

# CITY OF MOSIER

small enough to make a difference

## CITY COUNCIL MEETING

Wednesday July 07, 2021, 6:30 P.M.

City of Mosier Wasco County is inviting you to a scheduled Zoom meeting.

Topic: City Council Meeting

Time: Jul 7, 2021 06:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83039991674?pwd=REtyOFJzUWV3d0Y2ZWJjb0t5S25yZz09>

Meeting ID: 830 3999 1674

Passcode: 971468

One tap mobile

+13462487799,,83039991674#,,,,\*971468# US (Houston)

+16699006833,,83039991674#,,,,\*971468# US (San Jose) Meeting ID: 830 3999 1674

Passcode: 971468

Find your local number: <https://us02web.zoom.us/u/keeyQertiT>

## AGENDA

I	6:30 pm	<b>Call to Order/Roll Call – Mayor Burns</b>	
II	6:32	<b>Agenda corrections or additions</b>	
III	6:35 pm	<b>Business from the Audience</b> - 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, or to an appropriate staff member. Please realize that we cannot always offer a response immediately but will give the matter due consideration. We encourage the participation of all stakeholders in our community.	5 mins
IV	6:40 pm	<b>Approval of: 06/23/2021 MTG Minutes &amp; 07/03/2021 ER Session</b>	5 mins
V		<b>BUSINESS</b>	
1.	6:45 pm	<b>Update on Legislative Funding (Witt Anderson)</b>	5 min
2.	6:50 pm	<b>Update on Senate Earmark funding and UPRR (Mayor Burns)</b>	10 min
3.	7:00 pm	<b>Update on const and Safety Precautions in THWSHE IV/V (Grim)</b>	10 mins
4.	7:10 pm	<b>Update on const and Safety Precautions East Side Pump Station</b>	10 mins
5.	7:20 pm	<b>ANNOUNCEMENTS</b>	5 mins
	7:25	<b>ADJOURN</b>	



## **CITY COUNCIL MEETING**

**Wednesday June 23, 2021 6:30 P.M.**

Please join our meeting online or by phone at the following link or phone number:

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/83039991674?pwd=REtYOFJzUWV3d0Y2ZWJjb0t5S25yZz09>**

**Meeting ID: 830 3999 1674**

**Passcode: 971468**

**One tap mobile +12532158782,,83039991674#,,,,\*971468# US (Tacoma)**

**Dial by your location**

**+1 253 215 8782 US (Tacoma)**

## **PUBLIC MEETING MINUTES**

**June 23, 2021**

**Mayor Burns calls to order 6:30**

Mayor Burns, Witt Anderson, Penny Wallace, Ron Wright, Greg Valitchka

Absent Excused: Acasia Berry, Charlie Cannon

Staff: Colleen Coleman City Manager, Jayme Bennett City Recorder

**Consent Agenda:**

**Additions or Corrections to the Agenda:**

**Addition: Move the Rock Creek Park agenda item to the top so Kris McNall can participate earlier in the meeting. Addition: Ron Wright would like to add an audit update to the agenda after the budget performance discussion. Move the Mosier Center update before the rafting. Addition: Witt Anderson would like to add the staff and office hours before rafting.**

**Business from the Audience: N/A**

**Approval of the May 11, 2021, MTG Minutes:**

**Peny Wallace makes a motion of approval of the May 11, 2021, Mosier City Council Meeting Minutes.**

**2<sup>nd</sup>: Greg Valitchka**

**All in favor, no opposition, motion passes 6:35**

**Approval of the May 12, 2021, MTG Minutes with the following corrections: Clarification of the tire berm rebuild is the removal of the tires and the berm being replaced – this will also release around \$6,000 that is being held in a COD for the DEQ.**

**Ron Wright makes a motion of approval of the May 11, 2021 Mosier City Council Meeting Minutes.**

**2<sup>nd</sup>: Peny Wallace**

**All in favor, no opposition, motion passes 6:36**

**Approval of the June 09, 2021, MTG Minutes:**

**Greg Valitchka makes a motion to approve the June 09, 2021 Mosier City Council Meeting Minutes.**

**2<sup>nd</sup>: Witt Anderson**

**All in favor, no opposition, motion passes 6:37**

**Business Item I:**

The I-bolt on the lock and door on the mailbox is working, as it is preventing the removal of the envelopes from the small opening.

