

**TILLAMOOK CITY COUNCIL MEETING
MONDAY, FEBRUARY 7, 2011
CITY HALL, 210 LAUREL AVENUE**

COUNCIL WORKSHOP: A workshop with an Executive Session according to ORS 192.660 (2)(h) Legal Counsel was held beginning at 6:00 P.M. for the purpose of hearing an update on WWTP litigation.

CALL TO ORDER/FLAG SALUTE:

Mayor Weber called the regular City Council meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

ROLL CALL:

Those present for roll call:

Mayor Suzanne Weber
Councilor Joe Martin
Councilor Matt Harris
Councilor Steven Forster
Councilor John Sandusky
Councilor Doug Henson

Absent: None

Staff Present:

Paul Wyntergreen, City Manager
John Putman, City Attorney
Arley Sullivan, Public Works Director
David Mattison, City Planner
Tim Lyda, Assistant Public Works Director
Bernadette Sorensen, City Recorder

AGENDA:

The posted agenda for the meeting of February 7, 2011 is attached and by this reference is made a part of the record.

MINUTES:

Council minutes for January 3, 2011 and January 18, 2011 were provided in Council packets. **Councilor Sandusky moved approval of January 3, 2011 minutes as written. Councilor Harris seconded the motion.** There were no corrections, additions or deletions. **Motion carried unanimously by Council seated.**

Councilor Henson moved approval of the minutes of January 18, 2011. Councilor Sandusky seconded the motion. There were no corrections, additions or deletions. **Motion carried unanimously by Council seated.**

PROCLAMATIONS: **KIWANIS CHILDREN'S CANCER CURE MONTH**

Mayor Weber read the proclamation declaring the month of February 2011 as Kiwanis Children's Cancer Cure month. She recognized the value of the Kiwanis Club to the community of Tillamook.

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APPOINTMENTS: CITY COUNCILWARD 3 VACANCY

Mayor Weber announced that the City has received two applications for the ward vacancy. Both applicants are present to answer any questions of the Council.

Cheryl Davy, 2406 8th Street, Tillamook said that she was interested in serving her community from which she has received so many benefits. She has no specific agenda in mind.

Tammy Jacobs, 2215 8th Street, Tillamook said that she has served on the Planning Commission for the last 12 years. She was interested in making a positive impact on larger issues. She is diligent about getting as much information as possible on the issues. She asks a lot of questions. She sees herself as patient, fair and realistic.

Councilor Forster nominated Cheryl Davy for councilor of ward 3. There were no further nominations.

Councilor Forster moved to appoint Cheryl Davy to fill the Ward 3 vacancy for the remainder of the term. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.

Mayor Weber proceeded to the next agenda item while an Oath of Office document was prepared by the City Recorder.

PRESENTATIONS:

1. **Tillamook High School -- Principal Kevin Barnes** gave an update on the Charity Drive events happening this week.

OATH OF OFFICE:

Sorensen administered the Oath of Office to Cheryl Davy for the position of Ward 3 Councilor. Davy then took her seat with the Council.

PRESENTATIONS CONTINUED:

2. **Tillamook Area Chamber of Commerce – Andy Neal** gave an update of happenings from the Chamber. The chamber is bringing back their Forums starting on February 24, 2011 and continuing on the fourth Thursday of every month. The forums will be held at the Beach Pancake House at noon in their meeting room. The Oregon Coast Visitors Association week long North Coast Press Tour is continuing this year. The group will spend 1 ½ days in Tillamook County, staying overnight in Garibaldi. New this year is a trip to the Tillamook Forestry Center. March 15th from 5 – 8 p.m. at the library the 3rd round of the Tillamook County Quilt Blocks (30 blocks) will become available. It is on a “first come – first served” basis.
3. **Tillamook Revitalization Association – Chris Kell** updated the Council on the associations’ activities for October-December 2010. 2nd Street Market remains at 100% occupancy. They have added two additional spaces and continue live music on Friday nights and salsa dance lessons on Wednesday nights. Two knitting groups meet weekly. They sent out a survey to shop keepers (Exhibit A). Full report included in Council packets. Kell explained the organizational set up of the three organizations included in her report. Tillamook Revitalization Association is a 501 (c) (3) non-profit organization. The 2nd Street Market and the Farmer’s Market operate under the parent umbrella of the TRA. Each one has an advisory board to the TRA. TRA is the reporting agent to the IRS.

