

Council: Mayor Andrea Rogers, Kathy Fitzpatrick, Peny Wallace, Steve McKibben, Emily Reed, and Christina LaFever.

Staff: City Attorney Dan Kearns, Finance Director Barbara Irving, and City Recorder Jean Hadley

Absent: None      Excused: Arlene Burns,

#### CALL TO ORDER

Meeting was called to order by Mayor Rogers at 7:02 p.m. and roll call was taken.

**ADDITIONS OR CORRECTIONS** – Hadley asked Council to include in the consent agenda another list of bills presented that evening and another order of business to discuss the Statement of Economic Interest (SEI).

#### BUSINESS FROM THE AUDIENCE – None

#### CONSENT AGENDA

- 1) Approval of Minutes, January 2, 2013
- 2) Review/Approve Bills
- 3) Approve Beetle Hazard/Dead trees letter

Mayor Rogers had a few questions about the tone of the Beetle Hazard letter and so did Councilors Wallace and Fitzpatrick.

**A motion was made by Councilor Wallace to move the beetle hazard letter out of the consent agenda and move it to an order of business in order to discuss it. Councilor Reed seconded. There was no discussion. Motion passed unanimously.**

**A motion was made by Councilor Fitzpatrick to approve the consent agenda as revised. Councilor Wallace seconded. There was no discussion. Motion passed unanimously.**

#### BUSINESS

- 1) Interview/Appointment of Council vacancy

Mayor Rogers opened up the opportunity to interview Christina LaFever who submitted an application to fill the vacancy left by Tim Mortenson. This position is a four year term which ends on December 31, 2016. Wallace and Fitzpatrick asked LaFever about her interest in the community and briefly gave a list of her achievements. LaFever said she is on the Farmers Market committee and due to her interest in living in a place that provides a lifestyle her ancestors lived with she decided to be more involved. LaFever said what matters to her are the opportunities to support and provide services that drive economic development. After a few questions LaFever was given the opportunity to ask questions herself and gave a brief summary about herself.

**A motion was made by Councilor Wallace to accept the applicant and approve the appointment of Christina LaFever as Councilor. Councilor McKibben seconded. There was no discussion. Motion passed unanimously.**

Mayor Rogers administered the Oath of Office to LaFever and she took a position at the Council table.

Rogers turned the meeting over to City Attorney Dan Kearns who suggested discussing the Beetle Hazard letter first. Mayor Rogers wanted the letter to be directly from the City and not at the behest of Chief Appleton. Hadley reported an email she received from one arborist who offered to do a survey and provide consulting and bids for removal. Hadley provided a list which she suggested sending out with the letter providing options for services. Kearns said that communication is key here in order to provide a comprehensive amount of information. Rogers stated how this is not an enforcement letter it is a request for a proactive response to a possible infestation which could become a bigger problem. Fitzpatrick questioned a paragraph about severe limbing and pruning which

actually attracts the current beetle hazard issue. Fitzpatrick asked for more research and conversation about the effects of cutting and the response from the bug.

**A motion was made by Councilor Reed to approve a letter after revision and approval from Chief Appleton. Councilor Fitzpatrick seconded. Discussion: Wallace spoke about the need to respond to the issue before the rainy months in order to quell the potential hazard. Motion passed unanimously.**

**Council directed the City Recorder to change the letter to reflect that it is being sent out by the City and talk to Chief Appleton and revise the paragraph that addresses limbing and thinning if needed, send it out to the Council after revision for their response.**

- 2) City Attorney: Construction Agreement between the CITY OF MOSIER (“City”), an Oregon municipal corporation, MOSIER HEIGHTS LLC (“Mosier Heights”), an Oregon limited liability corporation, and MOSIER BLUFFS LLC (“Mosier Bluffs”)