Jayme will stash envelopes and pens in the mailbox for restocking, and when Carl returns, he will check daily as well.

2 proposals for the gate for equipment and install:

First thought was we will buy the equipment and install it with the loop (automatic lifting for exit), with a card reader and a token machine, (online vendor): 5k (roughly). Challenge is professional installation, programming, and technical aspects.

John Grim is checking with an electrical contractor that works with this type of equipment.

Other option is card pass and token system: 18-20k with full install - few minor differences.

Casual bottom line, 10k for install.

Credit card reader for 10k additional, more work to be done, in all 3 cases, we need underground power and ethernet ran to the location - that's another piece of this.

Mayor Burns: Keep in mind with trenching not to place near the new restroom.

Ron Wright: Where is the funding for this coming from?

Colleen: Annually we achieve 4k-5k for passes, we have 200k set aside for park improvements for the UP derailment. Possibly SDC funds over time could be utilized for this as well.

Additionally, there is replacement of loss of revenue for the COVID funding if the lack of collections last year is too heavy of an impact.

Kris McNall would like to comment: She understands people can park outside of the gate - and because of the intensive gear required for windsurfing it is difficult to park outside of the gate. There are several people not going because of the fee. There is a 35.00 annual state park pass - the bigger issue is a spiral of destroying the Cheers of beaches. It's pricing it to a point that don't want to or can't pay it because of the fee.

It doesn't work for windsurfers, and we don't want to destroy community with this pricing.

Also, did you all get Wilton's email?

Colleen got it and she and Witt both responded. Kris would urge you to consider having a local discount. Or not charge as much for it.

Example given Bridge of the Gods did it for 5 counties.

Mayor Burns: the City of Mosier and all we do for that park are tied to the residents within the city limits, as it is their tax dollars funding the park expense. It was 15.00 for too many years. The gate is going to make things more efficient, and easy on everyone, it is not an exclusive thing. For our community it is important to be responsible with the funding and conscious of the access. We will have a program for the discount and alternatives. This gate is something that addresses multiple issues.

Linda (Kris's friend) would like to know of the vandalism and has not heard anything.

The police reports have all the information.

Peny wants to show the information at the park so folks can see it – Jayme will pull this information together.

Witt would like to remind folks the number one principal is covering cost and the corollary is that- is it right the city to cover 100% of the cost for non-city people using the parks? We must be true to the citizens we represent.

Maybe its \$38.00 and maybe its \$64.00 – maybe we review it all and remind ourselves Wilton wanted tree limbs cut that might fall on his vehicle while parked there, and we did that at the expense of \$1,500.00

Ledger matching the fee concerns are legit. Are you on board that we need to cover our costs? Or do you feel we need to subsidize it as a city? Principals do we base this on?

Kris: Historically – it was just rocks and no improvements; one presumes the costs are lower. On the one hand, I agree with you, on the other, I am not convinced that the users that need to drive in there are only windsurfers. No cost should be put on the backs of one class of users.

Jayne reminds the council that the rate study is in place, and parks is part of this effort.

Peny suggests signs posted that assist in informing the public better. Jayme agrees the outreach efforts were not best practice and will work to improve educational efforts and transparency.

**Business Item II:**

**RESOLUTION #2021-08- ADOPTING THE BUDGET \$6,812,291**

BE IT RESOLVED that the City Council for the City of Mosier hereby adopts the Budget as approved by the Budget Committee for fiscal year 2021-2022 in the amount of \$6,812,291 now on file at the office of the City Manager.

**Peny Wallace makes above motion.**

**2<sup>nd</sup>: Ron Wright**

**All in, no opposition, motion passes 7:23 pm**

**RESOLUTION #2021-09- LEVYING TAXES & CATEGORIZING LEVY**

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.