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MONTHLY REPORTS:

City Planner:

- Written report included in Council packets.
- At the next Planning Commission meeting Werner Meats Street Vacation will be heard.
- Joint workshop between City Council and Planning Commission regarding proposed PUD transmission line location on February 22, 2011.

Public Works:

- Written report included in Council packets.
- Staff is moving forward with property negotiations for the Fawcett Creek fish passage project.
- Working on easement for City of Tillamook/Bay City waterline inter-tie.
- Street Dept. is busy with pothole patching throughout the City.
- Thanked Charter Cable for their help with putting up and taking down of holiday lights.
- Motor for Sewer Dept. sludge recycle pump has been replaced.
- They have received a Sanitary Sewer Overflow (SSO) Internal Management Directive document from DEQ which gives staff guidance on how best to deal with SSO incidents.
- Reviewing the annual bio-solids renewal contract from the Port.
- Has begun drawings for Stillwell SCA grant project.
- The Technical Advisory Committee met on the Hwy. 6/Hwy. 101 interchange. It has been narrowed to one option. It is scheduled for 2015. Third Street project should go to bid in 2012.

Police Dept.:

- Written report included in Council packets.
- Mayor Weber mentioned that the Police Dept. received a plaque for their role in Special Olympics.

Municipal Court:

- Written report included in Council packets.

Mayor's Report:

- She had the pleasure of attending an award ceremony and pinning an Eagle Scout badge on Zach Crist.
- She was part of a group that met with Senator Merkley to talk about concerns of small cities and flooding concerns in Tillamook.
- She asked that councilors let her know if they are interested in attending and/or hosting a 3-hour class on ethics.

PUBLIC HEARINGS

1. CITIZEN HEARINGS - NON-AGENDA ITEMS:

1. **Terry Sprenkel, 3200 Aldercrest Rd., Tillamook** told the Council that local churches would like to partner with the City to become more involved and work on community projects. He asked that Council develop a Wish List. Mayor and Council were very appreciative of the offer.

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2. **Tammy Jacobs, 2215 8th Street, Tillamook** was concerned over the increased in tagging in her neighborhood. Homeowners are paying to clean up the damage and are receiving no reimbursement. Attorney Putman advised Jacobs to check with the District Attorney's office regarding restitution for crimes by juveniles.

2. COUNCIL CONCERNS – NON-AGENDA ITEMS: None.

COMMITTEE REPORTS:

- **Personnel Committee –Sandusky** said that a meeting needs to be scheduled to address the Personnel Handbook update.
- **Beautification/Parks Committee – Harris** said that a meeting needs to be scheduled.
- **Finance Committee – Martin** said that nothing is scheduled.
- **Public Safety Committee – Forster** reported that the committee will meet as soon as the Police Chief returns from Monterey, California with the cadets.
- **Public Works Committee – Harris** reported that the committee met on January 20, 2011 to discuss two items brought to the committee by Matt Mumford, Tillamook County Transportation District Manager. The first request was for a No Parking sign on First Street in front of the Post Office. This request was tabled to allow the City to look into an alternative to the proposal. The second request was for a No Parking sign on Stillwell Avenue next to the County Library to expanding the bus stop space that already exists. A representative from the County Library was at the committee meeting and had no objections to the request. **Harris clarified that the second item is an Action Item for the council. Councilor Harris moved approval of a “No Parking” or expand the existing bus stop on Stillwell Avenue in front of the Tillamook County Library to accommodate Tillamook County Transportation District busses. Councilor Forster seconded the motion.** Under discussion it was clarified that this was needed to accommodate the length of the busses. It will reduce customer parking spaces by one. **Matt Mumford, Tillamook County Transportation** was in the audience and stated that the extra space would allow the busses to pull off the road and not block traffic. **Motion carried unanimously by Council seated.**
- **Associations Committee – Henson** said he has nothing to report at this time.
- **Urban Renewal Update – Sandusky** said he will attend his first meeting on Tuesday, February 15, 2011.
- **Solid Waste Advisory Committee – Martin** said he has filled out the forms and turned them in to Commissioner Labhart.

