

Mayor Cole called the meeting to order at 7:04 pm

Roll Call

Present

Jerry Cole, Mayor – excused at 8:05 pm Mike Avent, President
John Slape, present at 7:15 pm Randy Hamlin
Russ Moon David Langford
David Qualman

Absent

Rob Piercy

Others Present

Chad Olsen, City Administrator Dwayne Barnes, Public Works Director
Ralph Painter, Chief of Police Steve Petersen, City Attorney
Carole Connell, City Planner

Public Hearings:

Amend Rainier Zoning Map Designating Tax Lot 7216-041-00100 From Waterfront Commercial (WC) to Central Business District (CBD)

Connell gave an overview and stated that there was a letter of support submitted from Ross Melin, the applicant as well as a letter of support from Steve and Deb Hov who own property within the two-hundred-fifty foot notification radius.

Connell stated this request to change the zoning of tax lot 7216-041-00100 has gone to the Planning Commission and they recommended approval to the Council. Connell stated that Melin has requested this change to make better use of his property. Melin has had residents living at this property and the City has had to tell the residents to move because zoning does not allow this use. Melin has been interested in the mixed use zoning for more flexibility. Connell added that when the CBD zone was being formed the area started out large and by the time it was approved the area shrunk down and did not include some of the properties on East “A” Street. A year ago the Planning Commission received a grant to look at some code changes and they were interested in expanding the CBD zoning but after contacting the property owners in this area no one except Melin was interested. Therefore, Melin was told that if he wanted to follow through with the zone change he would need to follow the steps for a zone change as property owners Steve and Debbie Hov had to do for their zone change on East “A” Street.

Mayor Cole read the disclosure statement for the public hearing.

Connell closed her overview by stating that this property would be going from a Waterfront Commercial Zone (WC) to a Central Business District (CBD) commercial zoning. Connell added that the WC is more geared to marine uses and does not allow residential use and the CBD zoning encourages retail, housing, and offices in an effort to strengthen the downtown area. She commented that the building is now being used as a residence with a seamstress business in front and it is working out very well for this kind of use.

Public Hearing opened at 7:10pm

Councilor Hamlin referred to page six of the staff report and questioned the statement of a railroad right of way on "A" Street. He stated that this is something the City has been trying to get confirmation on and has not been able to find any evidence that there is a railroad right of way on "A" Street. Hamlin asked if there was any documentation supporting this. Connell stated that she assumed there was a right of way. Olsen stated that they do not own a right of way through town. Connell stated that this was an error on her part.

Comments for or against.
None

Council Comments:

Langford stated that when he was on the Planning Commission there was talk about the CBD growing out to this area.

Hamlin asked if there was a problem with this CBD area not being connected to the existing CBD zone. Connell stated that she does not see this being an issue.

Public Hearing closed at 7:18 pm.

Amend Rainier Zoning Code 6.6 Extending the Discontinuance of a Non-conforming Use From Six (6) to Eighteen (18) Months

Public Hearing Opened at 7:19 pm

Mayor Cole stated that the City is the applicant in this request.

Comments for or against:
None.

Council Comments:

Avent asked if this amendment would work for the house on "B" Street that was vacant for more than six months and had to go back to the Planning Commission to extend the non-conforming use. Connell stated that this would help with this problem.

Avent asked if this would apply to the CBD district also. Connell stated that this would apply to that area too.

Public Hearing closed at 7:24 pm

Amend Zoning Ordinance and Map Reversing the Industrial Heavy Industrial (M1) and Light Industrial (M2) Symbols

Public Hearing opened at 7:25 pm

Mayor Cole stated that the background information was included in the Council packets.

Comments for or against:
None

Public Hearing Closed at 7:27 pm

Mayor Address

Mayor Cole read the names of twenty-one fallen soldiers since the last Council Meeting and took a moment of silence to remember them.

Visitors Comments

Gloria Mackenzie, Rainier resident, submitted a letter asking the Council to form a committee regarding the natural gas terminal at Bradwood Landing in Oregon. She stated that she would like more research done on what the impact to the area would be from the Natural Gas terminal. Avent stated that Olsen could get in touch with the Port of St. Helens to give a public update at a work session in regards to this project and see if it is still in the works. Hamlin stated that there are some issues with the railroad. Mayor Cole stated that he would have an answer at the next meeting regarding a committee after checking the status of this project.

Invited Reports

None.

Unfinished Business

Approval of March 19, 2007 Regular Meeting Minutes

Motion by Avent, 2nd by Langford to approve the minutes as written.

Motion passed unanimously.

Ordinance #1036 Tree Maintenance Policy

Hamlin stated he wanted to add a sentence to the end of "purpose" on page one which says "trees located within the City's Watershed are not covered by this ordinance".

Motion by Hamlin, 2nd by Moon to approve and authorize the Mayor to sign an ordinance authorizing and implementing a Tree Maintenance Policy of the City of Rainier with the addition of a line as stated above. Motion passed unanimously.

