

# City Council Meeting Minutes

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THURSDAY February 17, 2022

## Zoom Meeting Access Information:

<https://us06web.zoom.us/j/87931206552?pwd=Y0RPNHBydGs0eFpwQ3o3bFhoR2QrZz09> Meeting

ID: 879 3120 6552 Passcode: 895494 Phone Number: +1 253 215 8782

CITY OF COLUMBIA CITY, COLUMBIA COUNTY, OREGON

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

#### CONVENED:

Mayor Casey Wheeler called the Regular Meeting to order at 6:30 pm. Public access and comment were available via published Zoom meeting access information.

#### COUNCIL MEMBERS PRESENT:

Mayor Casey Wheeler  
Councilor Gordon Thistle  
Councilor Sue Ziglinski  
Councilor Katrina Claridge  
Councilor Jeff Reinan

COUNCIL MEMBERS ABSENT: None

#### ALSO PRESENT:

Mike McGlothlin, City Administrator/Recorder  
Stephen Petersen, City Attorney  
Mike DeRoia, City Building Official  
Helen Johnson, City Building Administrative Assistant  
Kim Karber, Office Supervisor/Finance Clerk

ATTORNEY PRESENT: Yes.

A quorum was present and due notice had been published.

### AGENDA ITEM 2 CITIZEN INPUT:

2.1 Mark and Glorene Stevens, of 1505 Third Street, spoke with Council about requesting permission to relocate historical documents from the city to the Columbia County Museum. These various documents will be better preserved and displayed at the museum, rather than at their current location in the City Hall facility at Columbia City. After discussion of Council, and by their consensus, it was agreed to allow for the transfer of these materials to the Columbia County Museum.

### AGENDA ITEM 3 COUNCIL REPORTS:

#### 3.1 Minutes of the January 9, 2022, Streets Committee meeting; chaired by Councilor Gordon Thistle.

Written minutes were submitted and accepted by Council for this committee meeting.

### AGENDA ITEM 4 STAFF REPORTS:

#### 4.1 Activity Reports from the Public Works Superintendent.

A written activity report was submitted by the Public Works Superintendent, Micah Rogers, for the previous month's departmental activity.

#### 4.2 Activity Reports from the Police Operations Sergeant.

A written activity report was submitted by the Police Operations Sergeant, Jerry Bartolomucci, for the previous month's departmental activity.

**AGENDA ITEM 5**      **CONSENT AGENDA:**

**5.1**    **Bills paid with check numbers 33548 through 33595 during the month of January 2022.**

**5.2**    **Minutes of the January 20, 2022, Regular City Council Meeting.**

**5.3**    **Expense v. Budget Report for the period ending January 31, 2022.**

COUNCIL APPROVED THE CONSENT AGENDA BY UNANIMOUS ROLL CALL VOTE.

**AGENDA ITEM 6**      **UNFINISHED BUSINESS:** None

**AGENDA ITEM 7**      **NEW BUSINESS:**

**7.1**    **Request to address Council regarding permit costs associated with the Columbia City Mini Storage commercial construction project, as submitted by Valyrie German of Columbia City Storage LLC.**

REPRESENTATIVES OF COLUMBIA CITY STORAGE LLC; VALYRIE GERMAN, WADE ELLIOTT, JOSH KOMP, AND JERRY REID WERE PRESENT TO ADDRESS COUNCIL IN THIS REQUEST REGARDING PERMIT COSTS ASSOCIATED WITH THEIR COMMERCIAL CONSTRUCTION PROJECT. CITY REPRESENTATIVES INCLUDED CITY ADMINISTRATOR MIKE MCGLOTHLIN, CITY ATTORNEY STEVE PETERSEN, CITY BUILDING OFFICIAL MIKE DEROIA, AND CITY BUILDING ADMINISTRATIVE ASSISTANT HELEN JOHNSON.

