

City of Rainier
Regular Council Meeting Minutes
September 16, 2013
7:00 PM
Rainier City Hall
106 West "B" Street

Mayor Cole called the meeting to order at 7:15 PM.

Council Present: Mayor Cole, James Bradfield, Sloan Nelson, William Vilardi, Judith Taylor, Scott Cooper, and Steve Massey.

Council Absent: David Sills.

City Staff Present: Debra Dudley, City Administrator/Finance Director/Recorder; Patricia Stanley, Librarian; and Police Chief Griffith.

Flag Salute

City Attorney Absent: Stephen D. Petersen.

Flag Salute.

Additions/Deletions from the Agenda:

Cooper moved, Vilardi 2nd, to add City Hall painting as New Business, item b., to the agenda – **motion passed unanimously.**

Nelson moved, Cooper 2nd, to add the Port Westward annexation as New Business, item c., to the agenda – **motion passed unanimously.**

Mayor's Address: Mayor Cole read the names of two service personnel who have lost their lives in the line of duty since council last met and a moment of silence was observed. Mayor Cole stated he attended the Patriot's Day ceremony at Fort Lewis last week.

Visitor's Comments:

Lawana Poirier, 70640 Nick Thomas Road, Rainier, OR 97048 presented a 100 signature petition opposing granting a business license for businesses within the Rainier community to pornographic shops; revoke the business license to the adult store that is currently doing business in Rainier and no future business licenses be granted in Rainier for that type of business. Nelson added it appears the current business of that nature is no longer in business. Mayor Cole said the

City is working on ordinances that deal with these types of businesses but it is not ready to be presented.

Unfinished Business:

a. Approve September 3, 2013 Work Session Meeting Minutes: Vilardi moved, Massey 2nd, to approve the minutes – **motion passed** Taylor and Cooper abstaining.

b. Approve September 3, 2013 Regular Meeting Minutes: Vilardi moved, Massey 2nd, to approve the minutes – **motion passed** with Taylor and Cooper abstaining.

c. Highway 30/”B” Street Update: No update per Mayor Cole.

d. Street Improvement Update: Dudley stated there was no update but would have information at the next work session.

e. Library Update: Stanley stated the eBook program is undergoing testing and should be in use by the end of the week. Stanley added there are 600 library cards issued but that is not the number of patrons. Nelson asked how the library board was going to make the public aware of the eBook program and Stanley said information would be distributed through the City newsletter, the Clatskanie Chief, local radio, flyers and handouts.

New Business:

a. Discuss Country Stock Music Festival Permit: Susan Roberts and David Mack, festival organizers, distributed the certificate of liability insurance, they will not have a beer garden, will have a concert venue, motorcycle ride in, truck pull, anticipate 15 to 20 vendors and logistics was discussed. Roberts said that next year they will have a larger turn out. Chief Griffith asked how many participants they expected and Mack stated that due to the weather they were expecting 300 to 400 per day, Chief Griffith asked if he could see a plan for parking motorcycles and event cars, and it was established they have their own security and will rent ten porta-potties. Roberts said they are asking for \$10 for general admission, \$35 for the VIP area and the vendors will be fenced off. Dudley clarified they will be providing their own electrical to include the vendors and Roberts and Mack said they would have their own generators. Vilardi asked if they provided a list of vendors and their insurance and Mack said he did not bring a list but provided a sample form, they never have asked a vendor to send a certificate, their contract states the exhibitor will obtain insurance coverage and Nelson and Vilardi asked Mack how he would know if the exhibitor had insurance and Mack said since it was in the contract they assumed the exhibitors were liable for the insurance. Nelson asked Mack if he had worked with the health department to get the vendors approved and Mack said there were only two food vendors and

those two participated in the Days In The Park event. Mack said he had not contacted the health department and the food vendors told him they checked. Taylor asked about a deposit and Mayor Cole said when they tentatively approved the festival in July there was never a deposit figure attached to the tentative approval, he and Mack discussed a deposit and it was agreed between Mayor Cole and Mack that Mack would give the City a \$1,000 deposit on Friday with the intention they could pick it up on Monday. Mack added the \$2,000,000 insurance cost them a little more than the \$1,000,000 certificate of coverage. Nelson clarified with Mack that the insurance had been paid. Cooper said he agrees with other councilmembers to grow the use of the park and added that next year he encouraged Mack and Roberts to organize earlier. Roberts said they contacted Hudson Sanitation Service for dumpsters and cans and will have garbage pick-up throughout the day. Cooper asked if they could be assured everything would be picked up after the event and Roberts said it would be. Mack said the motorcycles would be parked on the grass and in the parking lot. Dudley asked that the city be notified when the tent and fencing stakes are driven so the City can work with them to prevent damage to water lines. Mack said there would be a few stakes for the tents and he assumed the tent person who does the Days In The Park event knows the location of the lines. Mayor Cole advised Dudley to have Dan Foultnier, Public Works Lead, to assist when the tents are put up. Cooper moved, Massey 2nd, to approve David Mack Productions, for next Saturday and Sunday to have a concert in the park for the Wounded Warriors and the food bank and waive the fee. Nelson asked if that included the deposit and Dudley added the \$1,000 deposit would be returned if the park was left in pre-event condition. Taylor asked what the percentage was that would be donated to the Wounded Warriors and food bank and Mack and Roberts said 100%. Mack said they try to cover their cost but can't so whatever they get they donate. Mayor Cole added that collecting food for H.O.P.E. was also agreed to and Roberts said they made arrangements with the Senior Center to drop the barrels off Thursday, they will be brought to the festival and Monday they will be back to pick them up. Nelson added the organizers speak with public works and the police department regarding any concerns the two departments might have in a timely manner prior to the event. Regarding the vendor insurance, Mayor Cole stated the vendors participating in the Days In The Park event provided a copy of their insurance with their submitted application. Mayor Cole suggested Mack and Roberts contact their participating vendors, tell them when they are setting up on Friday or Saturday to bring a copy of their insurance. Nelson added he wants to see things happen at the park but the Council is in an awkward position because these matters were talked about months ago, Council never heard anything again, and at the last hour the Council has not had the opportunity to work through the issues. Roberts added this is their first year and next year they will start much earlier. Mack said there was some miscommunication because he was not aware when Council met and Cooper clarified that next year at the initial request to attend the Council meetings regularly with updates and to provide documents. Nelson advised Mack to contact the health department to make sure the participating vendors are approved. Mayor Cole

