

CITY OF MOSIER

small enough to make a difference

CITY COUNCIL MEETING

Wednesday, July 8, 2020 6:30 P.M.

Please join the meeting from your computer, tablet or smartphone.

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Access Code: **718-957-813**

AGENDA

6:30pm	I	Call to Order/Roll Call – Mayor Burns
	II	Agenda corrections or additions
6:35pm	III	Business from the Audience - This is for Mosier residents and anyone else to express concerns, needs, or opportunities. Please keep your comments succinct and under two minutes. You may bring in written materials for Committee and Staff to review. The Facilitator can assign the issue to a future Committee meeting, or to an appropriate Committee or staff member. We encourage the participation of all stakeholders in our community.
6:45pm	IV	Approval of: 06/17/2020 Council Meeting Minutes
	V	BUSINESS
6:50 pm	1.	Recycling Guidance – David Skakel, Tri-County Waste Manager
7:25 pm	2.	PacPower Oregon Mobility Grant Application
7:40 pm	3.	Website Updates & Draft City Seal – City Manager
8:00 pm	VI.	ANNOUNCEMENTS
8:10 pm	VII.	ADJOURN

MOSIER CITY COUNCIL MTG MINUTES

June 17, 2020

Please join the meeting from your computer, tablet or smartphone

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Contact Jayme Bennett City Recorder for assistance

6:30 call to order

Attendance:

Mayor Arlene Burns, Peny Wallace, Acasia Berry, Lacy Gries, Ron Wright, Charlie Cannon (late excused 7:12), Colleen Coleman City Manger, John Grim City Engineer, Jayme Bennett City Recorder, Tom Coleman RH2 Project Engineer, Eric Smith RH2 Project Engineer, Scott Hege Wasco County Commissioner (7:00 pm)

Absent excused: Witt Anderson

Audience:

"Ines", "nsimpson1125@yahoo.com"

6:30 call to order

Corrections/Additions to the Agenda:

Colleen Coleman (addition): Mosier City Council vote required to rescind the 1973 abandoned water line easement at 509 Huskey Rd.

Mayor Burns: Let's put this right after the wastewater presentation, so John Grim (City Engineer) can participate without obligation to stay the entire meeting.

Mayor Burns (addition): Website updates after the Governors Letter

Acasia Berry: Curious about someone walking the water line in the Tannawashee subdivision, marking utility locates, I want to be able to answer questions to the community if there is a larger project underway.

John Grim: Phase 3 Tannawashee plat is moving forward, this is a low impact adjustment to the existing infrastructure, just moving water and sewer lines around.

Mayor Burns: Are you (Grim) double checking to make sure the lines are not crossed on multiple properties and reviewing their progress/overseeing the work?

John Grim: Yes, that's why they are doing this work, is to avoid exactly that scenario.

Approval of the June 3, 2020 minutes: Misspelling/typo of word minutes, Lacy Gries also sent a couple small changes (typo), and remove Charlie Cannon from attendance.

Mayor Burns: Let's circulate the minutes earlier going forward, have the corrections implemented prior to motions for approval.

Motion to approve of the June 3, 2020 minutes: Motion to approve with corrections:

1st: Lacy Gries

2nd: Penny Wallace

All in favor, no opposition, motion passes: 6:40 pm

Budget resolution and tax assessment: City of Mosier adopting the budget of FYE 2021 Resolution 2020-04 and to levy taxes: BE IT RESOLVED that the City Council for the City of Mosier hereby imposes the taxes provided for in the adopted budget at the rate of \$1.4128 per \$1,000 of assessed value for operations; and that these taxes are hereby imposed and categorized upon the assessed value of all taxable property within the district.

Motion: (as stated above)

1st: Penny Wallace

2nd: Acasia Berry

Discussion: N/A

All in favor, no opposition, motion passes: 6:43 pm

Wastewater Treatment Plant (WWTP): Tom Coleman, Eric Smith (both of RH2 Engineering) and John Grim City Engineer:

A facilities plan is a comprehensive evaluation of a wastewater treatment system to identify the National Pollutant Discharge Elimination System (NPDES) as permit capacity limit.