**Greg Valitchka makes above motion.**

**2<sup>nd</sup>: Peny Wallace**

**All in motion passes no opposition 7:27 pm**

Ron Wright – regarding the purpose of an audit - going on faith - learning what we can when we can on this process. Ron Wright is concerned the audit is not finished.

JUF MTG: Deadlines met with submittals for state level which could result in additional 1.5m – could know by Friday.

Tomorrow evening is a private fundraising dinner and Bennett and Andrew are graciously hosting.

Schematics and documents are progressing - we need the Fed and State money to get this over the finish line for community support.

**Office hours 10-2 M-TH (transitioning from closure to public after the 4<sup>th</sup> of July Holiday).**

Jayne doodle pole rafting (starting with Witt given his volunteer commitments).

Alternatives proposed:

Peny has a double canoe that is safe and not tippable and takes 12 people – if we are open for things like this.

They have all the things they need to offer this alternative that would be less rigorous or even closer to home. Peny also wants to share a couple week ago she was walking down 5th street, and there are folks that want a speed sign on the corner (by Joe Wyatt's) - no speed bump – and cars are speeding.

Colleen spoke with John Grim regarding this issue and he is looking it up and she will find out what to do and post the signs.

Colleen asked ODOT to turn downtown into a Business District to make it 20 MPH

It is on the agenda and being reviewed.

**Adjourn 8:33**

**July 3, 2021**

**1:00 PM**

**Emergency Session Regarding Banning of Fireworks for 4th of July in the City of Mosier for Wasco County.**

**Mayor Burns  
Penny Wallace  
Witt Anderson  
Charlie Cannon  
Ron Wright  
Colleen Coleman  
Acasia Berry  
Jayme Bennett**

Motion to ban the fireworks for the 4th of July in light of the safety concerns and wildfire issues:

**BEFORE THE CITY COUNCIL FOR THE CITY OF MOSIER, OREGON  
Resolution No. 2021-10  
Resolution Declaring a State of Emergency**

Due to Severe Weather Conditions and Increased Risk of Fire July 3, 2021

WHEREAS, under ORS 401.025 an emergency exists when a human created or natural event or circumstance causes or threatens widespread loss of life, injury to person or property, human suffering, or financial loss, including fire, drought, and severe weather conditions; WHEREAS, pursuant to ORS 401.309, the governing body of a city may declare an emergency and establish procedures to prepare for and carry out any activity to prevent, minimize, respond to, or recover from the emergency;

WHEREAS, on June 29, 2021, through Executive Order No. 21-16 Oregon Governor Kate Brown declared a state of drought emergency in Wasco County due to lack of precipitation and unusually low snowpack and streamflow;

WHEREAS, in addition to the existence of a current drought emergency in the region, the area in and around the City of Mosier has been experiencing unseasonably high temperatures such that the National Weather Service has issued an excessive heat warning for the region through at least 8:00pm Sunday, July 4, 2021;

WHEREAS, on June 30, 2021, through Executive Order No. 21-17 Oregon Governor Kate Brown declared a statewide state of emergency due to the imminent threat of wildfire; WHEREAS, according to a 2020 report of the National Fire Protection Association, an estimated 19,500 fires were started by fireworks in 2018;

WHEREAS, the Mosier City Council recognizes the existence of drought conditions, extreme weather conditions, and a high risk of fire at this time;

WHEREAS, the Mosier City Council acknowledges that the July 4th Independence Day weekend is a time when there is an increased use of fireworks in and around the City; WHEREAS, the City has issued community warnings about the use of fireworks and fires around this time, and finds that declaring a state of emergency will allow for greater

cooperation by the City with other jurisdictions in their collaborative efforts to reduce and mitigate the risk of wildfire as well as to react to fires that may begin in this emergency state; NOW, THEREFORE, BE IT RESOLVED BY THE MOSIER CITY COUNCIL:

Section 1. Declaration of State of Emergency. Pursuant to ORS 401.309, the Mosier City Council hereby declares the City of Mosier to be in a State of Emergency due to severe weather conditions and increased threat of fire.

