

City Council Meeting Minutes

THURSDAY, JANUARY 24, 2013

CITY HALL COUNCIL CHAMBERS

CITY OF COLUMBIA CITY, COLUMBIA COUNTY, OREGON

AGENDA ITEM 1

CALL TO ORDER/ROLL CALL:

CONVENED:

Mayor Cheryl A. Young called the regular meeting to order at 6:00 p.m. Mayor Young delivered the invocation and led the flag salute.

COUNCIL MEMBERS PRESENT:

Mayor Cheryl A. Young
Councilor Shannon Fitzgibbons
Councilor Josh Fromm
Councilor Sally Ann Marson
Councilor Casey Wheeler

COUNCIL MEMBERS ABSENT:

None

ALSO PRESENT:

Michael McGlothlin, Chief of Police
Micah Rogers, Public Works Superintendent
Helen Johnson, Planning/Building/Administrative Assistant
Leahnette Rivers, City Administrator/Recorder

ATTORNEY PRESENT:

None

A quorum was present and due notice had been published.

1.1 City Council Member Inauguration: Inauguration of Council Member Josh Fromm.

Leahnette Rivers administered the oath of office to Councilor Josh Fromm.

AGENDA ITEM 2

PUBLIC HEARINGS:

2.1 Public Hearing: To accept testimony about proposed changes to Ordinance No. 504, which regulates the parking and storage of recreational vehicles (RVs), travel trailers, utility trailers, motor homes, and boats on City right-of-ways.

Public Hearing opened.

Mike Simpson of Columbia City asked for clarification about the City right-of-ways.

Leahnette explained that the undeveloped public right-of-way is the area between the edge of the existing street improvements and the private property line. She said the paved street may or may not be centered within the public right-of-way, and the width of the undeveloped public right-of-way may vary between a few feet and 30 feet or more.

Robert Anderson of Columbia City asked how the proposed changes will impact his existing temporary storage within the "H" Street right-of-way. He said when he installed the first temporary structure within the right-of-way, he was granted permission to do so, but it was with the understanding that the structure is within the City's right-of-way.

Leahnette explained that the current proposed changes will only impact the storage of RVs, boats and utility trailers. She said vehicle parking and associated temporary structures will not be impacted by the current proposed changes.

Leahnette mentioned that Mr. Anderson will still need to apply for, and receive, a permit to occupy the right-of-way for his existing temporary structures, but he should hold off until the City Council completes these amendments because the City Council may still decide to include changes to motor vehicle parking or storage when they adopt these amendments. Leahnette explained that if a temporary permit is issued, it will specify that the structure is located within the City's right-of-way and the City can require its removal at any time for any reason and at no cost to the City.

Leahnette said Jean LeMont was unable to attend tonight's meeting, but she stopped by City Hall earlier today to express her concerns about RVs being parked within the right-of-ways and within the front-yard setbacks. She said Jean expressed concern about RVs blocking views of the river, and/or blocking visibility within neighborhoods. Jean had said an RV parked in a driveway could block a person's view of their child riding a bicycle or playing within the neighborhood. Leahnette said Jean also expressed opposition to RV storage within a side or rear yard unless it meets the setbacks because RVs can be very tall and might block views and/or sunshine if parked next to the property line.

Leahnette mentioned that the proposed changes provide an opportunity for RV and boat owners to apply for a permit to temporarily store their RV or boat within the City's right-of-way. Leahnette asked the Council under what conditions they would grant or deny a permit request, and whether or not the input from neighbors would be considered or specific criteria would be established. She suggested the Council may want to consider simply prohibiting RV and boat storage within the right-of-ways.

Leahnette suggested it may be wise to attempt to gather more input from the public about RV and boat storage regulations before moving forward with any changes. She said the enforcement of these new regulations will be tedious and time consuming, and may anger some residents - it would be very helpful to carefully consider each aspect and make all of the desired changes at the same time.

Robert Campbell of Columbia City said he is not necessarily in favor of large RVs being stored in front yards, but side yards are okay. He asked if the City has considered placing a height limitation on the RV storage within front yards. He said the covered vehicle storage within the right-of-way adjacent to Robert Anderson's side yard is not bothering him at all.

Mike Simpson said if the RV or trailer storage does not fit within the criteria to permit storage within the right-of-way, the financial impact on some of the residents will be substantial.

Mayor Young said the Council will keep the costs in mind when considering this matter.

Public Hearing closed.