Department of Environmental Quality (DEQ) requires a plan prior to approval, as well as all potential funding agencies. It has been 12 years since our last plan and everything in the prior plan has been accomplished.

A mixing zone study for our outfall is a current requirement. We are doing the facilities plan to identify alternatives to making that change. The WWTP is operating and functioning really well. Jacobs is doing a great job.

Tom Coleman did the last facility plan in 2008, and the 2009 WWTP modernization improvements as well. He is back on board as part of this work, under RH2 Engineering.

Tom Coleman: presents his power point slides and introduces Eric Smith.

Overview of objectives, regulatory requirements regarding the outfall, and the mixing zone study. There are no limits to nutrients on the current permit, as we move forward there will be more regulatory imposition on the nitrogen and phosphorus, we will want to reduce carbon footprint, and try and balance the use of the building (concrete etc) technology with eco services as part of the approach to meeting the goals in regulatory requirements. Also we are looking at goals to alternative solid waste options. Currently being hauled to Hood River, which is cost effective for the time being, however we are also wanting to limit rate increases.

We will review the Portland State University (PSU) data projections for growth, which is flat to moderate and well within the design capacity of the plant. Needs for improvement will not be necessitated by growth in terms of expanding capacity.

Nutrient removal is not currently required but throughout Washington and Oregon, there is more attention to reducing the impact on the receiving waters (Columbia River).

If possible, we would like to seek approval (from DEQ) for indirect discharge rather than a mixing zone study, and also eliminate the expansion of the outfall pipe and possibly the mixing zone study. The first step is to submit this plan.

Soil conditions are very suitable for the subsurface infiltration. Construction work would stay out of the designated wetland. Also proposed is to keep the existing outfall in place and use only in alternative outfall situations. (flooding etc.)

Beneficial bacteria overview for preparing land application byproduct. Proactive improvements are ideal to keep the receiving waters as clean as possible. This alternative reduces the energy cost at the plant and also reduces the demand/increases the capacity. Indirect discharge is preferred to extending the outfall if DEQ will approve it.

Funding availability would dictate the timing as well as major items needing improvement (previously identified in 2009 (20-year improvement plan).

Only thing in the current permit to be addressed, is the outfall, which is related to temperature and the total maximum daily load (TMDL). Only thing driving need for improvements would be regulatory requirements, not capacity.

Next step would be to get DEQ approval for indirect discharge, which ideally would be done before the mixing zone study, which we hope to eliminate. Sustainable technology would be implemented throughout the entire process, keeping with the goals and objectives of Mosier.

John Grim: Big numbers for the size of Mosier with permit costs. We have flexibility and freedom with what we do. Not driven by capacity, regulation, or requirement. These are state of the art projects that are beneficial to the environment. We have a unique opportunity for seeking funding for this. Our debt service expires in 9 years and if we delay the lions share of this work for 5 years, by the time the work is done and ready to go, we can negate the impact on rates. The rate study is in the works now, they are running the numbers now to see the outcome. We are looking at 10% increase over the course of the next 10 years, increase effective immediately.

Mayor Burns: Loves the idea of redirecting the inevitable requirement of replacing the outfall to a longer-term solution. The DEQ (Greg Svelund) is excited about this potential solution not just for Mosier, but ideally other regions.

Regarding the green outfall pipe, are we needing to bore a new hole under the tracks, or can we use the existing hole? The Union Pacific Railroad (UPRR) derailment was in 2016 – we have until 2021 to check the inflow to the WWTP that was compromised by the benzene. As a precaution, can we ensure the pipes are not problematic? The NE flow discovery via the sparging wells, is a benefit to this project going forward.

The repair of the pipe is 40k – assuming that's our emergency pipe, we still need to repair that regardless?

(Yes)

Lastly, have you considered incorporating mushrooms as part of the biotechnology for the cleanup?

Tom Coleman: potential we can fit a smaller diameter pipe in the existing pipe, we can look into that.

Mayor Burns: We have something to show now. We have our vision and story, and this could facilitate the next step forward.

John Grim: There is probably 40 feet of the pipe that needs replaced (regarding damaged outfall).

Tom Coleman: Regarding the mushrooms, we could have a botanist assist with natural vegetative system solutions.