Section 2. Order Prohibiting the Use and Display of Fireworks within the City of Mosier. Use and display of fireworks as defined by ORS 480.111(7) within the City of Mosier during this State of Emergency is strictly prohibited. Use includes the lighting, exploding, or igniting of fireworks in any way. Violations of this Order shall be deemed a nuisance and shall be subject to enforcement and prosecution under the Mosier Municipal Code, in addition to being subject to all other civil and criminal enforcement and prosecution available under state and federal laws and regulations.

Section 3. Authorization for City Manager to Respond and Mitigate Risks. The Mosier City Manager is authorized to take reasonable actions to mitigate the risks associated with this State of Emergency including, but not limited to: coordinating services and response with public bodies; sending and receiving resources (with or without intergovernmental agreements in place) to respond to the State of Emergency; requesting assistance from other jurisdictions and the State of Oregon to the extent that assistance may be available; entering into intergovernmental agreements to mitigate damage or risk of damage to persons or property; entering into contracts for enforcement and prosecution of violations of the Order in Section 2 of this Resolution; and implementing other reasonable protective measures. The City Manager is specifically authorized to enforce the Order contained herein and to prosecute violations of the same.

Section 4: Effective Date. This Resolution is effective immediately upon adoption and remains in effect until 11:59 p.m. on September 30, 2021 or as otherwise amended.

INTRODUCED AND ADOPTED this 2nd day of July 2021, effective as of the date of adoption.  
CITY OF MOSIER

BY: \_\_\_\_\_ TITLE: Mayor

Attest: BY: \_\_\_\_\_ TITLE: \_City Recorder

RESOLUTION DECLARING STATE OF EMERGENCY – JULY 2, 2021

## Staff Report

Meeting Date: 7/7/21

Staff: John Grim P.E. - City Engineer

Agenda Title: Tanawashee Subdivision, Phases 4 and 5, Construction Issues

Agenda Action: None, informative only.

Fiscal Impact: NA

Staff Recommendation: NA

### Background:

The Tanawashee Subdivision, Phases 4 and 5 is under construction. This report was prepared to update the City Council on issues related to construction fire safety and complaints regarding the removal of trees. I did not research current City regulations regarding tree removal/protection as part of this report but instead relied on the planner's staff report prepared at the time of subdivision approval (2008).

### Fire Safety:

Summit Excavation is doing the construction work. I contacted Jake Strain, owner, prior to the heat wave to express concerns regarding fire safety during construction. I asked Jake to have a water tanker truck with fire hose on standby at the site at all times. I also asked Jake to have one person stay on site each day after work is completed as a fire watch. Jake mobilized a trackhoe with rubber treads to the site and stopped using the trackhoe with metal treads.

I contacted Mike Renault, fire chief, and asked him to coordinate with Jake regarding fire prevention steps. The chief and Jake have been corresponding regarding this issue.

### Tree Complaints:

It's my understanding that a neighbor to the east has been complaining about the removal of trees in the future right of way for streets. I reached out to this person several times but never did connect with her to discuss the problem. It's also my understanding that some members of the City Council have similar concerns. For this reason, I researched the City Planner's original Final Order and Conditions of Approval for the Preliminary Plat of Tanawashee; circa 2008. Excerpts from this document related to trees are included in the attached document. I have highlighted the specific conditions of approval related to tree protection. In addition, maps showing the original approved preliminary plat, the current approved plat map and a tree inventory map are also attached for reference.

Although I am not a planner, I thought a few talking points from my perspective might be helpful.

- We appear to be largely in compliance with the tree removal/protection conditions of approval. The TBD name dead-end roadway was re-located, as compared to the location shown on the approved preliminary plat map, so a different strip of trees is being removed than in the original proposal. The tree planting condition has evolved over time to be replaced with the planting of street trees in lieu

of planting on fill slopes. Conditions of approval do not address removal/protection of trees on private lots.

