

City Council Meeting Minutes

THURSDAY, JULY 17, 2014

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. Harold Olsen delivered the invocation and Mayor Young led the flag salute.

COUNCIL MEMBERS PRESENT:

Mayor Cheryl A. Young
Councilor Josh Fromm
Councilor Nell Harrison
Councilor Sally Ann Marson
Councilor Larry Preston

COUNCIL MEMBERS ABSENT:

None

ALSO PRESENT:

Michael McGlothlin, Chief of Police
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:**

2.1 Public Hearing: To gather testimony about proposed regulations associated with the placement of basketball hoops within the City's right-of-ways.

Public Hearing opened.

Leahnette explained that the City Council appointed a Citizen Committee to study the issue of basketball hoops placed within the right-of-way and make recommendations to the Council about whether or not the City should regulate the placement of the hoops. She said Committee Members reviewed regulations enacted by some other jurisdictions, gathered information about the placement of hoops within Columbia City, and reviewed input received from a citizen survey. She said after months of meetings, the Committee submitted the bullet list of recommended regulations to the City Council that was included in a recent issue of the newsletter, and the Council set this public hearing to hear input on the matter.

Mayor Young read an e-mailed letter from Bob and Joann Kunders of Columbia City dated July 4, 2014, expressing their opposition to the restrictions mentioned in the City's recent newsletter. They agreed that there were too many hoops on the streets, but said motorists should be able to maneuver around them and allow children to enjoy some outside activity. They said they had never experienced any problems with the hoops. They said the City's

proposed fee of \$20.00 will not generate any revenue, and they urged the Council to not ban hoops from the streets. They suggested the Council require the placement of bright reflective tape on all of the hoops that are placed within the streets.

Mayor Young said, unfortunately, no matter what the Council decides they won't be able to accommodate everyone's wishes.

Alfred (Chip) Gardes of Columbia City said that maneuvering around hoops placed in the streets, as mentioned in the letter the Mayor just read, can be a real issue for motorists. He expressed his support for the bullet-list of proposed regulations outlined in the recent newsletter.

Jim Border of Columbia City said he has no more trouble with hoops on the streets than he does with parked cars on the streets. He said hoops actually serve as traffic calming devices, and all of this seems like much to do about nothing.

Jaime Smith of Columbia City said she is strongly opposed to the regulation of hoops in the streets. She said the residents in her neighborhood enjoy frequent friendly basketball competitions, which has brought them all together and led to a strong sense of community. She said the players consist of adults as well as children, and they are all respectful to passing motorists. She said she keeps her basketball hoop on the sidewalk because people walk in the streets all of the time instead of using the sidewalk. She said her driveway is steep, and it would create a nearly impossible physical hardship to have to move it up and down the driveway every day. She said there is no level place in her front yard near the street that could be used to store the basketball hoop.

Mayor Young noted that part of the reason we are discussing this issue is that not all of the players have been respectful to motorists, and some basketballs have caused damage to vehicles and other private property.

Linda Guy of Columbia City said she does have a concern about the placement of the basketball hoop on Park Street because it is too close to the intersection Pacific Street, and it surprises motorists as they round the corner.

Mayor Young expressed support for several, but not all of, of the proposed regulations contained in the bullet list.

Councilor Marson expressed support for several suggestions contained in the bullet list, and expressed concerns about children darting out into the street to retrieve basketballs.

Councilor Harrison expressed support for some regulation and concerns about children's safety.

Councilor Fromm suggested the permit process involve the issuance of bright reflective sticker permits for placement on any hoop that is permitted upon the street.

Harold Olsen suggested the Council require the issuance of a permit that must be signed by the applicant acknowledging their responsibility for all liability associated with the hoop and releasing the City of all liability if they decide to allow hoops to be placed in the street.

The Mayor, Council, staff and members of the audience continued to discuss this matter at length.

Public Hearing closed.

AGENDA ITEM 3

CITIZEN INPUT:

Len Waggoner of Scappoose read a prepared letter to the Council on behalf of his sister-in-law, Gloria Chinell, explaining that Gloria's property sustained damages valued at \$6,134.27 as a result of a recent water main break on Fourth Street, but the City's

insurance coverage will only pay \$4,461.77. He requested Gloria's recovery of the remaining \$1,672.50 from the City, saying she should not have to be burdened with these out of pocket costs.

Mayor Young thanked Mr. Waggoner and Gloria Chinell for attending the meeting and providing this input, and said the City Council will take the request into consideration and get back to them.

The Council discussed this matter briefly with staff, but staff indicated a need to make contact with the City's insurance carrier to gather more information.

