

MINUTES

REGULAR COUNCIL MEETING
OF
March 14, 2016
5:30 p.m.

THE DALLES CITY HALL
313 COURT STREET
THE DALLES, OREGON

PRESIDING: Mayor Stephen Lawrence

COUNCIL PRESENT: Russ Brown, Tim McGlothlin, Taner Elliott, Linda Miller, Dan Spatz

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Julie Krueger, City Clerk Izetta Grossman, Planning Director Richard Gassman, Finance Director Kate Mast, Police Captain Steve Baska, Project Coordinator Daniel Hunter

CALL TO ORDER

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

ROLL CALL

Roll call was conducted by City Clerk Grossman, all Councilors present.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

It was moved by Elliott and seconded by Spatz to approve the agenda as submitted. The motion carried unanimously.

AUDIENCE PARTICIPATION

None

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CITY MANAGER REPORT

City Manager Krueger reported that she had met with Matthew Klebes, Main Street Director and Main Street would be using the Blue Building for an art display July through September.

She reminded the Council of the ground breaking ceremony at the new Google site on March 24.

Krueger reported she had met with CCIS and completed the best practices report (attached). She said the Management Team would be implementing the requirement for the Executive Risk Management part of the report.

CITY ATTORNEY REPORT

None

CITY COUNCIL REPORTS

Councilor Brown reported he had attended the Waste Water Treatment Plant Update meeting, met with Google on ongoing projects, spoke with a couple of citizens, met with the City Manager, City Clerk and Mayor. He said from now on his report would only include things of substance; otherwise he was doing his job.

Councilor Spatz reported that the Sister City Delegation had started their fundraising with raffle sales. He thanked Helen Elsmore for donating WorldMark vacation timeshare, Corliss Marsh donating a quilt and Gary Terry for donating art work to the raffle.

Councilor McGlothlin reported attending the ribbon cutting at Schulten's new Nissan building, would be attending the Airport Board meeting later this week, and will meet with Traffic Safety regarding Halloween Downtown Trick or Treat event safety.

Councilor Elliott reported he had met with Google executives.

Councilor Miller reported she had attended the Waste Water Treatment Plant Update meeting and the Household Hazardous Waste meeting.

Mayor Lawrence said in addition to attending the meetings others had mentioned, his best meeting was addressing the fourth graders at Dry Hollow School. He said he gave them pencils and they gave him hugs.

CONSENT AGENDA

Spatz asked that the February 22 minutes be pulled from the consent agenda. He said he felt it was

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important to add more background under Audience Participation on the February 22, 2016 minutes. He said he would provide the amendment to the City Clerk.

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

Items approved by Consent Agenda were: 1) Concur with Mayor's Appointment to Various Committees and Commissions; 2) Approval to Surplus two Police Vehicles.

PUBLIC HEARING

Land Use Development Ordinance Amendment on Recreational Vehicle Parks

Planning Director Richard Gassman reviewed the staff report. Gassman noted that the State has codes that are referenced in the amendment. He said City code could not be in conflict with the State code.

After some discussion Spatz asked if the RV Park Group had made any progress on the properties they had identified. Gassman said he had not heard.

Mayor Lawrence noted that the Chamber received a number of inquiries for RV Parks each year.

Project Coordinator Hunter said that the Chenowith property could be developed into an RV Park, but had to be done within one year of application, and that time had passed. Currently, only Wasco County could develop the property into an RV Park, unless the Urban Growth Boundary was expanded.

Mayor Lawrence opened the public testimony.

TESTIMONY

Malcolm Fargher, property owner at 215 Terminal said it was too expensive to hook up to sewer services at his location. Gassman said a sanitary system was a State requirement.

Mayor Lawrence said maybe this was a Regional Solutions issue.

Mayor Lawrence closed the Public Hearing.

Spatz moved to direct staff to investigate the Chenowith and Eagles property options further before deciding. Spatz withdrew the motion.

Spatz moved to postpone a decision for 90 days to allow staff time to investigate the Chenowith and

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Eagles sites and coordinate with Wasco County including the Mosier site. McGlothlin seconded the motion. The motion passed unanimously.

The Mayor said staff could bring the issue back sooner if prepared.

ACTION ITEMS

Approval of General Ordinance No. 16-1342 Establishing Provisions for the Regulation of Transient Merchants and Repealing General Ordinance No. 97-1216

Project Coordinator Hunter reviewed the staff report.

Spatz asked if there was a strike out version identifying the changes.

After some discussion on the reasoning for the changes to the ordinance, Mayor Lawrence said the words “same and similar” were too hard to define.

Miller said she thought the complaint was regarding use of restrooms and parking lot.

Mayor Lawrence said Zim’s just had to post a sign saying parking for Zim’s customers only. He said that was the responsibility of the property owner.

Spatz said there seemed to be a missing word in Section 7: A fourth line, need to remove the word on, instead of upon on.

Eric Anderson, 1219 East 9th Street, speaking for the food cart merchants said they had received a letter stating they had to move the carts every day. He asked for clarification. Hunter said enforcement was complaint driven.

