarks meeting included an application to grant landmark status and a building face lift for the IOOF Building

Mayor Lawrence said he still hoped to see budget information regarding the Transit Center and asked Councilor Wood to provide whatever information she received about it.

Councilor McGlothlin reported his attendance at the Traffic Safety Commission meeting, noting the Commission recommended that the City Council eliminate their goal concerning the intersection improvements at East 10<sup>th</sup> Street, Old Dufur Road, and Thompson Street. He said the Commission believed it was premature to pursue the project and the money would be better used to fill potholes.

City Manager Young asked the Council for direction, noting the project was ready to go out for bid to prepare the traffic study. It was further noted the listed goal was to develop a plan and this study would lead up to the development of the plan in the following year.

Councilor Dick said the intersection was unsafe, the visibility was poor and the issue needed to be addresses. He said the east side of the community would be developing and it was important to begin addressing street concerns in the area.

Councilor Wood said this was just the first step and should be completed.

Councilor Spatz said he would support bringing the issue as a separate agenda item but did not want to postpone the study. He said it was important to begin addressing development issues for the east side of the community.

Public Works Director Anderson said the cost of approximately \$13,000 for the study would not be enough money to restore any of the preventative maintenance projects in the budget. He said the Department did have funds budgeted to pay for filling potholes.

McGlothlin reported on a program that was presented to help reduce impaired driving, including drugs, alcohol, and texting and said they had great educational programs and a simulator that could be used to show people the impacts of impaired driving. He said the Traffic Safety Commission hoped to use the simulator for a high school program and demonstrate it at the Cherry Festival.

McGlothlin reported he had attended the Airport Board meeting, noting the Airport staff had plowed the runways during the recent snow event and many planes were able to land there because they had done the work.

Councilor Spatz said there were discussions regarding opening the opportunity to sell wind generated power to California. He said that would be economically beneficial for Oregon and Washington, and especially Wasco County. Spatz reported he had attended a legislative reception in Salem where there was discussion regarding the Columbia Gorge as a bi-state area. He said this would lead to cooperation throughout the Gorge regarding housing, transportation, recreation, and other mutual concerns. He said another bi-state summit was scheduled for May 16 to talk about issues with the Legislators.

Councilor Miller said the Urban Renewal Advisory Committee had met and discussed the grant and loan programs and may consider adding the interiors of buildings into the program. She said the Committee also received an update regarding the Granada Block Redevelopment, which would be presented to the Urban Renewal Agency at their meeting.

Mayor Lawrence said he had made a presentation to Wasco County Commission regarding support for the attainable housing program; attended an event called History After Hours, where several historical interest groups came together to support one another; attended a meeting with the City Manager and DEQ regarding the permit review for the railroad tie plant; gave a presentation to the middle school sixth grade classes; and attended the Community Outreach Team meeting. Lawrence said he would be traveling to Washington, D.C. next week with the team.

#### Approval of 2014 City Council Goals

It was moved by Wood and seconded by Spatz to approve the 2014 City Council goals with the addition of Goal 2, B.

Councilor McGlothlin asked if the Council wished to remove the goal objective regarding the plan for improvements of the intersection of East 10<sup>th</sup> Street, Old Dufur Road, and Thompson Street, as recommended by the Traffic Safety Commission. It was the consensus of the Council to keep the objective as stated.

The motion to adopt the 2014 goals was voted on and carried unanimously.



### **CONSENT AGENDA**

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

Items approved by Consent Agenda were: 1) approval of February 10, 2014 regular City Council meeting minutes; 2) approval of February 3, 2014 goal setting minutes; 3) approval to declare Public Works Department equipment as surplus property; and 4) authorization for the City Clerk to endorse an OLCC New Outlet application for The Dalles Fitness and Court Club.

### **CONTRACT REVIEW BOARD ACTIONS**

#### **Authorization to Purchase New Sanitary Sewer Sludge Truck**

Public Works Director Anderson reviewed the staff report. In response to a question, it was noted the trailer was expected to cost approximately \$48,000 and would be budgeted for in two years.

Councilor Miller asked if this would be an outright purchase or if a payment plan would be used. Public Works Director Anderson said it would be an outright purchase.

It was moved by McGlothlin and seconded by Wood to authorize the purchase of a new Freightliner sludge truck equipped with an Erickson 3500 gallon tank and pump system in an amount not to exceed \$172,498. The motion carried unanimously.