Ordinance #1037 Restricting The Use of Tobacco Products In Riverfront Park

Motion by Langford, 2nd by Hamlin to approve and authorize the Mayor to sign an ordinance regulating the use of Tobacco products the Riverfront Park.

Slape asked if there could be exceptions for special events. Langford stated that there would be designated areas for tobacco use at these events.

Roll Call

Slape Aye Avent No

Hamlin Aye

Moon Aye

Qualman Aye

Langford Aye

Motion passed.

Resolution #1011 Reimbursement Agreement: Larry Larson

Olsen stated that this agreement is for a three year term expiring April 2, 2010 and added that Larson could come back to the Council upon expiration of the agreement and ask for a five year extension. He could ask for this five year extension twice. Olsen stated that the original agreement does not include a CPI adjustment but the Council could add that to the next approval of a five year extension of the agreement. This agreement will be recorded so any future buyers of the affected property would be aware of this transaction.

Motion by Avent, 2nd by Qualman to approve the resolution approving the reimbursement agreement with Larry Larson.

Hamlin stated the wording on tax lot 03400 where it says "note eligible for City Council" should say "not eligible"

Motion approved.

Purchase of Municipal Court Management Software

Motion by Langford, 2nd by Moon to approve the purchase of the Municipal Court Management Software. Motion approved unanimously.

New Business

Liquor License Application: The Ol'Pastime: JoAnn Helligso

Motion by Avent, 2nd by Slape to approve the application as submitted from the OLCC and even if not approved it would go onto the OLCC regardless.

Hamlin abstained.

Motion passed with one abstention.

Staff Reports

Painter stated that Officer Larson is doing well at the academy. He also added that the Lexipole manual for the Police Department is complete. He will have some copies available for the Council to review.

Administrator's Report

Olsen reported that the first Budget Committee Meeting is Tuesday, April 3rd, 6:00PM at City Hall and copies of the budget have been distributed. REDCO's meeting is Thursday, April 5th at 5:30 pm and first budget committee meeting at 6:00 pm.

Olsen distributed his response back to the Council regarding his goals that were set by the Council in March.

Council Reports

Moon – Asked for a clarification on the Timber Fund regarding the seventy-five thousand that would come in for timber revenue. He commented that when this timber harvest was approved the Council did not approve the revenue to be divided. Olsen stated that in past practice the Timber Fund proceeds have subsidized the utilities. Olsen added that the budget includes a transfer from Timber to Debt Service to subsidize the wastewater treatment plant predesign loan that we have received from DEQ. The Timber Fund also transfers ten thousand dollars to the Sewer Capital Improvement fund. Moon stated that he does not see where the Council has approved any transfers out of the Timber Fund into the other funds. Olsen clarified that past practice is that this is an item included in the budget as a recommendation to the Budget Committee. Avent stated that this issue was talked about in the annual meeting and the Council needs to look at setting up another fund to put reserve money in for future use. Cole stated that past practice is that this money is transferred from the Timber Fund to keep utility rates down. Avent stated that there would be more discussion regarding the Timber Fund at the Budget Meeting.

Moon asked Cole to add Olsen's seven goals discussion and employment contract discussion to the next meeting. Moon asked if these two items would be discussed in open meeting or executive session. Olsen stated that the seven goals could be discussed in open meeting but he would have to make a decision on his employment contract being discussed in executive session or open meeting.

Hamlin stated that he received information from Tom Weatherford from ODOT regarding a traffic count and commented that the figure that Barnes had given of about fifteen hundred dollars was correct.

Slape reported that the next Planning Commission meeting is scheduled for April 24th, 6:00 pm, City Hall.

Qualman commented that he was going to the Northwest Regional Economical Development Forum, April 13th in Astoria.

Langford asked if the City has a recycling. Olsen stated that Rainier Sanitary has recycling and he would look into this. Qualman also suggested that the packets could be duplexed to cut done on the use of paper.

Meeting adjourned at 8:11 pm.

Jerry Cole, Mayor

Attested:

Michelle Archibald, City Recorder

Future Business

- Review Consultant Agreements
- Proposed Personnel Policies
- Highway 30 TEP Undergrounding of Overhead Utilities
- Street Names
- Oregon Contracting Laws
- Surplus of Real Property

City Calendar/Announcements

- City Budget Committee Meeting, April 3rd, 6:00 pm, City Hall
- REDCO Regular/Budget Committee, April 5th, 5:30 pm, City Hall
- City Council Regular Meeting, April 16th, 7:00 pm, city Hall

- Chamber of Commerce, April 11th , 12:00 pm, Methodist Church
- Library Board Meeting, April 11th, 4:30 pm, City Hall
- NW Regional Economic development Forum, Columbia River Maritime Museum, 10:00 am
- Planning Commission, April 24th , 6:00 pm, City Hall