

# City Council Meeting Minutes

---

THURSDAY, MARCH 6, 2014

CITY HALL COUNCIL CHAMBERS

CITY OF COLUMBIA CITY, COLUMBIA COUNTY, OREGON

**AGENDA ITEM 1**      **CALL TO ORDER/ROLL CALL:**

**CONVENED:**

Council President Marson called the meeting to order at 6:03 p.m. Harold Olsen delivered the invocation and Council President Marson led the flag salute.

**COUNCIL MEMBERS PRESENT:**

Council President Sally Ann Marson  
Councilor Shannon Fitzgibbons  
Councilor Josh Fromm  
Councilor Casey Wheeler

**COUNCIL MEMBERS ABSENT:**

Mayor Cheryl A. Young

**ALSO PRESENT:**

Lisa Smith, City Planner  
Leahnette Rivers, City Administrator/Recorder

**ATTORNEY PRESENT:**

Harold Olsen, City Attorney

A quorum was present and due notice had been published.

**AGENDA ITEM 2**      **PUBLIC HEARINGS:**

None

**AGENDA ITEM 3**      **CITIZEN INPUT:**

None

**AGENDA ITEM 4**      **COUNCIL REPORTS:**

4.1      **Parks Committee:** No report.

4.2      **Water and Sewer Committee:** Leahnette noted that the pre-construction meeting for the PRV Improvements/Water Line Abandonment project was held earlier this week, and the contractor plans to start construction next week.

4.3      **Street Committee:** No report.

4.4      **Audit Committee:** No report.

4.5      **Hazard Mitigation Planning Group:** Team Member Wheeler said the Hazard Mitigation Planning Group is scheduled to meet during the last part of the month.

**4.6 Other Reports:** Councilor Marson said she recently attended a Port of St. Helens meeting. She said Portland & Western Railroad reported that they are busy inspecting the rails and implementing the improvement plans. She said the oil trains have been limited to 25 mph and will not stop or be unattended.

Councilor Wheeler said the Connect Oregon V application was approved by the House this morning, so it should be moving forward.

Councilor Wheeler and Council President Marson said they recently attended the City/County Quarterly Meeting in Scappoose along with Leahnette.

**AGENDA ITEM 5**

**CONSENT AGENDA:**

**5.1 Minutes of the Regular City Council Meeting of February 20, 2014.**

**5.2 Bills paid with check numbers 17832 through 17890 during the month of February 2014.**

**5.3 Activities report for the month of February 2014 from the Public Works Superintendent.**

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

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO APPROVE THE CONSENT AGENDA.

**AGENDA ITEM 6**

**UNFINISHED BUSINESS:**

**6.1 Regulation of Medical Marijuana Dispensaries:** The Council discussed Senate Bill 1531 which provides for the local regulation of medical marijuana dispensaries with Harold and Lisa at length. The Bill was recently passed by the House with changes. The House added the ability to ban dispensaries until May 2015 through local regulation, so the Bill as amended is now going back to the Senate. It was the consensus of the Council that the City should temporarily ban dispensaries to provide some additional time to see where this all goes and to gather additional information. Staff noted that the current business license ordinance allow the City to deny a business license for an activity that violates Federal or State law. Since the dispensaries do not comply with Federal laws, we could withhold the issuance of a business license.

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO BAN MEDICAL MARIJUANA DISPENSARIES WITHIN COLUMBIA CITY FOR SIX MONTHS TO PROVIDE TIME TO STUDY THE FINAL RULES AND MAKE A DETERMINATION OF HOW TO HANDLE THEM.

**6.2 Restrictions on Weapons and Explosives during a State of Emergency:** Harold noted that City Ordinance No. 05-615-O currently provides the Mayor with the authority to ban the sale, carrying or possession of any weapons or explosives of any kind on public streets, public places, or any outdoor place during an emergency declaration. He said this section of the Ordinance has never been utilized, and it may be unconstitutional. He suggested the Council consider either deleting the section in its entirety, amending the section to add a list of exceptions to make it constitutional, or deleting the section and adopting a separate ordinance that routinely regulates the possession of weapons and explosives, subject to a number of exceptions.

The Council discussed these options at length. It was the consensus of the Council that no action be taken at this time. Instead, the matter will be revisited during the next meeting when the Police Chief is available to participate in the discussion.

**AGENDA ITEM 7**

**NEW BUSINESS:**

**7.1 Council Bill No. 14-708; Resolution No. 14-1110-R: A Resolution adopting Policy Goals and Objectives for the City of Columbia City, Oregon, for fiscal year 2014-15.**

MOVED (WHEELER), SECONDED (FROMM) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 14-708.

