

## MINUTES

REGULAR COUNCIL MEETING  
OF  
JANUARY 26, 2015  
5:30 P.M.

THE DALLES CITY HALL  
313 COURT STREET  
THE DALLES, OREGON

**PRESIDING:** Mayor Steve Lawrence

**COUNCIL PRESENT:** Tim McGlothlin, Linda Miller, Russ Brown, Taner Elliott

**COUNCIL ABSENT:** Dan Spatz

**STAFF PRESENT:** City Manager Nolan Young, City Attorney Gene Parker, City Clerk Julie Krueger, Administrative Fellow Daniel Hunter, Public Works Director Dave Anderson, Planning Director Dick Gassman, Police Chief Jay Waterbury, Engineer Dale McCabe

### CALL TO ORDER

Mayor Lawrence called the meeting to order at 5:30 p.m.

### ROLL CALL

Roll call was conducted by City Clerk Krueger; Spatz absent.

### PLEDGE OF ALLEGIANCE

Mayor Lawrence invited the audience to join in the Pledge of Allegiance.

### APPROVAL OF AGENDA

It was moved by Elliott and seconded by McGlothlin to approve the agenda as presented. The motion carried unanimously, Spatz absent.

## **PRESENTATIONS/PROCLAMATIONS**

### **Recognition for Ed Goodman**

Chief Waterbury and Mayor Lawrence presented Ed Goodman with a plaque and his badge, honoring his 35 years of service with the City of The Dalles Police Department.

## **AUDIENCE PARTICIPATION**

John Nelson, 524 West Third Place, The Dalles, asked if audience comments would be allowed when the Council considered the resolution concerning crude oil trains. Mayor Lawrence said he would take public input at that time.

## **CITY MANAGER REPORT**

City Manager Young noted he had provided the Council with copies of a letter to HAVEN, allowing them to tie orange ribbons on downtown light poles for teen violence awareness. He reminded the Council of their February 2 goal setting meeting. Young said the Community Outreach Team would be making a trip to Washington, D.C. on March 1, with Councilor McGlothlin representing the City.

Young asked the City Council when they would like to schedule the Budget Committee workshop to review financial practices and policies. The Council agreed to schedule the meeting for February 18 at 5:30 p.m.

Young reported the Third Place project was moving forward, saying ADA ramps would be updated and the surface would be ground and paved in the Spring.

## **CITY ATTORNEY REPORT**

City Attorney Parker reported that the Planning Commission would be considering medical marijuana rules on February 5 and their recommendations would be forwarded to Council for consideration in late February. Parker said he would be attending a law seminar on February 20, where this issue would be further discussed.

Parker said Codes Enforcement Officer Nikki Lesich has been elected to serve as President of her professional association and said Judge Peachey would be making a presentation at their next conference regarding the mental health court.

### **CITY COUNCIL REPORTS**

Councilor Brown reported on his attendance at the Traffic Safety Commission meeting, saying the major topic was a request for an on-street handicapped parking space. Brown said the request was resolved privately.

Councilor McGlothlin said there was no Airport Board meeting in January.

Councilor Elliott said he had attended the QLife Agency meeting and was getting up to speed. He said they discussed future goals of QLife.

Mayor Lawrence said he had attended a tourism meeting for an exchange of ideas.

#### **Resolution No. 15-008 Expressing Concern Regarding Rail Transportation of Crude Oil Through the City of The Dalles**

John Nelson, 524 West Third Place, The Dalles, said he supported the proposed resolution but wanted the Council to consider adding a section to address financial responsibility. Mr. Nelson handed out proposed language to add to the resolution. He also provided articles talking about the cost of cleaning up spills.

Councilor Elliott said he had spoken with representatives of Union Pacific and Burlington Northern Railroads and learned that they provided extensive training and were dedicated to safety. He said the City had no authority over the railroads and suggested a letter of concern be sent to State representatives, instead of adopting a resolution.

Tim Schectel, 3511 Sandlin Road, The Dalles, said the crude oil trains were a big risk to the well-being of the community and urged the City Council to take a position of concern.

Tim Norgren, Stevenson, Washington encouraged the Council to make a strong statement of opposition and urged the inclusion of language to address financial responsibility.

It was moved by McGlothlin and seconded by Miller to amend the resolution to include the proposed language, adding that the Council would “urge the State officials to require” into the new section. The motion carried unanimously.

It was moved by Brown and seconded by Miller to adopt Resolution No. 15-008 expressing concern regarding rail transportation of crude oil through the City of The Dalles, as amended. The motion carried unanimously.

### **CONSENT AGENDA**

It was moved by Elliott and seconded by McGlothlin to approve the Consent Agenda as presented. The motion carried unanimously, Spatz absent. The item approved by Consent Agenda was approval of the January 12, 2015 City Council meeting minutes.

### **PUBLIC HEARINGS**

#### **Public Hearing to Receive Testimony Regarding Proposed Supplemental Budget for 2014-15 Fiscal Year**

Mayor Lawrence reviewed the procedure to be followed for the public hearing.

City Manager Young reviewed the staff report.

Mayor Lawrence asked if the Library Fund donations had been received yet. City Manager Young said the expected donations were an estimate. He said once the City learned of anticipated revenues, they needed to amend the budget, but that no funds were spent until the revenues were fully secured.

Mayor Lawrence said if the changes were required by law, one of the staff recommendations should not include to not approve something. He said it seemed threatening to say the City would violate law if not approving something.

Councilor Elliott asked when staff would know the actual costs for the budget amendment to the water utility fund. Public Works Anderson said they had just received the final invoice and the cost had been \$6,000. He said when funds were transferred, if all the funds were not spent, they would carry over to the beginning fund balance for the next fiscal year.