### **ACTION ITEMS**

#### **Resolution No. 14-007 Assessing the Real Property Located at 922 East Ninth Street for the Cost of Abatement of Junk and Hazardous Vegetation**

City Attorney Parker reviewed the staff report.

Mayor Lawrence asked what the \$500 administrative fee was for. City Attorney Parker said that was applied to all nuisance assessments as a way to help recover some of the costs for staff time.

Councilor Miller said she had driven by the property and it didn't appear to have been cleaned up at all. City Attorney Parker said the property was an on-going problem and had been abated several times in the past.

MINUTES (Continued)  
Regular Council Meeting  
February 24, 2014  
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It was moved by Wood and seconded by Spatz to adopt Resolution No. 14-007 assessing real property at 922 East Ninth Street for the cost of abatement of junk and hazardous vegetation. The motion carried unanimously.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 6:28 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

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Stephen E. Lawrence, Mayor

ATTEST:

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Julie Krueger, MMC, City Clerk



## CITY OF THE DALLES

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122  
FAX (541) 296-6906

# AGENDA STAFF REPORT

## CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
March 10, 2014	Action Items 11, A	14-016

**TO:** Honorable Mayor and City Council

**FROM:** Gene E. Parker, City Attorney

**THRU:** Nolan K. Young, City Manager *nyj*

**DATE:** February 20, 2014

**ISSUE:** Special Ordinance No. 14-561, assessing the properties at 306 East Eighth Place and 1290 West Eighth Street for the costs of abatement of hazardous vegetation.

**RELATED CITY COUNCIL GOAL:** None.

**PREVIOUS AGENDA REPORT NUMBERS:** None.

**BACKGROUND:** A Notice to Abate Nuisance Conditions was posted by the City's Code Enforcement Officer upon the property located at 306 East Eighth Place on November 5, 2013, and upon the property located at 1209 West Eighth Street on October 28, 2013. The Notice to Abate Nuisance Conditions advised the property owners of nuisance conditions existing upon the properties, consisting of the presence of hazardous vegetation. When the property owners, did not remove the nuisance conditions, the City hired two contractors to abate the public nuisances. The cost for removal of the nuisance conditions was \$320.00 for the property located at 306 East Eighth Place, and \$696.00 for the property located at 1290 West Eighth Street.

On January 3, 2014, a notice of the proposed assessment for the costs of the abatements was sent by certified mail to Michael and Renee McLean, the owners of the property at 306 East Eighth Place, and Rae Ann Clark, the owner of the property at 1290 West Eighth Street. Copies of the notices are enclosed with this staff report. The notices advised the owners they had until January

8, 2014 to file any objections to the proposed assessment, and that if the assessments were not paid by February 3, 2014, the amount of the assessments would be imposed as a lien upon the properties. No objections to the assessments were filed by January 8, 2014, and no payment has been made toward the proposed assessments by any of the property owners.

Notice of the adoption of Special Ordinance No. 14-561 assessing the property has been posted in accordance with the provisions of the City's charter, and the ordinance can be adopted by title only.

**BUDGET IMPLICATIONS:** Upon passage of Special Ordinance No. 14-561, an entry will be made in the City's electronic lien docket assessing the properties at 306 East Eighth Place and 1290 West Eighth Street for a lien in the respective amounts of \$320.00 and \$696.00.

**ALTERNATIVES:**

- A. Staff Recommendation. *Move to adopt Special Ordinance No. 14-561 by title only.*

**SPECIAL ORDINANCE NO. 14-561**

**AN ORDINANCE ASSESSING THE REAL PROPERTIES LOCATED  
AT 306 EAST EIGHTH PLACE AND 1290 WEST EIGHTH STREET  
FOR THE COSTS OF ABATEMENT OF HAZARDOUS VEGETATION**

**WHEREAS**, the City Codes Enforcement Officer posted a Notice to Abate Nuisance upon the following listed properties on the dates shown below:

<u>Property</u>	<u>Assessor's Map No</u>	<u>Date of Posting</u>
306 East Eighth Place	1N 13E 3CB #4400	November 5, 2013
1290 West Eighth Street	1N 13E 3 #103	October 28, 2013