Colleen Coleman: I didn't see any budget for permitting in the outfall indirect discharge project, can you speak to that number?

Tom Coleman: There is a 30% indirect cost item that includes all of the permits.

Colleen Coleman: What is the escalation over time with your budget if the project gets extended? It may be more effective to look for grant funds if the inflation of the contract outpaces the time value of money.

John Grim: The USDA will typically ask for an inflationary adjustment based on your initial estimate. There is one section of the plan we haven't written yet, which is funding resources. When that is done, we will send this off for review.

Charlie Cannon: what is the annual cost for the solid waste removal?

John Grim: It isn't a line item expense, it is in their overall budget. It is roughly a few thousand dollars a year.

Charlie Cannon: References the alternative of composting as a city and if it could dovetail with the solid waste as a diversion from the receiving waters.

John Grim: We are required by law to land apply our solids currently, that's how it is used right now in the Hood River Valley.

Mayor Burns: Which is good but would be better to have it in Mosier Valley, if that is an option in the future.

Mayor Burns: Question about repairing outfall pipe?

John Grim: Very unlikely we will find any problems

Mayor Burns: They replaced all pipes that could be replaced except the ones they couldn't get to. Should the burden fall on the City of Mosier because of the cost to the UPRR, maybe an alternative is to put a liner in the pipe for extra barrier of protection from the benzene?

Ron Wright: If it looks like the outfall from the wetlands ends up going into Rock Creek, would that flow then to the Columbia River?

John Grim: There is a box culvert at the NW corner of the existing wetland for when the wetland overflows, it allows the overflow to go into Rock creek. It is designed for flooding stages. The backup outfall pipe would divert the outflow to the Columbia River in any emergency scenario.

Mayor Burns: Thank you so much for your hard work, and for helping us provide an opportunity for a way forward that could be beneficial not just for Mosier, but the region and the receiving waters.

Acasia Berry: What is a mechanical polymer?

Tom Coleman: a thickener, long chain hydrocarbon, tends to cause the solids to coagulate and it gets incorporated into the biosolids and it is benign and biodegradable. These polymers are used in treatment plants as a biodegradable anionic or cationic chain to determine what works best for the particular sludge.

Mayor Burns would like to do a campaign around the City of Mosier to educate and help people think about what is going in the sewer plant. Inclusive of the harmful chemicals and cleansers that are used that ultimately kill the microbial and beneficial bacteria that break down the waste, and also end up in the river ultimately. Not just household cleansers, also pharmaceuticals, laundry detergent etc.

Next steps: DEQ process: Tom Coleman: said we all need to be involved to get this submitted and followed up on.

Mayor Burns: I would love sooner than later. Please keep this moving.

Colleen Coleman: We need to get one more chapter in (funding resources), after that we will send to Greg Svelund at DEQ.

Easement Abandonment:

Mayor Burns inquires if there is any reason whatsoever the City would benefit from keeping it, or experience hardship from abandonment.

John Grim: No need to keep it.

I move to quitclaim and release the City's property interests in the 1973 easement at 409 Huskey Road, and to authorize the City Manager to execute the instruments needed to reconvey the easement to the property owner on behalf of the City.

1st: Ron Wright (as stated above)

2nd: Lacy Gries

Discussion: N/A

All in favor, no opposition, motion passes: 7:45 pm

Rock Creek Park (RCP) Closure:

7 different RCP users were interviewed practicing safe distancing, careful to ensure many different types of park users. All felt it was safest not to encourage the tourism from outside areas.

Mayor Burns: Mike Glass was concerned it would be elitist to keep it local only, and wants to be inclusive, though understands the public health concerns.

Mayor Burns explains only the windsurfers are suffering, as they can't get their gear down there. Discusses options to potentially open a small portion of the park, if only for drop off or reduced parking to avoid our residents having to expose themselves outside of our community as well.

With the discussion of the Declaration of Emergency, I am more inclined to carry it forward. Colleen Coleman would like to address all parks similarly to avoid confusion.

Peny Wallace: Less restrictive to email or zip code stating – as it felt too closed. Peny let them (locals) know it is discussed every other week at City Council and said she would bring to council the concern of their confusion.

