

**TILLAMOOK CITY COUNCIL MEETING  
MONDAY, DECEMBER 21, 2009  
CITY HALL, 210 LAUREL AVENUE**

**CALL TO ORDER/FLAG SALUTE:**

Mayor McPheeters 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:**

Mayor Bob McPheeters  
Council President Joe Martin  
Councilor Carolyn Decker  
Councilor Suzanne Weber  
Councilor Forster  
Councilor John Sandusky  
Councilor Willard Berry

**Absent:**

None.

**Staff Present:**

John Putman, City Attorney  
Terry Wright, Chief of Police  
Bernadette Sorensen, City Recorder

**AGENDA:**

The posted agenda for the meeting of December 21, 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.
2. Municipal Court Judge Tim Dolan's monthly report. (Exhibit A)

**MINUTES:**

Council minutes for December 7, 2009 were provided in Council packets. **Councilor Sandusky moved approval of the minutes of December 7, 2009. Councilor Berry seconded the motion.** There were no corrections, additions or deletions. **Motion carried unanimously by Council seated.**

**PROCLAMATIONS:**      None.

**PRESENTATION:**      **Tillamook Anglers Association & Whiskey Creek Fish Hatchery – Award**

**Jon Williams, Street Dept. Supervisor** presented a plaque to the Tillamook Anglers Association & Whiskey Creek Fish Hatchery represented by Jerry Dove. The plaque was given in appreciation from the City of Tillamook for the use of equipment to hang Christmas decorations in the City for many years.

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**MONTHLY REPORTS:**

**City Recorder:**

- Financial reports were provided in Council packets. Property tax money is starting to come in so revenues are looking better.
- Auditors have finished up final field work for the City's FY2008-2009 audit. Report is anticipated in the next few weeks. When the report is received the councilors will be provided a copy of the report and the auditors will be invited to present their findings in person and to answer any questions of council.
- Tree lighting event was a huge success. Sorensen invited everyone to view pictures of the event on the City website.

**Mayor McPheeters** commended councilors and staff for their participation in the event. He also thanked Sorensen and employees who volunteered to fill the food baskets and give gifts for ten families in the community. Sorensen said that the names of the families were provided through the Ecumenical Council of Tillamook. Also, Mike Hanback of St. John's Church donated a barrel of non-perishable food items for the food baskets and his allotment of the Toys for Tots program at Fred Meyer for gifts for the children of the ten families.

**PUBLIC HEARINGS:**

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

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

**Councilor Forster** wanted to thank the Chief of Police, the Fire Department and Fred Meyer for having a huge toy collection (475 toys) for this season. A little over 715 children were served this year from Hemlock to Idaville.

**PERMITS & LICENSES: NONE.**

**BEAUTIFICATION/PROPERTY IMPROVEMENT:**

**Sorensen** stated that the City held their Christmas Lighting and Decorating Contest this past week. The winners were:

<b>Residential</b>	<b>Commercial</b>
1 <sup>st</sup> Place Willie & Elaine Pfalzgraff	1 <sup>st</sup> Place Jim Kephart Floor Covering
2 <sup>nd</sup> Place Dave & Rita Hogan	2 <sup>nd</sup> Place Anderson Florists
3 <sup>rd</sup> Place Jacob & Kasie Workman	3 <sup>rd</sup> Place Diamond Art Jewelers

**COMMITTEE REPORTS: NONE.**

**OLD BUSINESS:**

- **Change in Council Meeting Time** – Draft ordinance was provided for Council prior to City Manager leaving on vacation. They agreed to schedule for January 4, 2010 meeting.

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- **Disallowance of Fee Waiver** – **Councilor Sandusky** said that the fourth “Whereas” statement in the draft resolution should be reworded. **Councilor Weber** stated that she had suggested putting some money aside in the Transient Room Tax fund that could be used for requests for fee waivers. Discussion by council followed as to the number of waiver requests usually received, during the budget process setting up a line item for such requests and that this draft resolution only allows for the building fee waivers. **Councilor Berry** said the Council should dismiss the entire issue. **Sorensen** reminded Council that Transient Room Tax money could only be used for tourism and the promotion and advertising of such. Council agreed to set aside this issue until the next meeting.