And

**WHEREAS**, the following persons are the owners of the above listed properties:

<u>Property</u>	<u>Owner</u>
306 East Eighth Place	Michael & Renee McLean
1290 West Eighth Street	Rae Ann Clark

and

**WHEREAS**, the Notice to Abate Nuisance posted for the properties required the removal of hazardous vegetation from the properties pursuant to the provisions of General Ordinance Nos. 99-1234; and

**WHEREAS**, the Notice to Abate Nuisance further provided that if the nuisance conditions were not abated, the City would hire a contractor to abate the nuisance conditions, and the costs of the abatement would be charged to the owners of the properties, and become a lien upon the properties; and

**WHEREAS**, as a result of the owners' failure to abate the nuisance conditions on their properties, the City hired two contractors (FLI Landscape and Steelhead Enterprises, LLC) who abated the nuisance conditions, at a cost of \$320.00 for the property located at 306 East Eighth Place, and a cost of \$696.00 for the property located at 1290 West Eighth Street; and

**WHEREAS**, pursuant to Section 7 of General Ordinance No. 99-1234, the City Clerk sent a Notice of Assessment by certified mail on January 3, 2014 to the owners of the properties. The Notice of Assessment advised the property owners of the sum that had been incurred for the abatements, and that the sum would become a lien upon the properties if the amounts listed were not paid by February 3, 2014; and

**WHEREAS**, the January 3, 2014 Notice of Assessment also advised the property owners that they had until January 8, 2014 to file any objection to the proposed assessments; and

**WHEREAS**, the owners have not filed any objections to the proposed assessments, and the owners have not paid the assessments by the stated deadline, and the City Council finds that the statement of the amount of the proposed assessments are correct, and that there is no reason to justify any delay in proceeding with the imposition of a lien upon the properties for the costs of the assessments;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES ORDAINS AS FOLLOWS:**

Section 1. Assessment. The cost of the abatement of the nuisance conditions consisting of the removal of hazardous vegetation for the properties listed below is assessed upon the following properties:

<u>Name/Address</u>	<u>Description</u>	<u>Final Assessment</u>
Michael & Renee McLean 3640 West 13 <sup>th</sup> Street #A3 The Dalles, OR 97058	1N 13E 3CB #4400	\$320.00
Rae Ann Clark 14004 NE Seventh Ct. Vancouver, WA 98685-1991	1N 13E 4 #103	\$696.00

The legal description for the above listed properties is set forth in Exhibit "A".

Section 2. Docket Entry. Upon passage of this Ordinance and its approval by the Mayor, the City Clerk is instructed and directed to enter into the Docket of City Liens the following matters in relation to the assessment:

- a. The foregoing legal description of the property assessed.
- b. The name of the owners or statement that the owners are unknown.
- c. The sum assessed upon each lot or tract of land.
- d. The date of the docket entry.

Section 3. Notices/Collection of Assessment. The City Clerk is directed to proceed with notice and collection of the assessments in accordance with the procedures set forth in Section 9 of General Ordinance No. 91-1127, and to proceed with collection of the assessed amount in the manner provided by law.

**PASSED AND ADOPTED THIS 10<sup>TH</sup> DAY OF MARCH, 2014**

Voting Yes, Councilors: \_\_\_\_\_

Voting No, Councilors: \_\_\_\_\_

Absent, Councilors: \_\_\_\_\_

Abstaining, Councilors: \_\_\_\_\_

**AND APPROVED BY THE MAYOR THIS 10TH DAY OF MARCH, 2014**

\_\_\_\_\_  
Stephen E. Lawrence, Mayor

ATTEST:

\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

**EXHIBIT "A"**  
**SPECIAL ORDINANCE NO. 14-561**

**1N 13E 3CB Tax Lot 4400**

Beginning at the South line of Eighth Street, 38 feet Westerly from the West line of Case Street, said point of beginning being the Northwest corner of W.A. Kirby's lot; thence Westerly along the South line of Eighth Street 66 feet; thence Southerly parallel to Case Street 100 feet more or less, to the bluff; thence Easterly at right angles 66 feet; thence Northerly to the place of beginning, in the City of The Dalles, Wasco County, Oregon.

**1N 13E 4 Tax Lot 103**

Parcel 1 of Partition Plat #2000-026, filed for record December 29, 2000, under Microfilm No. 2000-5582, being a portion of the Northwest Quarter of Section 4, Township 1 North, Range 13 East and the Southwest Quarter of Section 33, Township 2 North, Range 13 East of the Willamette Meridian, Wasco County, and State of Oregon.