

Regular Council Meeting  
Mosier Creek Terrace

DATE: January 6, 2010  
7:00 p.m.

Council: Mayor Andrea Rogers, Council President Allan Rodrick, Peny Wallace, Kathy Fitzpatrick, Tim Mortenson, and Rae Jackson

Staff: City Recorder Jean Hadley

Absent: None      Excused: David Princehouse

#### CALL TO ORDER

Meeting was called to order by Mayor Rogers at 7:01 p.m.

ADDITIONS OR CORRECTIONS – None

BUSINESS FROM THE AUDIENCE – None

#### CONSENT AGENDA

1. Approval of Minutes –December 9, 2009
2. Bills review/approval

**A motion was made by Councilor Rodrick to approve the consent agenda as presented. Councilor Mortenson seconded. There was no discussion. Motion passed unanimously.**

#### BUSINESS

1. Sam Wilkins/ODOT: safety barrier on N. side of Hwy. 30 @ Kingdom Rd.

Sam Wilkins reminded Council of the limits of what could be done at the intersection due to the fact that it is situated on the Scenic Hwy. Wilkins said the most that could be done is a dirt berm about two feet in height to slow a vehicle from sliding over the edge. Wilkins asked Council if they felt that doing something is better than doing nothing and could they support this idea.

**Unanimous consensus of Council was to approve construction of a rock and soil berm on the north side of Hwy. 30 at the bottom of Kingdom Ave.**

Councilor Fitzpatrick asked Wilkins if he could stay for a couple of discussion items. Wilkins agreed. Fitzpatrick reported to Council of dogs that ran from the park onto the freeway where there is no fence. Fitzpatrick said she spoke with Wilkins earlier about that section not being fenced. Wilkins updated Council about the actions taken to provide fencing along the freeway and possibly taking care of that spot. Wilkins reassured Council that the fencing of that spot is being addressed.

Fitzpatrick updated Council about brush and tree clearing in the riparian zone and how the City must be aware that all parties consider where they are doing brush and tree clearing. Fitzpatrick reported a conversation with Wilkins (ODOT) to make sure they are aware of the Mosier Municipal Code and the riparian issue. Wilkins told Council that U.S. Fish and Wildlife (federal) and Dept. of Fish and Wildlife (Oregon State) rules are adhered to by ODOT when they are doing brush or tree removal and quoted rules regarding best management practices regarding what can, and should, be done within 20 feet of bridges to protect the bridges from damage done by trees and shrubs and their roots. ODOT makes every effort to follow the rules regarding riparian protection.

2. Joe Abbott Columbia Cascade Housing Property Manager

Asset manager for Columbia Cascade Housing Authority Joe Abbot introduced himself and reminded Council of the arrangement, via a hand shake agreement, of traded services. In the past the City Council used the Mosier Creek Terrace community room at no charge for an exchange of snow plow services in the parking lot of the Mosier Creek Terrace.

City Recorder Hadley told Council of her uneasiness of this situation and felt it was important to bring the issue before the Council. Hadley reported to Council about her conversation with the City Attorney and City insurance services Representative Mike Courtney. They both agreed that the City Council should make the policy decision to approve, or not approve, of this arrangement and whether to formalize the arrangement with a document agreeing to the terms of the services. Hadley said the arrangement would work since the City derives a public benefit. Councilor Fitzpatrick voiced her opinion of how she is uncomfortable with this sort of arrangement. Fitzpatrick brought up the issue regarding trading utility payments for use of a building housing the Library and how this sounds the same. Mayor Rogers explained the difference between paying the American Legion rent, for use of the building housing the Library contents, which put the City in the situation to be in the Library business. Rodrick said the difference is no money is involved; it is an exchange of services. Rodrick mentioned that with the utility charges and the Library it would create a waiver of fees for loans the City has to pay back. Rogers stated that this is an exchange of services between both parties and if it is to continue it should be formalized in an agreement. Fitzpatrick said she understood the reasons for the arrangement, Mortenson felt it was a great benefit to the City, Wallace felt it was a great exchange and said it was important to formalize the arrangement, Rodrick wanted the arrangement formalized, Jackson agreed to the exchange with a formalized agreement.

**A motion was made by Councilor Mortenson to allow the City Attorney to draft an agreement allowing the exchange of snow plow services of the parking lot at Mosier Creek Terrace for use of the Community Room.**

**Councilor Jackson seconded. There was no discussion. The Motion passed unanimously.**

### 3. Demosthenes CUP modifications; Legislative or Administrative review

Stephen Demosthenes and Art Larsen were available to answer questions. Simple Building Plans with no measurements or details for consideration were provided to Council. Rogers explained that the decision this evening is to decide if this constitutes a modification and whether to hear this administratively or legislatively. Fitzpatrick announced how there are two decisions to make and Fitzpatrick agreed that this could be considered a modification according to the Mosier Municipal Code and that the City Planner Dotty DeVaney understands the modification and should be able to handle this administratively. Fitzpatrick wanted to be cautious about throwing unnecessary rules at this applicant who has been before the Council and the plan was approved through the public hearing process. This project is what Mosier wants downtown.

**Unanimous Consensus of Council was to agree that this is a modification and to allow the City Planner to handle the modification administratively.**

### 4. Goal setting session; set date (March????)

Saturday March 13<sup>th</sup>; a breakfast pot luck. Time and place to be announced.

## COMMITTEE REPORTS

1. Cemetery committee – None
2. Park Committee – None
3. “Art in Mosier” committee – Councilor Wallace represents the City Council on this committee and reported of her meeting with Sam Wilkins (ODOT) and her efforts to establish a meeting date and time. Wallace will ask for a Chairman, Co-Chair, and other officers of this committee. An agenda will be created and sent out to the parties interested in this, as well as minutes.

CORRESPONDENCE – 2009 Population estimate of 485 certified.

Meeting adjourned at 8:08 p.m.

Approved this 20th day of January, 2010

Attest:

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Andrea Rogers, Mayor

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Jean M. Hadley, City Recorder