WADE ELLIOTT SAID THAT HE WAS THANKFUL FOR THE OPPORTUNITY TO ADDRESS COUNCIL AND THAT HE WOULD LIKE TO ADDRESS THE COSTS ASSOCIATED WITH PERMIT FEES FOR THIS PARTICULAR CONSTRUCTION PROJECT. HE SAID THAT HE WAS COMPARING THE CURRENT PROJECT TO A SIMILAR SELF-STORAGE CONSTRUCTION PROJECT THAT HE DID ABOUT 10 YEARS AGO IN THE CITY OF ST. HELENS WHERE THE COSTS OF THE BUILDINGS WAS USED TO FORMULATE THE RELEVANT PERMIT FEES, AND THAT HE ASSUMED THAT WAS HOW IT WOULD WORK WITH THE CURRENT PROJECT IN COLUMBIA CITY. WADE ELLIOTT SAID THAT HE UNDERSTANDS THAT ICC VALUES ARE CURRENTLY USED BUT FEELS THAT THIS PRACTICE IS BETTER SUITED TO LARGE MUNICIPALITIES. HE SAID THAT THE USE OF THE ICC VALUES INSTEAD OF THE ACTUAL CONSTRUCTION COSTS OF THE BUILDINGS INCREASED THE PERMIT COSTS BY APPROXIMATELY \$39,000.00. WADE ELLIOTT ALSO SAID THAT HE FELT THAT IT WAS UNFAIR TO USE THE ASSIGNED ICC VALUES INSTEAD OF THE ACTUAL CONSTRUCTION COSTS OF THE BUILDINGS. HE THEN REFERENCED THE ACTUAL COSTS FOR CONSTRUCTION THAT HAD BEEN PROVIDED TO COUNCIL FOR THEIR REVIEW IN CONTRAST TO THE MATERIAL THAT HAD BEEN PROVIDED BY CITY STAFF. WADE ELLIOTT SAID THAT THIS WAS THE POINT THAT HE WANTED TO MAKE WITH COUNCIL; THE COMPARISON TO THE EARLIER PROJECT IN ST. HELENS AND HIS CONTENTION THAT BUILDING CONSTRUCTION COSTS SHOULD BE USED INSTEAD OF ICC VALUES TO FORMULATE PERMIT FEES. HE THEN ASKED IF ANYONE ELSE FROM HIS TEAM WANTED TO PROVIDE AND FURTHER INFORMATION AS WELL.

VALYRIE GERMAN SPOKE NEXT ON BEHALF OF THE CONSTRUCTION GROUP AND REFERENCED THE SPREADSHEETS THAT SHE HAD PROVIDED FOR COUNCIL'S REVIEW. SHE TOO MENTIONED THAT SHE WAS EXCITED ABOUT THE BUSINESS COMING TO COLUMBIA CITY AND WAS SURE THAT THE CITY FELT THE SAME WAY WITH THE LOT FINALLY BEING COMMERCIALY DEVELOPED. SHE SAID THAT SHE DID EXPERINCE "STICKER SHOCK" WHEN SHE SAW THE PERMIT FEE COSTS, ESPECIALLY IN CONTRAST TO WHAT SHE REFERRED TO AS THE COST OF THE BUILDING. SHE ALSO SAID THAT SHE APPRECIATED THE OPPORTUNITY TO

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ADDRESS THE COUNCIL ABOUT THE ISSUE. VALYRIE GERMAIN ALSO SAID THAT SOME OF THE BUILDINGS BEING CONSTRUCTED ARE NOT FINISHED IN RESPECT TO SHEETROCK, FLOORING, ETC., AND SHE STATED THAT THESE BUILDINGS ARE MORE LIKE A WAREHOUSE RATHER THAN A FULLY FINISHED STRUCTURE. SHE SAID THAT THESE WERE HER MAIN POINTS THAT SHE WANTED TO MAKE AND THEN DEFERRED TO JOSH KOMP AND JERRY REID FOR ANY INPUT THAT THEY MAY HAVE WANTED TO SHARE IN REGARD TO BUILDING CONSTRUCTION. NEITHER JOSH KOMP NOR JERRY REID PROVIDED ANY INPUT AT THAT TIME.