- This land is zoned for urban residential development.
- The developer has chosen to locate a street and a handful of lots in a forested area which is allowed under City Code and has been approved at public hearings.
- The development was thoroughly vetted through public process. The public process is over.
- The new road will result in the removal of a linear swath of trees. The landuse decision only addresses removal/protection/replanting of trees in the public right of way.
- New home construction will result in the removal of far more trees; particularly on parcels with steep slopes. The landuse decision does not address removal of trees on lots.

It appears that the only action that could be taken to prevent removal of a significant number of trees would be to pause the development, re-design Phase 5 of the subdivision (to basically eliminate it), get City approval and then restart. The developer would have to voluntarily agree to take this action. The City has no authority to stop this work without the developer's cooperation.

This issue does demonstrate our plan to develop a tree protection ordinance is urgent.



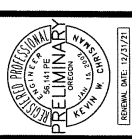
AS NOTED  
 M.B.P./K.W.C.  
 3/9/2021  
 15865  
 Work Order No.

**PHASES 4 & 5**  
 OF THE  
**TANAWASHEE SUBDIVISION**  
 MOSEY, OREGON  
 Plat Date: 3/18/2021

**TENNESON ENGINEERING CORP.**  
 CONSULTING ENGINEERS  
 3775 CRATES WAY  
 THE DALLES, OREGON 97058  
 TEL: 541-298-9177 FAX 541-296-6657

PRELIMINARY FOR REVIEW

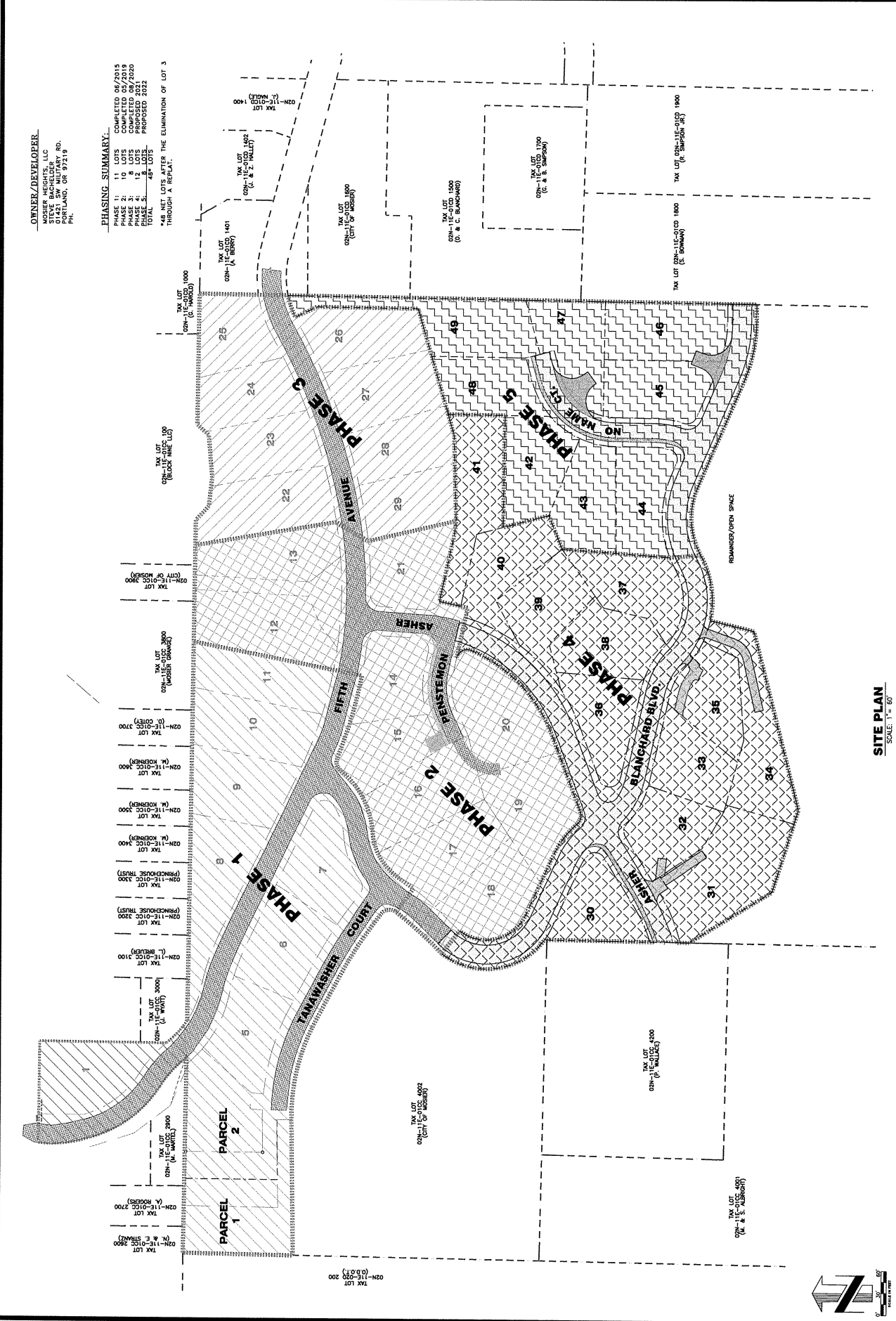
NO PART OF THIS PLAN SHALL BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.