**7.2 Council Bill No. 14-709; Resolution No. 14-1111-R: A Resolution authorizing Photosolutions, Inc., extended Enterprise Zone benefits for a fourth and fifth year in the South Columbia County Enterprise Zone.**

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 14-709.

**7.3 Council Bill No. 14-710; Resolution No. 14-1112-R: A Resolution authorizing Clear Water Manufacturing Corporation extended Enterprise Zone Benefits for a fourth and fifth year in the South Columbia County Enterprise Zone.**

MOVED (WHEELER), SECONDED (FROMM) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 14-710.

**7.4 UASI Amendment: Columbia County and UASI Countywide Sub-recipient Agencies Amendment to Intergovernmental Agreement FY 2011 and FY 2012.**

MOVED (FROMM), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO AUTHORIZE SIGNATURE TO THE UASI COUNTYWIDE SUB-RECIPIENT AGENCIES AMENDMENT.

**7.5 Cost of Living Adjustment (COLA): COLA recommendation for fiscal year 2014-15 from the City Administrator/Recorder.**

The Council reviewed a request for approval of a 2.0% COLA effective July 1, 2014 based upon the average change in the U.S. City and Portland-Salem indexes for all urban consumers during calendar year 2013, for use in preparing the budget as submitted by the City Administrator/Recorder

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO APPROVE THE 2% COLA EFFECTIVE JULY 1, 2014.

**7.6 Seasonal Utility Worker: Request from the City Administrator/Recorder to re-hire a seasonal Utility Worker.**

The Council reviewed a request to re-hire Kenny Thomas as a temporary, seasonal Utility Worker to work 30 hours per week during the upcoming season.

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO RE-HIRE THE TEMPORARY, SEASONAL UTILITY WORKER TO WORK 30-HOURS PER WEEK.

**7.7 Clean Fuels: Request from Mick Harris for City Council support of the Clean Fuels - Consumer Protection Measures.**

Following some discussion, MOVED (FROMM), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO DECLINE THE REQUEST AT THIS POINT IN TIME.

**7.8 Conveyance and Release of Easement: 2335 Fourth Place.**

Leahnette explained that more than one year ago the septic tank on this property was abandoned and the service was connected directly to the City's sewer system. As a result,

the City no longer needs an easement to service sewer improvements on property located at 2335 Fourth Place.

MOVED (WHEELER), SECONDED (FITZGIBBONS) AND CARRIED UNANIMOUSLY TO AUTHORIZE SIGNATURE TO THE CONVEYANCE AND RELEASE OF EASEMENT.

**AGENDA ITEM 8      OTHER BUSINESS:**

**City Attorney report:** Harold reported on his recent trip to Hawaii, noting that one of the highlights of the trip was meeting Craig and Harriett Ferre, who are part-time residents of Columbia City. He said they reside in Columbia City during the summer, and he teaches in Hawaii and is the producer and director of the musical play, Thoroughly Modern Millie. Harold said the Ferre's granddaughter played the role of Millie, and it was a really enjoyable play to watch.

Harold reported that back in the Colonial Days, it was common for people to only take two baths per year - one in May and one in October. To combat the problem of head lice and bugs, the women wore bandanas and the men shaved their heads. He said the wealthy men wore expensive wigs made of wool, but the wigs could not be washed. To clean the wigs, they would take a loaf of bread and clean it out leaving just the crust, and put the wig into the shell of crust and bake it for 30 minutes. During the baking process, the wig would expand and get large, and that's why wealthy men are called "big wigs."

Harold said when he returned from Hawaii, he found photos of Casey Wheeler more than once in the newspapers, and he awarded Casey with the "Big Wig of the Month" award.

**Convicted Sex Offenders:** Councilor Fromm questioned whether or not convicted sex offenders are still prohibited from living within close proximity of the Columbia City Grade School, or if that has changed since the school is now closed.

Harold said he believes that it is still designated as a school area and a school zone. Leahnette noted that the School District has referred to it as a two-year temporary closure.

**Basketball Hoop Study Group:** Councilor Wheeler and Councilor Fromm offered to serve on the committee. No objections were heard.

**AGENDA ITEM 9      ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 6:51 p.m.

APPROVED:

\_\_\_\_\_  
Cheryl A. Young  
Mayor

ATTEST:

\_\_\_\_\_  
Leahnette Rivers  
City Administrator/Recorder