AGENDA ITEM 4 COUNCIL REPORTS:

- 4.1 **Parks Committee:** No report.
- 4.2 **Water and Sewer Committee:** No report.
- 4.3 **Street Committee:** No report.
- 4.4 **Audit Committee:** No report.
- 4.5 **Hazard Mitigation Planning Group:** No report.
- 4.6 **Other Reports:** None.

AGENDA ITEM 5 CONSENT AGENDA:

- 5.1 **Minutes of the City Council Special Session of June 4, 2014.**
- 5.2 **Bills paid with check numbers 18065 through 18126 during the month of June 2014.**
- 5.3 **Activities Report for the month of June 2014 from the Public Works Superintendent.**
- 5.4 **Activities report from the City Administrator/Recorder.**

It was noted that the Public Works Activities Report for June was not yet available.

MOVED (FROMM), SECONDED (PRESTON) AND CARRIED UNANIMOUSLY TO APPROVE THE CONSENT AS AMENDED.

AGENDA ITEM 6 UNFINISHED BUISNESS:

None.

AGENDA ITEM 7 NEW BUSINESS:

- 7.1 **Meyer Memorial Trust Grassroots Grant Application:** Ratify submission of the Meyer Memorial Trust Grassroots Grant Application for the Columbia City Community Hall Remodel Project requesting \$28,117.00 in grant funds.

MOVED (MARSON), SECONDED (PRESTON) AND CARRIED UNANIMOUSLY TO RATIFY SUBMISSION OF THE APPLICATION TO MEYER MEMORIAL TRUST.

- 7.2 **NW Kodiak Construction LLC Change Order:** NW Kodiak Construction LLC Change Order No. 6 in the amount of \$5,512.10.

MOVED (PRESTON), SECONDED (MARSON) AND CARRIED UNANIMOUSLY TO APPROVE CHANGE ORDER NO. 6 IN THE AMOUNT OF \$5,512.10.

- 7.3 **Weed Abatement Request:** Request for weed abatement at 1935 Third Street - Tax Lot 5128-AC-02701 - under the ownership of Jeannie Moe.

MOVED (FROMM), SECONDED (MARSON) AND CARRIED UNANIMOUSLY TO APPROVE THE WEED ABATEMENT REQUEST.

7.4 First reading of Council Bill No. 14-730: An Ordinance granting a non-exclusive Gas Utility Franchise to Northwest Natural Gas Company, and fixing terms, conditions and compensation of such franchise and repealing Ordinance No. 04-593-O.

The Council completed the first reading of Council Bill No. 14-730.

7.5 Council Bill No. 14-731; Resolution No. 14-1126-R: A Resolution authorizing the execution of a franchise extension agreement between the City of Columbia City and Qwest Corporation DBA CenturyLink, QC.

MOVED (MARSON), SECONDED (HARRISON) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 14-731.

AGENDA ITEM 8

OTHER BUSINESS:

City Attorney: Harold Olsen shared some words of wisdom pertaining to the history of the common phrases, "mind your own bees wax" and "losing face," and recited some historical words of political wisdom.

DAR Request for Variance Fee Waiver: The Mayor and Council reviewed a request dated July 14, 2014, from B. Diane Wheatley, Caples Complex Chairman, requesting a waiver of the fee for a Variance Application related to the replacement of the Caples House Museum sign near the corner of "I" and Second Streets.

The Mayor and Council discussed the request with staff.

MOVED (MARSON), SECONDED (PRESTON) AND CARRIED UNANIMOUSLY TO WAIVE THE VARIANCE APPLICATION FEE IN EXCHANGE FOR FREE USE OF THE KNAPP SOCIAL CENTER DURING THE SEPTEMBER 20, 2014 CITY CELEBRATION.

Request for Community Hall Rental Fee Refund: The Mayor and Council reviewed a letter dated June 24, 2014, from Jinkee McCullough requesting a refund of the rental fees associated with a church event that was cancelled due to a medical emergency involving their Pastor.

MOVED (FROMM), SECONDED (HARRISON) AND CARRIED UNANIMOUSLY TO APPROVE THE REFUND REQUEST.

Major Category Overexpenditure: Leahnette said she overspent a major category during the 2013-14 fiscal year. She said she neglected to ask the City Council to transfer available appropriations to cover additional costs associated with the Water Improvements Project. She said the contractor completed more of the project prior to June 30, 2014 than she had originally anticipated when she prepared the proposed budget, and when the bill arrived in July it was too late to transfer the appropriations. She said the matter will be noted by the auditors in their next report.

AGENDA ITEM 9

ADJOURNMENT:

There being no further business to come before the Council, the meeting adjourned at 6:36 p.m.

5 - Regular City Council Meeting
July 17, 2014

APPROVED:

Cheryl A. Young
Mayor

ATTEST:

Leahnette Rivers
City Administrator/Recorder