**NEW BUSINESS:**

- **Project Proposal on Dean Memorial Wayside by Daniel Rodriguez** – Request from Daniel Rodriguez for his Senior Project for beautification of a portion of the Dean Memorial Wayside. Proposal was included in Council packets but the applicant was not present to answer questions. Several questions arose regarding the size of the project, parking and the lack of specific area included in the proposal. **Councilor Weber** said she would contact Rodriguez to be available for the January 4, 2010 Council meeting and to provide a plan of the area he would like to improve. Discussion continued on types of plants, their hardiness and materials for benches.
- **Staff Report on amending Resolution No. 1530** – **Mayor McPheeters** stated that this amending resolution regards an incorrectly calculated sewer rate for multi-family residential for more than 4 units. This would amend the rate from \$182.75 per month to \$190.00 per month. All other rates in the prior resolution are correct. Resolution No. 1530 was passed by Council on June 1, 2009 and took effect July 1, 2009. **Councilor Sandusky moved to adopt the resolution amending Resolution No. 1530 adjusting sewer rates, Section 1, Multi-Family Residential rates (more than 4 units). Councilor Martin seconded the motion.** Under discussion, Councilor Berry asked why the rate is so high for multi-family when a private individual pays a set amount per gallon of water. Sorensen responded that she did not know the answer and the Public Works Director was sick. Mayor McPheeters said that once you borrow money you have to show that you are able to pay back the loan. The City has borrowed considerable money for the Wastewater Treatment Plant upgrades. **Motion carried unanimously by Council seated.**

**LEGISLATIVE**

1. **ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1233, AN ORDINANCE AUTHORIZING THE CITY OF TILLAMOOK POLICE DEPARTMENT TO CHECK CRIMINAL INFORMATION RECORDS OF THE STATE OF OREGON LAW ENFORCEMENT DATA SYSTEM; AND REPEALING ORDINANCE NO. 1237 – SECOND READING**

**Councilor Sandusky moved for the second reading of the ordinance amending Section 2 of Ordinance No. 1233, an ordinance authorizing the City of Tillamook Police Department to check criminal information records of the State of Oregon Law Enforcement Data System; and repealing Ordinance No. 1237, by title only. Councilor Berry seconded the motion. Motion carried unanimously by Council seated. Sorensen read the ordinance by title only.**

**Councilor Berry moved to adopt the ordinance. Councilor Weber seconded the motion. Motion carried unanimously by the following roll call vote:**

<b>Councilor Martin</b>	<b>Aye</b>	<b>Councilor Forster</b>	<b>Aye</b>
<b>Councilor Decker</b>	<b>Aye</b>	<b>Councilor Sandusky</b>	<b>Aye</b>
<b>Councilor Weber</b>	<b>Aye</b>	<b>Councilor Berry</b>	<b>Aye</b>

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**2. ORDINANCE AMENDING ORDINANCE NO. 1206 RELATING TO GENERAL OFFENSES, DEFINING NUISANCES; PROVIDING FOR THEIR ABATEMENT; PROVIDING PENALTIES; AND REPEALING ORDINANCE NO. 1239 – SECOND READING**

**Councilor Weber moved for the second reading of an ordinance amending Ordinance No. 1206 relating to general offenses, defining nuisances; providing for their abatement; providing penalties; and repealing Ordinance No. 1239 by title only. Councilor Martin seconded the motion. Motion carried unanimously by Council seated. Sorensen read the ordinance by title only.**

**Councilor Berry moved for the adoption of the ordinance. Councilor Weber seconded the motion. Motion carried unanimously by the following roll call vote:**

<b>Councilor Martin</b>	<b>Aye</b>	<b>Councilor Forster</b>	<b>Aye</b>
<b>Councilor Decker</b>	<b>Aye</b>	<b>Councilor Sandusky</b>	<b>Aye</b>
<b>Councilor Weber</b>	<b>Aye</b>	<b>Councilor Berry</b>	<b>Aye</b>

**STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION: NONE.**

**EXECUTIVE SESSION: NONE.**

**OTHER:**

**Mayor McPheeters** asked City Attorney Putman for an update on the Transit Center Lease Agreement. **Putman** stated that he had been unable to work on the agreement since the last meeting. He had contacted the other side explaining the situation. He will be working on the agreement this week. **Mayor McPheeters** disclosed that he had been contacted by the chair of the Transit District board asking if the City Council had signed the agreement. **McPheeters** responded from minutes of the past meeting as to what the Council directed of the City Attorney.

**MAYOR'S REPORT:**

**Mayor McPheeters** referred to the Local Focus current newsletter from the League of Oregon Cities. It contains a comprehensive survey of revenue problems facing cities within Oregon. There is a current City/State task force that is trying to bring government closer to people. He encouraged members of the Council to join the task force which will be meeting and working through December 2010. Anyone interested should contact the mayor and he will provide the information to the League of Oregon Cities.

**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 Weber. 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**

<b>Special Batch 12/08/09</b>	<b>Check #27518-27519</b>	<b>\$ 1,946.45</b>
<b>A/P Batch 12/21/09</b>	<b>Checks #27520-27559</b>	<b>\$ 49,719.70</b>

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**ADJOURNMENT:**

**There being no further business Mayor McPheeters adjourned the meeting at 8:26 P.M.**

**APPROVED:**

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**Mayor**

**ATTEST:**

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**City Recorder**