COUNCILOR JEFF REINAN NEXT ASKED THE CONSTRUCTION GROUP IF THEY HAD SEEN THE WRITTEN RESPONSE FROM THE CITY'S BUILDING OFFICIAL, MIKE DEROIA, REGARDING THE PERMIT FEE ISSUE. THIS WRITTEN REPOSE WAS INCLUDED IN THE CITY COUNCIL'S AGENDA PACKET AND COUNCILOR REINAN POINTED OUT THAT THE BUILDING OFFICIAL ADDRESSED IN THAT WRITTEN RESPONSE THE CONSTRUCTION VALUES VERSUS ICC CODES USAGE IN FORMULATING THE PERMIT FEES. COUNCILOR REINAN DID SAY THAT HE DID NOT KNOW WHERE THE ICC VALUES CAME FROM BUT THAT THE BUILDING OFFICIAL LAID ALL OF THE INFORMATION OUT FOR EVERYONE TO SEE. WAYDE ELLIOTT ASKED JOSH KOMP TO RESPOND TO THIS ISSUE AND HE DID SO BY VERIFYING THAT THE ICC VALUES ARE PUBLISHED AS A NATIONAL SET OF VALUES BY BUILDING TYPE AND DO NOT REFLECT CONSTRUCTION COSTS. IN ESSENCE, THE ICC APPLIES A STANDARD SET OF COSTS BASED UPON THE BUILDINGS CLASSIFICATION AND NOT WHAT IT COSTS TO CONSTRUCT THE BUILDING.

CITY ADMINISTRATOR MIKE MCGLOTHLIN THEN ASKED BUILDING OFFICIAL MIKE DEROIA IF THERE WAS ANYTHING ELSE THAT HE NEEDED TO ELABORATE ON, OUTSIDE OF HIS LETTER, FOR COUNCIL. MIKE DEROIA RESPONDED THAT JOSH KOMP WAS CORRECT IN THAT THE ICC TABLES ARE A NATIONWIDE SET STANDARD, THAT THEY ARE CITED IN OREGON ADMINISTRATIVE RULES AS THE SET STANDARD, AND THAT IT IS HIS UNDERSTANDING THAT THERE IS NOT CONFLICT IN HOW THE FEES WERE ULTIMATELY DETERMINED. HE REITERATED THAT THE CORRECT METHODOLGY, TABLES, AND ORDINANCE INTERPRETATION WERE USED AND THAT THE FEES WERE WHAT THEY WERE. HE ALSO CLARIFIED THAT REGARDLESS OF THE TYPES OF FINISHES THAT ARE CONTAINED WITHIN A BUILDING, STAFF ARE STILL REQUIRED TO INSPECT AND REVIEW TO THE ESTABLISHED STANDARD. INSPECTION SERVICES REMAIN THE SAME AND MIKE DEROIA SAID THAT THEY WERE APPLIED CORRECTLY IN THIS CASE BY FOLLOWING THE APPROPRIATE METHODOLOGY. MIKE DEROIA DID SAY THAT IF THE CITY WANTED TO ADDRESS THE TOTAL AMOUNT OF FEES, THEN THE FEE SCHEDULE SHOULD BE AMENDED. HE SAID THAT BY AMENDING THE FEE SCHEDULE, AND NOT THE METHODOLOGY USED TO ARRIVE AT THE PERMIT COSTS, THE CITY COULD ENSURE THAT EQUAL APPLICATION OF THE STANDARD WAS BEING MET; NOT ONLY WITH THIS PROJECT BUT WITH ALL OTHER PROJECTS MOVING FORWARD.

HELEN JOHNSON, CITY BUILDING ADMINISTRATIVE ASSISTANT, WHEN ASKED BY THE CITY ADMINISTRATOR FOR ANY INPUT THAT SHE MAY HAVE, REPLIED THAT SHE WAS PRESENT FOR ADMINISTRATIVE SUPPORT, TO ANSWER ANY QUESTIONS THAT MAY BE HAD, AND TO EXPLAIN THE SPREADSHEETS THAT SHE HAD PREPARED ON THE CITY'S BEHALF. SHE SAID THAT SHE HAD NO FURTHER INPUT AT THAT TIME.