McGlothlin asked why you would locate next to a business with a similar menu. The issue of unprotected propane tanks and restrooms was an issue.

Brown said “must be able” to move not “has to move” seemed more logical.

Christina Casiano 1750 West 10th, said food cart food is different than sit down restaurant food.

Planning Director Gassman said there were two different ordinances in play. He said the Transient Merchant Ordinance was what was being discussed. He said there were also zoning ordinances that had provisions that transient merchants must move every day. If not, you need to be permanent. He recalled one food cart on 9th and Trevitt that had started the work to become permanent with sewer hookup, restrooms and parking, but he thought it became too expensive for them. He said they could become permanent, going through a process.

In response to a question, Gassman said A Cup of Mud did not have sewer, it was considered permanent, because it was established before the requirement was enacted.

Hunter said he had not confirmed with the City Attorney that those merchants currently operating would not be affected by this new ordinance; however his guess would be that they would not.

Ms. McDowell, 2006 West 10th said she started the taco cart business because it made catering much easier. She said they can take their kitchen to the catering site. She said it was hard on them to move every single day. She said she had not had any security issues. She said the food types are different, one is street food, and one is for sit down meals.

Mayor Lawrence asked if there were zones for food carts in other cities. Hunter said he heard Portland was closing down their zone, but he would do some further research.

Krueger asked to postpone a decision for further research.

Spatz said the similar or same concerned him.

McGlothlin said there needs to be some kind of buffer. McGlothlin said it was a fairness issue; He said you shouldn't be able to encroach on an existing business that had invested in brick and mortar business.

Scott Honstead, 1308 East 16th Street said it was a lot of work to operate a food cart, competition and free enterprise weeded out those that weren't successful. He said moving every three days would be more feasible, perhaps by a color coded sticker.

He said Route 30 was planning on having a BBQ truck out front for an event.

Krueger explained that for events there are special event permits, once that is obtained the food cart falls under that permit, and that did not happen. She said she spoke with him and he understands the process now.

Mayor Lawrence said the item would be referred back to staff for more work.

Approval of Special Ordinance No. 16-571 Approving the Charter Franchise Agreement

City Manager Krueger reviewed the staff report.

It was moved by Miller and seconded by Elliott to adopt Special Ordinance No. 16-571 approving the Charter Franchise Agreement by title. The motion carried unanimously.

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McGlothlin said he appreciated the PEC access remaining in the agreement.

Approval of Resolution No. 16-008 Adopting a Supplemental Budget for the Fiscal Year 2015/2016, Making Appropriations and Authorizing Expenditures from and within Various Funds of the City of The Dalles Adopted Budget.

AND

Approval of Resolution No. 16-009 Authorizing Transfers of Funds Between Categories of Various Funds of the City of The Dalles Adopted Budget, Making Appropriations an Authorizing Expenditures for the Fiscal Year Ending June 30, 2016

Finance Director Mast reviewed the staff report.

City Manager Krueger said they hoped to have the damages caused by the accident at the dock repaired before the start of the cruise ship season.

Council requested a report from the City Attorney on how reimbursement was proceeding, and how much was received.

It was moved by McGlothlin and seconded by Miller to adopt Resolution No. 16-008 Adopting a Supplemental Budget for the Fiscal Year 2015/2016, Making Appropriations and Authorizing Expenditures from and within Various Funds of the City of The Dalles Adopted Budget, AND to adopt Resolution No. 16-009 Authorizing Transfers of Funds Between Categories of Various Funds of the City of The Dalles Adopted Budget, Making Appropriations an Authorizing Expenditures for the Fiscal Year Ending June 30, 2016. The motion carried unanimously.

DISCUSSION ITEMS

Request from The Dalles Disposal for Additional Rate Increase City Manager Krueger reviewed the staff report, and introduced Jim Winterbottom from The Dalles Disposal.

Mr. Winterbottom explained there were two letters sent, at first they didn't know both increases would be in effect on April 1.

Miller said even the DEQ didn't have a handle on the implementation dates. She said it had to do with reporting times.

Mr. Winterbottom said the cost to customers would be 6 cents per month on a 32 gallon cart and 15 cents per month on a 90 gallon cart.

It was the consensus of the Council that staff prepare a resolution for a future Council meeting

approving the requested rate increase.

Northern Wasco County Parks & Recreation District Funding Request

City Manager Krueger reviewed the staff report and handed out additional information from Parks and Recreation (attached).

Parks and Recreation Director Phil Lewis said the equipment would be used at various parks and for the dive in movies at the pool.

McGlothlin asked if funds were available. City Manager Krueger said she would have to do some research.

Miller said she was concerned about available funds.

Spatz said it was late in the year to award.

Lewis said he was happy to bring back the Parks and Recreation budget. He said they would need to know by May in order to order the equipment and have training time before the first event.

In response to a question he said the royalty charge for movies was between \$250 and \$500.

ADJOURNMENT

Being no further business, the meeting adjourned at 7:18 p.m.

Submitted by/
Izetta Grossman
Recording Secretary

SIGNED:


Stephen E. Lawrence, Mayor

ATTEST:


Izetta Grossman, Recording Secretary