

**TILLAMOOK CITY COUNCIL MEETING  
MONDAY, OCTOBER 19, 2009  
CITY HALL, 210 LAUREL AVENUE**

**WORKSHOP:** City Council workshop at 5:30 P.M. to discuss TRT room tax increase of 1% followed by ODOT/City US Hwy. 101/OR 6 with representatives from ODOT.

**CALL TO ORDER/FLAG SALUTE:**

**Council President Martin** chaired and called the regular City Council meeting to order at 7:30 P.M. and led the Pledge of Allegiance.

**ROLL CALL:**

**Those present for roll call:**

Councilor Joe Martin  
Councilor Carolyn Decker  
Councilor John Sandusky  
Councilor Willard Berry

**Absent:**

Mayor Bob McPheeters (excused)  
Councilor Suzanne Weber (excused)

**Staff Present:**

Mark Gervasi, City Manager  
John Putman, City Attorney  
Bernadette Sorensen, City Recorder

**AGENDA:**

The posted agenda for the meeting of October 19, 2009 is attached and by this reference is made a part of the record.

**ADDITIONAL INFORMATION PROVIDED TO MEMBERS AFTER PACKET ISSUED:**

(Copies attached)

1. Voucher Register for current bills to be reviewed for payment.

**PROCLAMATION:** NONE.

**MINUTES:**

Council minutes were not available at this time.

**MONTHLY REPORT:**

**City Recorder:**

- Reported on the Municipal Court collections to date.
- Told Council she will be attending a class on Managing Risk & Liability in Local Government in Newport on October 30<sup>th</sup>.

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**PUBLIC HEARINGS:**

1. **CITIZEN HEARINGS - NON-AGENDA ITEMS:** NONE.

2. **COUNCIL CONCERNS - NON-AGENDA ITEMS:**

**Councilor Sandusky** reminded Council and everyone of the grand opening ceremony at TLC Federal Credit Union this Wednesday from 9:30 a.m. to 2 p.m.

**Councilor Berry** reported his attendance at a Solid Waste Advisory Board meeting in Manzanita. They visited the recycling center and told of a recycling store there. He encouraged everyone to visit the center.

**Council President Martin** told the rest of the Council that the North Coast Seafood Festival Committee has sent the City a Thank You card and plant for the City's support of their event. Sorensen offered to take care of the plant in her office.

3. **SUPPLEMENTAL BUDGET FY09-10**

**Council President Martin** opened the Public Hearing. Gervasi referred to his staff report and recommendation that the Council approve the resolution for \$2,457,389 additional funds for the Wastewater Treatment Plant project. The total loan amount including this amendment (No. 7) will total \$14,729,162. Councilor Martin asked if this would be the last loan amount the City will have to borrow. Gervasi answered that this amount will hopefully be the last. Rates will need to be reviewed for next summer per the fee schedule. When asked if the plant was complete Sullivan answered it is mostly complete and operating with the new technology. They are experiencing a few problems that have been identified. November 3, 2009 is the target date for completion. Gervasi said the City would hold an Open House once the project is completed. **There being no further comments the Public Hearing was closed.**

**PRESENTATION:** TILLAMOOK URBAN RENEWAL AGENCY – DON HURD

**Don Hurd, Chairman of TURA**, gave the Council an update on what the agency has been doing. He offered to come before Council every quarter with like updates. He said the public market planned for in the Janik building is coming together nicely since work started in March. The agency has been looking at two properties for possible parking. They have also been looking at purchasing signs to publicize local events. He mentioned some other considerations – a) A program to help pay up to 50% for sidewalk repairs, 2) Lights for Hoquarton Trail Park, and 3) Playground equipment for City parks. He thanked the Council for allowing TURA to use the expertise of Mark Gervasi and Debbi Reeves.

**BEAUTIFICATION/PROPERTY IMPROVEMENT AWARD:**

- **Winner – Tom & Karen Dye, 701 Cottonwood Avenue.** They receive up to \$50 credit on their water and sewer bill for one month.

**PERMITS & LICENSES:** NONE

**COMMITTEE REPORTS:** NONE

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**NEW BUSINESS:**

- **Resignation letter from Steven Forster, Ward 4** – Gervasi referenced the letter of resignation included in Council packets. He recommended the Council accept the resignation by motion. Upon reviewing existing ward boundaries and updated ward boundaries for the Ordinance coming before the Council tonight for the first reading, Forster discovered that his residence is not in Ward 4. Sorensen prepared a schedule of dates for the announcement of the vacancy in the newspaper, the deadline to receive applications and the appointment of a person for Ward 4 subject to the new ward boundaries ordinance which will become effective on Dec. 2, 2009 if approved.