Kearns presented a DRAFT Construction Agreement and mentioned that there will be a few minor changes which were suggested by the representative from Mosier Heights (MH). Kearns gave a brief summary of the plat phases of both subdivisions and the situation which prompted this construction agreement related to an oversized reservoir. Mosier Bluffs (MB) is in foreclosure and cannot fund the needed water supply and the City will not allow any houses built on the property. Kearns said the agreement before the Council is recommended by the City Attorney and the City Engineer and stated the absolute requirements of the agreement. Kearns said once this agreement is signed by all the necessary people and the escrow account is created things should move fairly quickly. Kearns mentioned the financial impact this would have on each lot in Mosier Bluff related to an extra SDC charge attached to each lot. Kearns estimated the possibility of \$2000 per lot. Kearns was requesting authorization from the Council to enter into this agreement and allow the Mayor to sign it. Kearns said then within 7 days the MB people will transfer title of tract B to MH and the bank agrees to forebear any foreclosure on that tract. Kearns said once this is completed it will create a secure environment to lift the building permit halt on MB. Kearns said he will send an updated agreement with the necessary date changes and suggestions mentioned by MH for the City to sign. Kearns said generally Cities do not get involved in private projects and the Engineer and Attorney (Staff) wanted the City to benefit from the water system upgrade and for things to move forward. Kearns reviewed the changes with the Council and specifically identified the changes to occur to the construction agreement.

**A motion was made by Councilor Fitzpatrick to approve authorization to enter into the Construction Agreement and allow the Mayor to sign it and execute the escrow agreement reflecting the same terms of the construction agreement. Councilor Wallace seconded. Fitzpatrick mentioned that we are allowing MB to not pay. Kearns reminded the Council of all the schemes MB has brought before the Council through the years and owes the City a substantial amount which will be paid when the increased SDC’s are paid; that is how the City will be made whole. Fitzpatrick noticed that the City Engineer will be the oversight for the project. Kearns said the City Engineer will make sure the City specifications are met or it will not be accepted. Motion passed unanimously.**

- 3) Presentation by Graham Bergh: longest bike chain in the world

Mayor Rogers recognized Graham Bergh who presented his concept of creating a bike chain in whorls that are connected to each other and continue throughout the City. Bergh said his business which started in 1994 will be 20 years old when the City will be 100 years old and he felt it was a great idea to do an art installation at that time. Bergh said the chain will rust and could create a slick surface when wet or icy. All Councilors were interested to see ideas of words, drawings, and/or concepts for how this will work. Bergh also mentioned plaques that explain the length and other aspects of how the chain was collected. Councilor Wallace said the Art Committee would like to work with this and include the school. **Mayor Rogers asked for this to move forward and come before Council with more after a meeting with the Art Committee.**

- 4) Finance & Budget quarterly update

Finance Director Barbara Irving passed out a few pages with general information about what is an Audit and reviewed the pages with Council. Irving said she would like to provide a complete review/presentation next year of the letter provided by the Auditor and the Audit. Irving explained the State letter sent regarding a previous audit

and her response and compliance action taken. Irving briefly reviewed the letter provided this year which basically said there were no significant irregularities or anything out of order. Irving reminded Council that this is the first year for this auditor and next year it should be much easier. Fitzpatrick mentioned the past audit and the comments from that auditor related to discrepancies or requirements and asked where that letter might have been within the audit. Irving said the letter, or statement, was imbedded in the audit booklet and takes time to research. Fitzpatrick said the Audit report and statements should be an agenda item where any audit discrepancies can be presented and discussed.

Irving passed out a few pages explaining “What is a Budget” and the Budget Process. Irving then went page by page reviewing the document showing the quarterly budget versus actual numbers. The Sewer Account numbers prompted a conversation about the increased cost of the contracted services provided for Waste Water Treatment Plant operations by CH2MHill (OMI) and the lack of new building permits that trigger payment into the SDC account. Councilor McKibben said he would like to see the City look for other service providers and start the bidding process. Irving said during the goal setting meeting she would like to have Council provide a list of ideas that would project out for five years. Irving said she would like to use a school classroom so everyone could put ideas down and then discuss them. Fitzpatrick said she contacted Executive Director of Mosier Schools Carole Schmidt and use of a classroom was approved. Mayor Rogers said the goal setting meeting can be done at her house again this year as it was done last year; it is open to the public. Rogers asked for a consensus of the Council about a meeting date in the first or second week of March.