Mayor Burns: Emily Reed, our dear former council member is working with Columbia Gorge Tourism Alliance and they are trying to collate data in one website and assist with communication for the broader region. Our community and our safety are our priority and to my understanding our two small businesses are not requesting more tourism over safety.

Peny Wallace: let's re-read the sign down at RCP periodically, and make sure it is relevant and up to date as we move forward, and the general circumstances evolve.

Charlie Cannon: Maybe we can have a drop off zone for equipment?

Arlene Burns: Yes, great idea, in general people will accommodate what we are asking and maybe there is a way to do a drop off spot and limited access parking. We don't have the ability to enforce the rules, but it is a great idea.

Acasia Berry comments on appreciating the reference from the community (Mike Glass) on equity and access to the river, parks and those that do not have the privilege to live here etc.

Mayor Burns wants to ensure the vulnerable population has access to the park as well.

Colleen Coleman shares a sign the Friend's of the Gorge came up with for the Lyle trail, etc. Suggests it is an option for the Mosier Plateau Trail.

Mayor Burns: Acasia and Colleen to work on the verbiage of signage and we will revise it, add kindness, and welcoming all back in the future.

Ron Wright: Decision to extend the state of emergency?

Motion to extend the state of emergency until the first Council Meeting in September (day after) Sept 17, 2020

Move to extend the emergency declaration until Sept 17, 2020

1st: Ron Wright

2nd: Acasia Berry

Discussion: N/A

All in favor, no opposition, motion passes 8:20 pm

Mayor Burns: Signed a letter, as the Mayor of Mosier to the Governor of Oregon, supporting better insulation, more environmentally sound resources that save people money longer term.

Ron Wright: I didn't like the idea of the City of Mosier being able to adopt the Reach Program, a little town like this in our county trying to establish a unique code could be an undue burden and arduous process not just for the administrative level, but the home builders/owners. Cost issue : Is it better to build outside of the City of Mosier than in the City of Mosier of because the inspection process? This also could be unenforceable. This could fall back on the City as additional burden. You can always build any building above the code, but this could create barriers to accessibility.

Mayor Burns: References the Joint Use Facility (JUF) and intent behind it, and explains that the code would enable further environmental responsibility as well as support our vision.

Website Updates:

Mayor Burns: We need to update our new City Council members, and amend several outdated items on the current website.

John Worsley could perhaps assist. Colleen Coleman will procure the appropriate assistance and manage the amendments.

Adjourn: 8:30

To: City Council
City of Mosier

6/15/2020

From: David Skakel
Tri-County Hazardous Waste & Recycling Program, Coordinator

On April 20th, Wasco County and the City of The Dalles jointly received a (attached) warning letter explaining that they both have compliance issues with state regulations pertaining to recycling. To be clear, the City of Mosier is **not** out of compliance and should have no regulatory concern herein. That is so because according to Oregon statute, cities under 4,000 in population (including Mosier) are not required to provide recycling. With that said, any ‘commingled’ recyclables that are collected in the Mosier area continue to be landfilled at the North Wasco Landfill. If the City of Mosier wishes to resume recycling of collected commingled recyclables, we recommend following the guidance below. If Mosier, Wasco County and the City of The Dalles all agree to the same recommendation, commingled recyclables will then promptly be recycled rather than landfilled. The Wasco County BOC already approved the recommendation on June 17th, and the City of The Dalles is soon to consider the same.

Guidance to the City of Mosier to consider changes to your recycling collection menu and garbage/recycling rates. Recommendation- Motion to enact these surcharge and service changes:

1. Commingled recycling: Stop accepting gable tops (paper milk cartons) and aseptics (shelf-stable juice cartons), and shredded paper.
2. Commingled recycling: Stop accepting all plastics, except for #1 and #2 plastic bottles.
3. Commingled recycling: Stop accepting scrap metals at curbside.
4. Enact a 2.16 % “surcharge” within the City of Mosier. The “surcharge” would remain in effect until markets return to the level they were pre Chinese National Sword. Steps #1-4 would allow for all "commingled" recyclables from the Wasco watershed to then get transported to and processed at a materials recovery facility (MRF) instead of going to the Wasco Landfill.
5. Enact these changes as soon as possible; Make these changes no later than December 31, 2020 in accordance with the stipulations of DEQ’s April 20th Warning letter.