**Councilor Sandusky moved to accept the resignation of Steven Forster. Councilor Decker seconded the motion. Motion carried unanimously by Council seated.**

- **Councilor Berry moved to declare a vacancy and accept applications for Ward 4. Councilor Decker seconded the motion. Motion carried unanimously by Council seated.**
- **Dairy Queen property** – Gervasi reported he had been approached by a person wanting to rent the property. He suggested going out for a Request For Proposals for interested mobile units. **Councilor Sandusky moved to direct the City Manager to put out a Request for Proposals for renting the former Dairy Queen property. Councilor Decker seconded the motion.** Under discussion **Councilor Berry** asked about the effect on parking. **Gervasi** said there could be parking around the concrete slab. **Attorney Putman** told the Council they could set whatever parameters they want on a lease. **Motion carried unanimously by Council seated.**

**OLD BUSINESS:                    NONE**

**LEGISLATIVE**

1. **ORDINANCE AMENDING ORD. NO. 1120, SECTION 2 WARD BOUNDARIES AND REPEALING ORDINANCE NO. 1212 TO ACCOUNT FOR POPULATION ADJUSTMENTS MADE IN THE 2008 COUNTY VOTER REGISTRATION PRECINCT COUNT REPORT AND INCLUDING TERRITORY RECENTLY ANNEXED INTO THE CITY OF TILLAMOOK – FIRST READING**

**Councilor Sandusky moved to have the first reading of the ordinance by title only. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.** Ordinance was read by title only by City Recorder Sorensen.

2. **RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FY2009-2010 AND APPROPRIATING FUNDS IN THE AMOUNT OF \$2,457,389 WITHIN THE SEWER DEPARTMENT FUND #2200**

**Councilor Berry moved for the adoption of the resolution for a supplemental budget for fy2009-2010 and appropriating funds in the amount of \$2,457,389 within the Sewer Department Fund #2200. Councilor Decker seconded the motion. Motion carried unanimously by Council seated.**

3. **RESOLUTION DECLARING CERTAIN EQUIPMENT AS SURPLUS**

**Councilor Sandusky moved to approve the resolution declaring certain equipment as surplus. Councilor Decker seconded the motion. Motion carried unanimously by Council seated.**

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**STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION:**

- Community Rating System (CRS) Recertification
- Flood Plan Comments – E-mail from consultant Vicki Goodman. Councilor Berry asked how close she was to completing her contract. Gervasi said she should be done by the end of the year.
- TRA Quarterly Report July – September 2009
- NWACT October Newsletter
- Copy of Letter to the Editor commending the City Street Department
- Attorney Putman said he received a telephone call from an attorney who has asked if the City would waive a potential conflict of interest in his representation of another potential client. The City currently has the Jordan Shrader Law Firm engaged in the Big River issue. Andy Jordan has been asked to represent the Tillamook County Transportation District in mediation with the City. He has looked into potential mediators and their costs which range from \$200/hr. and up and flat fees of \$2,000. for one-half day mediation. Putman explained the mediation process to the Council. Council thought it best to call an Executive Session.

**EXECUTIVE SESSION:**

**ORS 192.660 (2) (e) REAL PROPERTY TRANSACTIONS**

**At 8:37 P.M. Council President Martin** announced that Council would be holding an Executive Session according to the above referenced ORS.

**At 9:48 P.M. Council President Martin** announced the return to regular session from Executive Session.

**Councilor Sandusky moved to direct the City Attorney to respond to the Transportation District's proposed attorney that the City does not consent to waive the potential conflict of interest. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.**

**MAYOR'S REPORT:**      None.

**AUTHORIZATION TO PAY BILLS:**

The Finance Committee had reviewed the current bills prepared for payment. **Councilor Martin moved to pay the bills approved by the Committee. A second was made by Councilor Berry. Council seated approved the motion unanimously.** Bills were paid in the following total amount. A copy of the voucher register is attached and by this reference is made a part of the record.

**GENERAL CHECKING ACCOUNT**

Special Batch 10/12/09	Check #27207	\$ 438.99
A/P Batch 10/19/09	Checks #27208-27267	\$ 657,185.81

**ADJOURNMENT:**

**There being no further business Mayor McPheeters adjourned the meeting at 9:50 P.M.**

**APPROVED:**

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**Mayor**

**ATTEST:**

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**City Recorder**