**SITE PLAN**

**SHEET C-1**

Work Order No. 15865  
 (08869)15170(12750)



**SITE PLAN**  
 SCALE: 1" = 60'



TREE COUNT			
OAK	Existing Trees	Trees to Remove	% Removed
6"-8"	319	88	28
9"-11"	184	36	20
12"-14"	126	21	17
15"<	19	3	16
Total	648	148	23

TREE COUNT			
PINE	Existing Trees	Trees to Remove	% Removed
6"-8"	78	47	60
9"-11"	49	21	43
12"-14"	55	27	49
15"<	32	14	44
Total	214	109	51

TREE COUNT			
FIR	Existing Trees	Trees to Remove	% Removed
6"-8"	100	31	31
9"-11"	61	12	20
12"-14"	68	16	24
15"<	14	0	0
Total	243	59	24

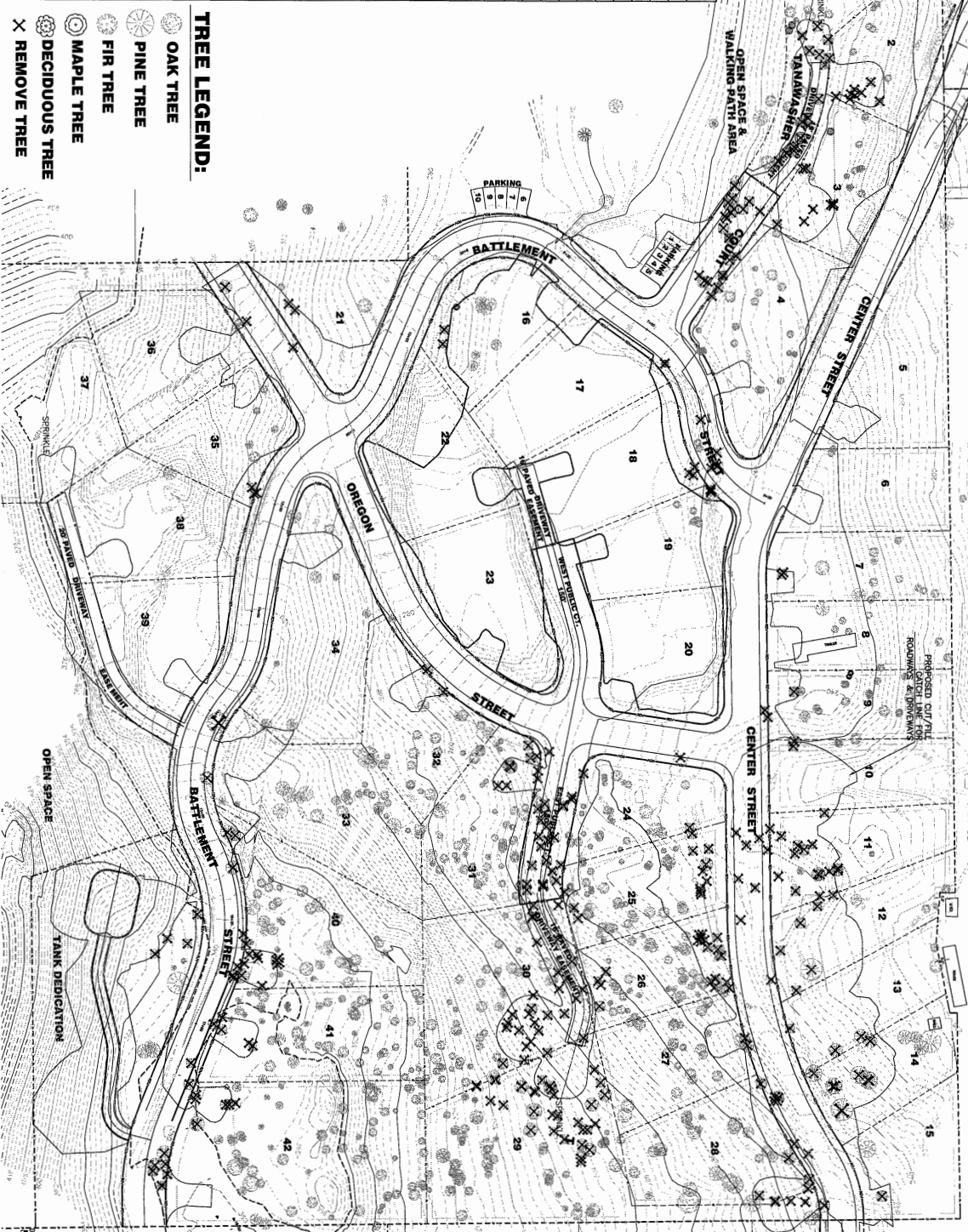
TREE COUNT			
MAPLE	Existing Trees	Trees to Remove	% Removed
6"-8"	8	1	13
9"-11"	1	1	100
12"-14"	2	2	100
15"<	0	0	0
Total	11	4	36