PENDING BUSINESS:

Revised Open Space Temporary Unit Siting Standards – City Planner Mattison presented the staff report and updated standards with changes introduced at the last Council meeting by the City Attorney. Staff's recommendation is approval of the resolution.

NEW BUSINESS:

Fawcett Creek Fish Screening – Tim Lyda, Assistant Public Works Director, Water Resource Manager presented a Power Point presentation on the property exchange and easement proposal for the subject property. Staff's recommendation is Council approval of the property exchange between adjacent property owner and the City at the Fawcett Creek diversion pond. The property exchange is of equal value. Also recommended for approval is the acceptance of a new easement to the City for relocating the diversion pond and new easement for an access road, new easement to the City for a new raw water main route. He asks for approval and authorization for the City Manager to finalize acceptance of property exchange and easements agreements. The funds for surveying, recording and expenses related to the property exchange are budgeted. The property owner is agreeable to the land exchange and easements without money exchange providing the Water Department pays for all necessary recording, survey fees and any other expenses related to the property agreement.

Lyda told the Council the property exchange is virtually of equal size. **Councilor Forster** suggested a tour of the property for the new councilors would be beneficial. Staff agreed.

LEGISLATIVE

1. A RESOLUTION ADOPTING THE OPEN SPACE TEMPORARY USE SITING STANDARDS

Councilor Sandusky made a motion to approve the adoption of the resolution adopting the Open Space temporary use siting standards, the open space temporary use fee schedule and the open space temporary use siting application form of the City of Tillamook. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.

2. AUTHORIZATION OF THE CITY MANAGER TO PROCEED WITH THE FAWCETT CREEK FISH SCREENING PROPERTY EXCHANGE

Councilor Sandusky made a motion to approve the City Manager and staff to move forward with the Fawcett Creek Fish Screening Property Exchange. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.

STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION:

1. **Holden Creek Improvement Guidelines and Information – City Manager Wyntergreen** told the Council that there is a meeting scheduled for Thursday, February 11, 2011 at 9:00 A.M. at Tillamook High School regarding the culverting and treatment of Holden Creek for all interested parties. **Wyntergreen** turned the discussion over to Arley Sullivan, Public Works Director. **Sullivan** said the City was told there was a 6' box culvert on Miller Ave. for Holden Creek. In reality it is two smaller culverts (sizes unknown) present. He only learned recently that a group has been formed "Restore Holden Creek" that is wanting to do whatever possible to clean up Holden Creek. Their goal is to make Holden Creek a Total Community Project, involving local government, stakeholders, Hampton Mill, Tillamook High School and private landowners. Holden Creek has thirteen years of water quality sampling documenting the poorest water qualities in the Tillamook Basin.

Councilor Henson said that the City needs to take the lead on this but the private sector needs to get involved, too. He said that an application for FEMA Hazard Mitigation Grant funds of \$1.5M was turned down because it did not meet the benefit-cost ratio. **Mayor Weber** stated that Holden Creek impacts three wards of the City. **Councilor Forster** suggested this would be an excellent "Wish List" project for the local churches to help with.

OTHER:

Mayor Weber announced that the next Council meeting is scheduled for Tuesday, February 22, 2011 due to President's Day holiday.

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 Sandusky. 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.

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GENERAL CHECKING ACCOUNT

A/P Batch 2/07/2011

Checks # 30244-30333

\$ 90,066.09

ADJOURNMENT:

There being no further business Mayor Suzanne Weber adjourned the meeting at 9:00 P.M.

APPROVED:

Mayor

ATTEST:

City Recorder