THE CITY ADMINISTRATOR THEN ASKED COUNCIL IF THERE WERE ANY QUESTIONS FOR THE CITY ATTORNEY, STEVE PETERSEN, WHO WAS PRESENT TO OFFER LEGAL COUNSEL RELATED TO THE DISCUSSION. COUNCIL HAD NO QUESTIONS FOR THE CITY ATTORNEY BUT COUNCILOR THISTLE SAID THAT HE DID HAVE A QUESTION FOR THE CITY BUILDING OFFICIAL, MIKE DEROIA.

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COUNCILOR THISTLE ASKED MIKE DEROIA IF THIS PROJECT WAS IN RAINIER OR CLATSKANIE WOULD THE SCHEDULE BE THE SAME? MIKE DEROIA RESPONDED THAT EACH MUNICIPALITY HAS ITS OWN FEE SCHEDULES AND THAT HE CAN ONLY ANSWER AS TO WHAT THE CITIES OF ST. HELENS AND COLUMBIA CITY WOULD DO. HE SAID THAT THE STATE SETS THE METHODOLOGY THAT EACH MUNICIPALITY HAS TO GO BY BUT THAT EACH MUNICIPALITY HAS THEIR OWN FEE SCHEDULE, AND THAT COLUMBIA CITY'S FEE SCHEDULE WAS LAST UPDATED IN JULY OF 2020. COUNCILOR THISTLE THEN ASKED IF THE PROJECT WAS IN ST. HELENS WOULD THE FEE SCHEDULE BE THE SAME? MIKE DEROIA RESPONDED THAT IN THIS CASE IT WOULD AS COLUMBIA CITY HAS ADOPTED THE SAME FEE SCHEDULE AS ST. HELENS. HE FURTHER CLARIFIED THAT THE PERMIT FEES WOULD BE THE SAME BUT THAT THE SYSTEM DEVELOPMENT CHARGES (SDC'S) WOULD DIFFER.

COUNCILOR REINAN THEN ELABORATED THAT BASED UPON THE STATEMENT THAT THESE BUILDINGS WERE UNFINISHED WITH NO SHEETROCK OR OTHER FINISHINGS, HE ALSO NOTICED THAT THERE WERE THREE DIFFERENT BUILDING CLASSIFICATIONS: A, B, AND C. COUNCILOR REINAN THEN ASKED WAS CONSIDERATION TAKEN INTO ACCOUNT THESE DIFFERENCES BETWEEN THE DIFFERENT TYPES OF BUILDINGS? MIKE DEROIA RESPONDED THAT SOME OF THE BUILDINGS WERE CONSIDERED AS UNFINISHED IN THAT THEY WERE STEEL SUPPORTED WITH METAL SHEETING, BUT THAT THEY ALSO HAD FIREWALLS, FOUNDATIONS, WALLS, AND ROOFS PRESENT WHICH REQUIRES REVIEW AND INSPECTION. MIKE DEROIA ALSO SAID THAT TWO OF THE BUILDINGS WERE ESSENTIALLY CONSIDERED AS CARPORTS AND THAT ALLOWANCES WERE MADE FOR THESE TWO SPECIFIC BUILDINGS UNDER A SEPARATE STANDARD THAT WAS FOUND TO BE FAIRER TO THE APPLICANT.

WADE ELLIOTT THEN REPEATED THE DIFFERENCES IN ICC VALUE VERSUS CONSTRUCTION COSTS FOR THE BUILDINGS AND THAT THE DEGREE OF INSPECTIONS NEEDED FOR SOME OF THE BUILDINGS IN RELATION TO THE COSTS SEEMED EXCESSIVE TO HIM. MIKE DEROIA REPLIED THAT HE UNDERSTOOD THE POINT BEING MADE BUT THAT THE METHODOLOGY USED WAS CORRECT AND THAT IT WAS EQUALLY APPLIED TO THIS PROJECT AS IT WOULD TO ANY OTHER. WADE ELLIOTT THEN ASKED MIKE DEROIA IF THERE HAD BEEN SIGNIFICANT CHANGES IN ST. HELENS SINCE HE LAST WORKED IN ST. HELENS? MIKE DEROIA REPLIED HE DID NOT HAVE AN ANSWER TO THAT BUT THAT HE COULD RESEARCH THE HISTORY OF TABLE CHANGES AND PROVIDE THAT ANSWER.