**Consensus of Council was to hold the Goal Setting Meeting on Saturday March 16, 2013 at approximately 9:00am to 3:00pm.**

Irving addressed the financial packet presented to Council in their packet which reflects a half-way point of the current budget. Irving provided graph reports as well as numbers reports for the budgeted amounts. Irving provided an error in the document and said she left it because she wanted to know if any members of the Council could find it. There were no corrected documents provided. Irving told the Council they must watch for these sort of problems and be aware of things that may not look quite right and help her out.

- 5) Audit report presented – see earlier notes
- 6) Establish March goal setting date – see earlier notes

Councilor McKibben exited the meeting at 9:22pm.

- 7) Formation of personnel committee

Rogers asked for volunteers to help with job descriptions, annual employee reviews, and employee policies. Fitzpatrick volunteered; Rogers felt Fitzpatrick was spread thin and busy enough with other committees and would like to see other Councilors step up. LaFever volunteered and said she has the background for this sort of committee. Rogers asked for a first meeting with LaFever and then include Fitzpatrick so she can share the things she learned from her last class. Rogers set a date with the committee.

- 8) Save our Post Office discussion

Councilor Reed said the local meeting was for information and suggestions for the hours of operation.

- 9) Statement of Economic Interest (SEI)

Hadley provided a MEMO and DRAFT copies of the SEI for the Council and told them of their responsibility for compliance and reporting. Hadley provided the list she will be turning into the State and asked Council members to look it over and let her know if there are any addresses that are incorrect.

## COMMITTEE REPORTS

1. Cemetery committee – Fitzpatrick reported the actions taken to get a response from Columbia Cascade Housing about the lot line adjustment. Fitzpatrick said she needed another meeting with them to see if they can accommodate the City to allow a re-plat and/or the lot line adjustment. Fitzpatrick said they need another meeting or another survey with a review of the old survey. Rogers asked for a completion date because this has been going on for a couple years and she would like to see

the permit process get done so the Pioneer Cemetery can be used; there are people waiting. Fitzpatrick requested another opportunity to meet with the Columbia Cascade Housing people and see if that triggers some action; if that does not work the old survey will be submitted to the County for approval.

2. Park committee – Fitzpatrick mentioned the soil that is being dumped at the entrance to Rock Creek Park and the need for a pedestrian pathway through the soil berm. Fitzpatrick asked for consideration of the pedestrian traffic. Hadley said she will ask the maintenance person to fix it.

3. Public Art committee – Wallace said she will be in touch with the original Art Committee members and discuss the Mosier Birthday celebration and what ideas can be brought forward. Wallace spoke about the State St. Cemetery gates being constructed by volunteer Alan Root which are ready for installation. Root has requested official permission, a map of where the holes should be dug, and a comment of where there might be underground wires or cables.

COUNCIL COMMENTS – Councilor Reed asked if attending the seminar for new Councilors is a good idea and if there was any financial support available. Irving said there is some money in contingency. Rogers encouraged Reed to call and find out about the cost and possibly piggybacking with another City who may not have 4 people attending. Reed also wanted Council to know of an event at the Mosier School on May 3<sup>rd</sup> in the school gymnasium at 6:30pm called Mosier Stories.

CORRESPONDENCE – Hadley presented copies of a poster of the legislative assembly for anyone who wanted one and a brochure talking about City Day at the Capital.

Hadley told Council of her daughter having a baby and Irving saying she couldn't use her accrued sick leave to coach her daughter through labor. Irving said Hadley must use her vacation time. Hadley mentioned that when her husband had a heart attack, her mother broke her hips, and other family medical needs she had been paid out of her sick leave. Hadley asked Council of an opinion from them. Wallace said she has sick leave for herself and/or her immediate family. Rogers said she can use her sick leave for immediate family medical needs.

**A motion was made by Councilor Wallace to allow Hadley to use up to 15 hours of her sick leave for coaching her daughter through the birth of her grandchild. Councilor Reed seconded. There was no discussion. Motion passed unanimously.**

Hadley asked Council if they could provide a tentative date for a meeting with the Fire District Board. Council consensus was to hold the meeting sometime in April. Hadley then asked Council to consider a few questions for the Fire Board that seem to need answers

Meeting adjourned at 10:10 p.m.

Approved this 20<sup>th</sup> day of February, 2013

Attest:

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Andrea Rogers, Mayor

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Jean M. Hadley, City Recorder