Councilor Elliott suggested if the items were time sensitive, it would be more efficient to bring items as staff knew about them, rather than saving up a large number of items. It was the consensus of the Council to have staff bring items more frequently instead of saving them up for one time transfers.

#### **Testimony**

No testimony was presented.

Council Deliberation

It was moved by McGlothlin and seconded by Miller to adopt a supplemental budget for the fiscal year 2014-15, making appropriations and authorizing expenditures from and within various funds of the City of The Dalles adopted budget. The motion carried unanimously, Spatz absent.

Public Hearing to Receive Testimony Regarding Residential Infill Development  
Recommendations from the Planning Commission

Mayor Lawrence reviewed the procedures to be followed for the public hearing.

Planning Director Dick Gassman reviewed the staff report, highlighting the recommendations from the Planning Commission. Gassman emphasized the proposed recommendations were for residential, single lots only and did not include planned developments and subdivisions. He suggested the Council decide on the issue of accepting the concept of network streets before deciding on the remaining recommendations.

Councilor Elliott questioned whether residents should be treated differently based on whether the lived on a network street.

Planning Director Gassman distributed correspondence received from Loyal Quackenbush, requesting the Council adopt a list of six items to address residential infill issues (Attachment "A").

Testimony

Dr. Mimi McDonald, 5574 Cherry Height Road, The Dalles, asked the City Council to consider the health impacts to citizens and to encourage streets with pedestrian access, especially in all walk zones surrounding schools.

John Nelson, 524 West Third Place, The Dalles, said State laws did require certain street standards and basic services such as bike and pedestrian networks.

Gary Peterson, 2604 Old Dufur Road, The Dalles, spoke in support of the proposal submitted by Mr. Quackenbush. He said he felt he had been held hostage because he could not get a building permit unless he signed a delayed improvement agreement with the City. Mr. Peterson said property owners shouldn't have to pay for infrastructure improvements.

Steve Stroud, 3004 East 12<sup>th</sup> Street, The Dalles, said the proposal submitted by Mr. Quackenbush was simple and precise. He said the process to address residential infill issues had been a long

and complicated one, but that people did want to develop residential property and needed to be able to afford to do it.

Hearing no further testimony, the public hearing was closed.

### Council Deliberation

Following discussion, and agreement that the City should be responsible to pay for engineering, storm sewer, and curb costs, the Council agreed with the recommendations proposed by the Planning Commission.

It was moved by Brown and seconded by Miller to direct staff to remove the identified waivers of remonstrance and delayed improvement agreements within 30 days. The motion carried unanimously, Spatz absent.

It was the consensus of the Council to direct staff to prepare an ordinance approving amendments to the Land Use Development Ordinance (LUDO) as recommended by the Planning Commission, including any changes approved by the City Council, based on appropriate findings of fact and conclusions of law, to be presented for adoption at a future Council meeting.

### ACTION ITEMS

#### Resolution No. 15-004 Authorizing Transfers of Funds Between Categories of Various Funds, Making Appropriations and Authorizing Expenditures for the Fiscal Year Ending June 30, 2015

It was moved by Elliott and seconded by Miller to adopt Resolution No. 15-004 authorizing transfers of funds between categories of various funds, making appropriations and authorizing expenditures for the fiscal year ending June 30, 2015. The motion carried unanimously, Spatz absent.

### OTHER BUSINESS

Sarah Segal, 1624 East 13<sup>th</sup> Place, The Dalles, provided handouts and described the serious nuisance tree on the property next to hers. She expressed concern that the City would not help to remove the problem.

City Attorney Parker said the City couldn't help Ms. Segal because it was a civil matter. He said a letter had just been received, stating the neighboring property was now in the ownership of the Department of Veterans Affairs.

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Staff was directed to provide the contact information for the new owner, to Ms. Segal and to help in any way possible to address the concerns raised.

**ADJOURNMENT**

Being no further business, the meeting adjourned at 8:03 p.m.

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Submitted by/  
Julie Krueger, MMC  
City Clerk

SIGNED:

  
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Stephen E. Lawrence, Mayor

ATTEST:

  
\_\_\_\_\_  
Julie Krueger, MMC, City Clerk

**Richard Gassman**

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**From:** Loyal Quackenbush <loyalq@gmail.com>  
**Sent:** Monday, January 26, 2015 12:15 PM  
**To:** Taner Elliott; russ brown; Linda Miller; Stephen Lawrence; Richard Gassman; dspatz@cgcc.cc.or.us  
**Subject:** Re: Infill Proposal

There was a typo... Should be D.I.A. not D.I.D. So many different names for the same thing is confusing. Home with the flu so might not make the meeting.

Sent from my iPhone

On Jan 26, 2015, at 11:52 AM, Loyal Quackenbush <loyalq@gmail.com> wrote:

A group of citizens that have been involved with the infill process for the past many years would like to put forward a proposal to the City Council for residential infill on all city streets.

We would hope the city council could adopt and bring these issues to a close.

1. Remove all residential remonstrances, D.I.A., D.D.A., and L.I.D. within one month.
2. Create no future islands.
3. City pays for all road improvements which includes all infrastructures, line extensions and curbs. Land owners and developers pay for approach to property and sidewalks after curbs are installed.

This is meant for all residential streets, not just network and include streets in the urban growth.

4. If a D.I.D. is formed, they will not be attached to deeds. A signed form put on file with a sunset clause of 10 years for sidewalks and approach only.



5. Keep corner lot relief.

6. Fix what we have before any new roads are built and make maintenance of roads our top priority.