WADE ELLIOTT THEN SUMMARIZED THAT THE CONSTRUCTION GROUP WAS ASKING FOR A REDUCTION IN THE PERMIT FEES REQUIRED AND THAT THEY BE BASED UPON CONSTRUCTION VALUE INSTEAD OF THE ICC TABLE OF VALUES BY BUILDING TYPE. THIS WOULD RESULT IN A REDUCTION OF THE ASSOCIATED FEES IN THE AMOUNT OF APPROXIMATELY \$39,000.00.

MAYOR WHEELER THEN ASKED IF THIS ISSUE NEEDED TO BE DECIDED TONIGHT OR IF THE COUNCIL COULD TAKE TIME TO DECIDE ON THE ISSUE. THE CITY ADMINISTRATOR RESPONDED THAT COUNCIL COULD TAKE TIME TO REVIEW AND DISCUSS FURTHER BEFORE REACHING A DECISION IN THE NEAR FUTURE. CITY ATTORNEY STEVE PETERSEN ALSO CONCURRED WITH THAT ASSESSMENT FOR REACHING A DECISION AND COMMUNICATING IT TO THE CONSTRUCTION GROUP.

COUNCILOR REINAN ASKED HOW LONG THE CONSTRUCTION GROUP HAD KNOWN ABOUT THE PERMIT FEES AND THE REASON FOR THE DELAY IN APPROACHING COUNCIL, IF THERE WAS ONE. WADE ELLIOTT REPLIED THAT THEY HAD KNOW ABOUT THE FEES FOR A WHILE BUT ALSO KNEW THAT IT WOULD BE A TIME-CONSUMING PROCESS TO APPEAL THE ISSUE TO COUNCIL. NOT WANTING TO CAUSE DELAYS AT THE CONSTRUCTION SITE WITH

FOUNDATION AND DRIVEWAY WORK WERE KEY FACTORS IN DECIDING TO WAIT TO APPROACH COUNCIL, ACCORDING TO WADE ELLIOTT. COUNCILOR THISTLE THEN ASKED IF THIS WAS "SOMEWHAT LIKE GOING TO A RESTAURANT AND EATING THE MEAL WITH COMPLAINING ABOUT THE PRICE AFTER EVERYTHING HAD BEEN EATEN?" HE ADDITIONALLY SAID THAT "YOU ARE UNDERWAY IN THE PROJECT AND THAT IS, ANYWAY, KINDA MY THOUGHT". VALYRIE GERMAN THEN SAID THAT THE GROUP WANTED TO ADDRESS COUNCIL IN JANUARY BUT THAT BY THE TIME THAT DECISION HAD BEEN MADE IT WAS TWO DAYS PRIOR TO THE MEETING. THE CITY ADMINISTRATOR DID CONFIRM THAT THE CITY WAS APPROACHED ABOUT THE ISSUE OFFICIALLY IN JANUARY.

MAYOR WHEELER THEN ASKED THE REST OF COUNCIL IF THEY WOULD LIKE MORE TIME TO THINK ABOUT THE REQUEST PRIOR TO REACHING A DECISION. BY CONSENSUS OF COUNCIL IT WAS DECIDED TO TAKE TIME TO CONSIDER THE ISSUE FURTHER AND THEN COORDINATE WITH THE CONSTRUCTION GROUP TO RECONVENE IN ORDER FOR THE CITY COUNCIL TO ANNOUNCE THEIR DECISION.