2.2 Public Hearing: To accept testimony about a proposed loan under the Safe Drinking Water Loan Program for water system improvements consisting of the purchase and installation of 546 automated meters and automated meter reading equipment, several pressure reducing valve improvements, a system-wide leak detection survey, and the abandonment of 7,650 feet of old 4-inch water main.

Public Hearing opened.

Leahnette mentioned that each of the components associated with this project are considered to be "green" because they promote water conservation, which will result in 40% debt forgiveness. She said if the City borrows \$770,000 to complete the project, the funding agency will write off \$308,000, reducing the debt to \$462,000. She said the remaining loan would have a 20-year term with an interest rate of about 2.7%, which will require an annual payment of around \$29,000.

Mayor Young said the project will also save money by reducing operation and maintenance costs as a result of the automated meter reading system.

Leahnette agreed, but said a rate increase will still be required in order to generate the revenue needed to make the annual loan payments.

Robert Campbell of Columbia City said he serves on the City's Water Committee and has a good understanding of the City's water system and improvement needs. He said the City cannot afford to not do this project with this funding opportunity. He said he is definitely in favor of completing this project and utilizing this funding source. He said the improvements are needed, and we cannot afford to pass up \$308,000 in funding assistance. He said he can understand that a rate increase may be upsetting, but this is a great loan program, and it will cost us a lot more to complete these improvements at a later date.

Joe Turner of Columbia City said during the City Council meeting in December, Leahnette talked about a 25-year loan and a \$3.00 per month rate increase, and then the Newsletter mentioned a 20-year loan with no dollar per month rate increase.

Councilor Marson said the December Council Meeting minutes reflect a 20-year term on the loan.

Leahnette said she is uncertain of the exact amount of the rate increase that will be needed to pay the debt on this loan. She said the annual debt payments will be approximately \$29,000, which could require a rate increase (worst case scenario) of approximately \$3.15 per customer per month in order to generate the additional revenue needed to cover the loan payments. However, she said the automated meter reading equipment will allow the public works staff to spend less time in water, and more time focusing on tasks within other departments, and the operational cost savings within the Water Department will help to reduce the amount of the rate increase.

In addition, she said the overall project costs are based upon an engineer's estimate that includes a 25% contingency, and we are hopeful that the project will cost less than the estimated \$770,000, and subsequently lower the amount of the rate increase. She said a water rate consultant is currently working with the City to develop a water rate study. She said he will provide us with better information about the necessary rate increase - probably in late March. She said the rate consultant will also be looking at the other capital project needs that are identified in the City's draft Water System Master Plan.

Joe Turner asked if the City would list the increase needed for this project as a separate charge on the utility bill. He said that way, rate payers will see the extra charge and know what it is paying for, and know that the extra charge will go away when the loan is paid. He said too often the rates are raised for a specific purpose, but then the increase doesn't ever go away.

Leahnette said she had not planned to itemize the charge separately, but she could check to see what would be involved with our computer software company. Leahnette noted that this particular project may not be the only driver of the next rate increase.

Joe Turner questioned whether or not the 40% debt forgiveness could be eliminated or revoked after we start the project.

Leahnette said we will enter into a loan agreement with the State of Oregon that outlines the terms of the debt forgiveness before we begin the project.

AGENDA ITEM 3 CITIZEN INPUT:

None.

AGENDA ITEM 4 COUNCIL REPORTS:

4.1 **Parks Committee:** Councilor Fitzgibbons said the recent meeting was cancelled due to lack of a quorum.

4.2 **Water Source and Development Committee:** No report.

4.3 **Street Committee:** No report.

4.4 **Sewer Committee:** No report.

4.5 **Audit Committee:** Secretary Wheeler said the Audit Committee will meet tomorrow.

4.6 **Hazard Mitigation Planning Group:** Councilor Fromm reported that the Hazard Mitigation Planning Group will meet next Monday.

4.7 **Other Reports:** Councilor Marson said the Solid Waste Advisory Committee is dealing with recycling issues in Rainier, and the CCC Rider Advisory Committee is reviewing the budget for this coming year.