Notes:

- Any “surcharge” would only go into effect once all three entities (City of The Dalles, Wasco County and the City of Mosier) had all approved the same.
- The Dalles Disposal wishes to differentiate between "rate increase" and "surcharge". The 2.16 % "surcharge" request specifically covers the added costs of managing commingled recyclables due to the extraordinary unanticipated disruption caused by Chinese policy enacted in 2018 (known as the *Chinese National Sword*). The surcharge could be rolled back or adjusted if/when the market for the materials return to pre China Sword levels. The surcharge will be reviewed during the annual review process for garbage and recycling rates.



Oregon

Kate Brown, Governor

Department of Environmental Quality
Eastern Region The Dalles Office
400 East Scenic Drive, Suite 307
The Dalles, OR 97058
(541) 298-7255
FAX (541) 298-7330
TTY 711

April 20, 2020

Julie Krueger
The Dalles City Manager
313 Court St
The Dalles, OR 97058

David Skakel
Wasco County
2705 E. 2nd St.
The Dalles, OR 97058

RE: Warning Letter with Opportunity to Correct
WL - 2020-WLOTC-5461 (City of The Dalles)
2020-WLOTC-5462 (Wasco County)
2018 & 2019 Opportunity to Recycle
City of The Dalles & Wasco County
Wasco County

Dear Julie Kreuger and David Skakel:

Oregon's "Opportunity to Recycle" laws require that urban areas provide recycling services to residents. Based on the city's population and distance to Portland, the City of The Dalles and Wasco County are required to meet the general recycling requirements under OAR 340-090-0030 and provide specific local government recycling program elements under OAR 340-090-0040:

- three recycling program elements under OAR 340-090-0040(3)(a), (b), and (c) and at least two additional elements set forth under section (3), or
- six recycling program elements under OAR 340-090-0040(3), or
- implement an approved alternative program.

The Oregon Department of Environmental Quality received your 2018 Opportunity to Recycle report in February 2019 and determined that both the City and County failed to comply with Oregon's Opportunity to Recycle laws by not implementing the local government recycling elements required under OAR 340-090-0040. DEQ met with the City and County on September 12, 2019, to discuss the report and offer technical assistance.

On November 27, 2019, DEQ sent you a letter further explaining these requirements and requested that you provide DEQ with a detailed plan by December 31, 2019, describing how the City and County would come back into compliance by resuming currently selected recycling program elements or by choosing other recycling program elements to implement in your

jurisdiction. DEQ also clarified that you could use an economic test to demonstrate that materials are not recyclable based on the statutory definition.

In early January 2020, you requested a meeting with DEQ to further discuss this issue. We met with you on February 6, 2020, to discuss options as well as offer additional technical assistance on achieving compliance. At that meeting, DEQ understood that you would provide a plan to resume recycling activities by March 31, 2020.

On February 27, 2020, DEQ received your 2019 Opportunity to Recycle report. Since recycling services have not resumed in the city or county, DEQ determined that the identified local government recycling program elements under OAR 340-090-0040 were not being met.

To date, DEQ has not received any written plan or correspondence on your plans to regain compliance with Oregon's Opportunity to Recycle law. Therefore, the city and county remain out of compliance with the Opportunity to Recycling requirements for the 2018 and 2019 calendar years.

Based upon your submitted Opportunity to Recycle reports, DEQ has concluded that the City of The Dalles and Wasco County are responsible for the following violations of Oregon environmental law:

VIOLATIONS:

- (1) OAR 340-090-0040(1)(d): "cities with a population of more than 10,000 but not more than 50,000 that are located 150 miles or less from the City of Portland" and "any county responsible for the area between the city limits and the urban growth boundary of that city," must implement: (A) The three recycling program elements set forth under OAR 340-090-0040(3) and at least two additional elements set forth under section (3) of this rule; or (B) At least six recycling program elements, or (C) An alternative program approved by DEQ that meets the requirements of OAR 340-090-0080."

This is a Class II violation under OAR 340-012-0053(2).