**7.2 Review, discussion, and consideration for approval of a Structure in the Right-of-Way Permit Application, as submitted by Renee Racicot of 1500 Fourth Street.**

THE CITY COUNCIL CONDUCTED INITIAL REVIEW OF THE APPLICATION AS SUBMITTED BY THE APPLICANT, RENEE RACICOT. COUNCIL THEN HEARD FROM BOTH THE APPLICANT AND ADJACENT NEIGHBORS, MARK AND GLORENE STEVENS OF 1505 THIRD STREET. THE STEVENS' HAD FILED A LETTER EXPRESSING THEIR CONCERNS ABOUT THE PLACEMENT OF THE FENCE IN THE AREA AS IT WAS PROPOSED IN THAT THEY FELT IT WOULD CREATE ADDITIONAL DIFFICULTY IN THE ENTERING AND EXITING OF VEHICLES FROM THE PARKING AREA AT THE STEVENS' RESIDENCE. AS A COMPROMISE, THE STEVENS' PROPOSED TO COUNCIL THAT UPON APPROVAL OF THE APPLICATION AS SUBMITTED IT BE NOTED THAT IF THESE CONCERNS DID OCCUR THE FENCE WOULD THEN HAVE TO BE REMOVED FROM THE RIGHT-OF-WAY AREA.

COUNCIL THEN ASKED CITY ATTORNEY STEVE PETERSEN IF THE CITY COULD DO SO, AND HE REPLIED THAT THE CITY WOULD STILL RETAIN ITS PROPERTY RIGHTS WITHIN THE AREA AND THAT IT WOULD BE ACCEPTABLE TO PROCEED WITH THE APPROVAL OF THE APPLICATION WITH THIS PROVISION NOTED WITH THE MINUTES FOR THIS MEETING. GIVEN THE CIRCUMSTANCES SURROUNDING THIS APPLICATION, COUNCILOR ZIGLINSKI SUGGESTED THAT A DECISION ON THE APPLICATION BE SUSPENDED UNTIL COUNCIL HAD THE OPPORTUNITY TO GO TO THE SITE AND CONDUCT A REVIEW. BY CONSENSUS OF COUNCIL IT WAS AGREED TO DO SO AND THE CITY ADMINISTRATOR WAS TASKED WITH COORDINATING THE SITE VISIT.

**AGENDA ITEM 8**

**OTHER BUSINESS:** The City Administrator discussed the following items with Council:

1. Current city personnel policy does not have provisions for maternity leave as the city, due to its low number of employees, is not bound by the provisions of the Family Medical Leave Act (FMLA) or the Oregon Family leave Act (OFLA). Historically, and perhaps by happenstance, city employees have not had a need for maternity leave provisions to effectively address leave needed to be taken in the case of a birth of a child. The closest available city personnel policy available for reference is the city's leave of absence policy. However, this policy requires that a staff member be employed for 12 months, is limited to 60 days of non-paid leave time and requires that a staff member pre-pay their insurance benefits prior to the leave starting. The City Administrator brought this issue to Council as current circumstances involving staff have

changed and guidance is being sought as it relates to the amendment of policy. Council and the City Administrator took part in discussion about the various factors surrounding a policy amendment. At the conclusion of this discussion the City Administrator said that he would research the available options and would be prepared to deliver policy development choices to Council at their March 17, 2022, meeting.

2. Updates were given to Council for the projects related to the roofing replacements at City Hall and the Community Hall, the budgeting software for the Administration Department, and the body-worn camera systems for the Police Department. These projects are all being funded by the revenues provided under the American Relief Plan Act (ARPA) of 2021. Additional city infrastructure projects will also be funded using these monies.
3. The Columbia City Planning Commission is soliciting interest from the City Council in conducting a joint meeting to discuss future policy goals and objectives that are relevant to the work of the commission. By consensus of Council, it was agreed to participate in this future meeting with coordination to follow.

**AGENDA ITEM 9**

**ADJOURNMENT:**

- 9.1 There being no further business to come before the Council, the meeting adjourned at 7:45 pm.

APPROVED:

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Casey Wheeler  
Mayor

ATTEST:

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Michael S. McGlothlin  
City Administrator/Recorder