AGENDA ITEM 5 CONSENT AGENDA:

5.1 **Minutes of the Regular City Council Meeting of December 20, 2012.**

5.2 **Minutes of the Regular City Council Meeting of January 3, 2013.**

5.3 **Financial reports for the period ending December 31, 2012.**

5.4 **Bills paid with check numbers 17025 through 17078 during the month of December 2012.**

5.5 **Annual accounting of System Development Charge revenue and expenditures.**

5.6 **December 2012 report from the Chief of Police.**

5.7 **Activities report from the City Administrator/Recorder.**

5.8 **Appointment of Jaime N. Smith to the Planning Commission.**

5.9 **Appointment of Casey Wheeler and Scott Jensen of the Port of St. Helens to the Comprehensive Plan Review Committee.**

5.10 **Investment and Cash Balance Summary for the quarter ended December 31, 2012.**

5.11 **OLCC Application for Temporary Use of an Annual License as applied for by Blackbird Catering, LLC.**

5.12 **Reimbursement of payment of Oregon State Bar Dues to City Attorney Harold Olsen.**

MOVED (WHEELER), SECONDED (FROMM), AND CARRIED UNANIMOUSLY BY ROLL CALL VOTE TO APPROVE THE CONSENT AGENDA.

AGENDA ITEM 6 UNFINISHED BUSINESS:

6.1 **Merchant Services:** After looking at the services offered by Gov Pay Net, Lexis Nexis Payment Solutions, and Muncipay.com, Leahnette recommended the City Council approve moving forward with Lexis Nexis for debit and credit card services under a governmental program that charges the customer that is utilizing the service a fee for that service, rather than charging the City. She said Lexis Nexis will charge a flat fee of \$2.50 for all debit card transactions, and either a flat fee of \$2.50 or 3.25% for all credit card

transactions, whichever is greater. She said the company will forward all payments they collect to the City via an ACH transaction at 11 p.m. eastern time daily.

MOVED (WHEELER), SECONDED (MARSON) AND CARRIED UNANIMOUSLY TO APPROVE MOVING FORWARD WITH OBTAINING SERVICES THROUGH LEXIS NEXIS AS RECOMMENDED BY THE CITY ADMINISTRATOR.

AGENDA ITEM 7

NEW BUSINESS:

7.1 Council Bill No. 13-659; Resolution No. 13-1068-R: A Resolution adopting amendments to the City of Columbia City Personnel Policies and Procedures Manual dated April 18, 2002.

MOVED (MARSON), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 13-659.

7.2 Council Bill No. 13-660; Resolution No. 13-1069-R: A Resolution authorizing a transfer of appropriations within the General Fund, Water Fund and Sewer Fund during the fiscal year beginning July 1, 2012.

MOVED (MARSON), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 13-660.

7.3 Council Bill No. 13-661; Resolution No. 13-1070-R: A Resolution to temporarily reduce the City of St. Helens' portion of the Sewer System Development Charges applicable to development within the City of Columbia City as established by Ordinance No. 08-648-O.

MOVED (FITZGIBBONS), SECONDED (FROMM) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 13-661.

7.4 First reading of Council Bill No. 13-662: An Ordinance amending Ordinance No. 504, an Ordinance regulating vehicular and pedestrian traffic and providing penalties for violation thereof.

The first reading of Council Bill No. 13-662 was postponed to provide additional time for further study and citizen input.

7.5 Council Bill No. 13-663; Resolution No. 13-1071-R: A Resolution assessing unpaid water and sewer utility charges, fees and accrued interest as a lien against property described as Tax Account No. 5121-00-00431, located at 300 "A" Street, Columbia City, Oregon, currently under the ownership of Khan Real Estate Holdings LLC.

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 13-663.

7.6 Nuisance declaration: Request for City Council to declare that a nuisance exists and order the abatement of the building on property located at 700 James Street, Columbia City.

The Council reviewed a memo dated January 23, 2013, from Leahnette Rivers, City Administrator/Recorder, requesting the declaration that a nuisance exists at property located at 700 James Street, Columbia City, because it is unfit for human habitation due to inadequate sanitation facilities resulting from the lack of a potable water source. The property is further described as Tax Account 5121-CB-00600 and is under the ownership of James L. and Freida M. Bahl.

MOVED (MARSON), SECONDED (WHEELER) AND CARRIED UNANIMOUSLY TO DELCARE THAT A NUISANCE EXISTS AND ORDER THE ABATEMENT OF THE

6 - Regular City Council Meeting
January 28, 2013

BUILDING ON PROPERTY LOCATED AT 700 JAMES STREET, COLUMBIA CITY BECAUSE IT IS UNFIT FOR HUMAN HABITATION DUE TO INADEQUATE SANITATION FACILITIES RESULTING FROM THE LACK OF A POTABLE WATER SOURCE.

AGENDA ITEM 8 OTHER BUSINESS:

Public Works report: Micah said they are currently removing one of the old steel septic tanks on Fourth Place and converting it to a direct flow connection.

AGENDA ITEM 9 ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 7:00 p.m.

APPROVED:

Cheryl A. Young
Mayor

ATTEST:

Leahnette Rivers
City Administrator/Recorder