reiterated this was a learning process, next year after the initial contact with Council there would be a packet with a checklist so the applicant would not have to attend several council meetings. Cooper recommended the City put together a packet for these types of events. The **motion passed unanimously.**

Mayor Cole announced a break to allow Mack to sign the City's agreement.

b. City Hall Painting:

Mayor Cole stated the bids for the City Hall project were opened on September 12, 2013 and the lowest bidder was Long Painting Company at \$59,895 and the engineer did a background check on them and everything checked out fine. Mayor Cole stated he is thrilled to see the bids came back a lot less than anticipated. Cooper moved, Vilardi 2nd, to accept Long Painting Company's bid of \$59,895 to paint City Hall. Dudley stated the letter from Curran-McLeod is a notice of intent to award and the award date is September 20, 2013. Bradfield asked if the bidders all had the same document and Dudley said they did. Dudley stated Pat Curran was concerned with the difference between the two bids so he called and talked to the bidders individually and was assured the scope was understood. The **motion passed unanimously.**

c. Port Westward Annexation:

Nelson stated the Port is still working on rezoning and annexing more property into their portfolio, the Council had expressed interest in the past and sent a letter to the planning commission stating the City is not in favor of rezoning the 950+ acres of land due to the potential increased rail traffic until those issues can be resolved. Nelson added the planning commission denied the rezoning request 5 to 1 and now it is in front of the County Commissioners who now get to decide whether or not the property gets to be rezoned. Nelson stated the issues on "A" Street have not changed, if anything they have gotten worse, and it is important to the City's residents to address this issue in front of the County Commissioners. Nelson suggested Council drafting a letter for Mayor Cole and all the Councilmembers sign and send it to Clatskanie for the upcoming hearing reaffirming the City's stance on not wanting the property rezoned until the rail issues and impact studies have been resolved. Massey suggested a Councilmember read the letter at the hearing. Cooper moved, Taylor 2nd, to submit a similar letter to the County Commissioners that was submitted to the County Planning Commission. Mayor Cole asked Massey and Nelson if one of them could read the letter if they were going to attend the hearing in Clatskanie. The **motion passed unanimously.**

Mayor Cole apologized to Dan Jacobson for not having added to the agenda a letter of support to Congresswoman Bonamici seeking getting the status back for the Clatsop-Nehalem Indian Tribe. Massey moved, Cooper 2nd, to write a letter of support to Congresswoman for support of the

Clatsop-Nehalem Tribes – **motion passed unanimously.** Mayor Cole advised Jacobson a letter would be sent to Congresswoman Bonamici and a copy sent to him.

Staff Reports:

Chief Griffith reported the police department received a new patrol vehicle and was waiting for the installation of the necessary equipment. Chief Griffith updated the Council on a recent robbery and apprehension of the suspect. Chief Griffith reported the Police Department has two new reserves starting the Academy.

Dudley – nothing new to report but will have a written report at the next work session.

Staff Reports:

Cooper expressed concern regarding Port Westward being used as an oil terminal and he is concerned about the misconception of adding value to the project if it is just being shipped out. Mayor Cole added there are 17 monthly unit trains of crude oil and the desire is to go to 34 monthly trains that would travel through Rainier. Cooper asked if the railroad and the Port are living up to their contracts and asked Dudley to check it out.

Bradfield expressed concern regarding the long and loud train whistles by stating that different train operators blow the whistle longer than other operators. Bradfield said some City's have ordinances that have stopped the loud whistles and if the City of Rainier cannot do that then perhaps there could be some way to enforce a decimal limit. Mayor Cole said the track and crossing issues need to be addressed. Bradfield informed Council he was looking into a decimal limit to be enforced.

City Calendar/Announcements:

Mayor Cole announced the next City Council Work Session Meeting is scheduled for Monday, October 7, 2013 at 6:00 PM followed by the Council Regular Meeting at 7:00 PM.

Mayor Cole adjourned the meeting at 8:15 PM.

Mayor Jerry Cole

Attested: _____
Debra Dudley, City Administrator/Fin. Dir./Recorder