Class I violations are the most serious violations; Class III violations are the least serious.

The Oregon Legislature has prioritized material recovery and declared that public recycling programs are effective and efficient methods of recovering recyclable material in support of waste reduction goals. Failure to provide an opportunity to recycle increases greenhouse gas emissions, increases energy used to make new products, reduces the lifespan of local landfills, and overall increases pollution of Oregon's air, land, and water.

Corrective Action(s) Requested

Violation #1:

- 1) By **June 30, 2020**, submit a plan to DEQ indicating how the city and county will get into compliance with Oregon's Opportunity to Recycle regulations.

- 2) By **December 31, 2020**, fully implement the required number of recycling program elements set forth under OAR 340-090-0040.

Should these violations remain uncorrected or should you repeat any of these violations, this matter may be referred to DEQ's Office of Compliance and Enforcement for formal enforcement action, including assessment of civil penalties and/or a Department order. Civil penalties can be assessed for each day of violation.

If you believe any of the facts in this Warning Letter are in error, you may provide information to me at the office at the address shown at the top of this letter. DEQ will consider new information you submit and take appropriate action.

DEQ is committed to continuing to protect the environment, deter non-compliance, and maintain a consistent statewide enforcement program. However, DEQ recognizes that public health and economic disruptions related to the COVID-19 outbreak may temporarily impact your ability to comply with DEQ requirements. DEQ encourages you to respond to this letter with specific information regarding outbreak related impacts to your operations, including staffing and service shortages.

DEQ endeavors to assist you in your compliance efforts. Should you have any questions about the content of this letter, please feel free to contact me in writing at doughten.ron@deq.state.or.us or by phone at 541-298-7255 x222 or Cat Rhoades at rhoades.cathie@deq.state.or.us or by phone at 503-378-5089. In addition, if you desire any follow-up technical assistance, please contact Laurie Gordon at gordon.laurie@deq.state.or.us or by phone at 541-633-2029.

Sincerely,



Ron Doughten
Manager, Materials Management and Hazardous Waste
DEQ Eastern Region

Ec: Laurie Gordon, DEQ Bend (gordon.laurie@deq.state.or.us)
Cathie Rhoades, DEQ Salem (rhoades.cathie@deq.state.or.us)
Tyler Stone, Wasco County (TylerS@co.wasco.or.us)
Steve Kramer, Wasco County Commissioner (stevek@co.wasco.or.us)
Richard Mays, Mayor City of The Dalles (rmays@ci.the-dalles.or.us)
Jim Winterbottom, Waste Connections (jimmie.winterbottom@wasteconnections.com)
Sarah Wheeler, DEQ Office of Compliance and Enforcement (wheeler.sarah@deq.state.or.us)

Oregon electric mobility grants funding criteria

[< Back to electric mobility funding grants](#)

Pacific Power will use an independent, third-party grant manager to review and score projects based on established criteria outlined below.

Project feasibility/utilization

- Reasonableness of the project plan and timeline.
- Readiness of the project team.
- Identified potential project implementation barriers and demonstrated strategic response.

Use of funds

- Benefits provided to residential customers.
- Applicant financial commitment and leveraging of funds from other sources.
- Alignment of project costs with industry standards.
- Reasonableness of the proposed budget (i.e., risk of exceeding budget).
- Applicant and project need for funding support.

Innovation & analysis

- Creative project design, partnerships, and utilization of resources, particularly in serving underserved populations.
- Type(s) of data available through the project.
- Plan to collect and analyze data.
- Mechanism(s) to share data and analysis with Pacific Power.
- Likelihood of stimulating the electric mobility marketplace.

Equity

- Detailed plan to directly address barriers to mobility for communities currently underserved by electric transportation.
- Detailed methods within plan to ensure timely input and oversight from community members
- Preference will be given to applicants and projects led by and serving rural communities.

Educational, environmental & community benefits

- Organizational and community capacity building.
- Community visibility.
- Education plan and awareness building opportunities.

- Exposure in communities currently underserved by EVSE.
- Proximity to areas with known air quality issues.
- Alignment with the applicant’s broader environmental mission or goals.

Questions?



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Technical assistance



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