TREE COUNT			
DECIDUOUS	Existing Trees	Trees to Remove	% Removed
6"-8"	10	3	30
9"-11"	0	0	0
12"-14"	0	0	0
15"<	1	0	0
Total	11	3	27

TREE COUNT			
SITE TOTAL	Existing Trees	Trees to Remove	% Removed
1105	316	29	



NOTE:  
TREES ILLUSTRATED BEING REMOVED ARE THOSE THAT FALL WITHIN THE LIMITS OF CONSTRUCTION OF THE PROPOSED ROOMS AND DRIVEWAYS. THE LOCATION OF THE REMOVED TREES WILL BE DETERMINED BY THE FIELD SURVEY. THE HOUSE PLACEMENT WILL ALSO BE DETERMINED BY THE FIELD SURVEY. THE DEVELOPER SHALL PRESERVE AS MANY HIGH VALUE TREES AS POSSIBLE.



ELECTRONIC PDF COPY - IF NOT LEGIBLE OBTAIN HARD COPY FROM ENGINEER

**TREE MAP**  
SHEET 4 OF 4  
WORK ORDER NO. 11599

**TENNESON ENGINEERING CORP.**  
CONSULTING ENGINEERS  
409 LINCOLN STREET  
THE DALLES, OREGON 97058  
PH. 541-296-9177 FAX 541-296-6657

**TREE LOCATION PLAN**  
FOR  
**MOSIER BLUFFS SUBDIVISION**  
FOR **MOSIER BLUFFS, LLC**  
TAX LOT 1300 MAP 2N-11-1CD  
IN THE SW 1/4, SECTION 1, TWP. 2 N., RANGE 11 E. W.M.  
MOSIER, WASCO COUNTY, OREGON  
PLOT DATE: 4/22/2008 8:59 AM

Design	T.E.C.	Survey	T.E.C.
DWG. No.	K:\ACAD\10900\10969\dwg\10969_SIE3_recover	Date	04/22/08
Drawn	T.E.C.	Scale	
Work Order No.	12754		