

**TILLAMOOK CITY COUNCIL MEETING  
MONDAY, FEBRUARY 1, 2010  
CITY HALL, 210 LAUREL AVENUE**

**WORKSHOP:** City Council held a workshop beginning at 6:00 p.m. to discuss a proposed increase of 1% to Transient Room Tax.

**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  
Councilor Joe Martin  
Councilor Carolyn Decker  
Councilor Suzanne Weber  
Councilor Steven Forster  
Councilor John Sandusky  
Councilor Willard Berry

**Absent:** None.

**Staff Present:**

Mark Gervasi, City Manager  
John Putman, City Attorney  
Arley Sullivan, Public Works Director  
Terry Wright, Chief of Police  
Bernadette Sorensen, City Recorder

**AGENDA:**

The posted agenda for the meeting of February 1, 2010 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. Public Works Committee meeting minutes. (Exhibit A)

**PRESENTATION: Hoquarton Trail Park Appreciation**

Mayor McPheeters asked Claudine Rehn, April Peterson and Lorrie Lamb to come forward and receive their plaque from the City for their time and energy making the Hoquarton Trail Park a reality. Mayor McPheeters also asked Lisa Phipps of the Tillamook Estuaries Partnership to come forward and accept a Certificate of Appreciation from the City for the help and support they provided for the development of the park. Those not present for their plaque were Tilda Jones, Dia Norris, Ted Hungerford and Charlie Wooldridge.

**MONTHLY REPORTS:**

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**City Manager:**

- City Attorney Putman has been in contact with the Transit Center attorney regarding the lease agreement. Outstanding issues should be resolved this week as they are meeting on Thursday.
- Council will be looking at supplemental budget for the WWTP tonight for an additional \$2,197,062 for FY2009-2010.
- Gervasi asked for a workshop with Council on March 1, 2010 at 6 p.m. so the engineers could update the Council on the WWTP and the final punch-list for the project. Big River Construction has not paid some of their vendors who supplied materials to them for this project.
- Updated Council on Consent Annexation project.
- Asked that the Employee Handbook project be moved to the 2010 Strategic Plan.
- City has received preliminary copies of the proposed Flood Insurance Rate Maps from FEMA. We are advertising to the public that the 90-day comment period begins today. A meeting with FEMA prior to the 90-day period as to how they came up with the mapping and to listen to comments from the public regarding the map and how it affects their property needs to be held. Councilor Decker said the new designations could affect insurance coverage and cause problems for a lot of people.
- A first reading of an ordinance renaming Marine Park to Sue H. Elmore Park will be held Feb. 16, 2010. Gervasi asked if anyone knew of a plaque honoring World War 2 veterans that might have been at Marine Park. The City does not have a process in place for the renaming of a park.

**Public Works Director:**

- They are looking at a scaled-down remodel of the Water Shop. Progress continues on Killam Creek diversion pond relocation and fish passage upgrade project.
- Street Dept. did some silt removal at Carnahan Park boat ramp. The wooden play structure at Goodspeed Park has been removed due to safety issues.
- Sewer Dept. annual Sludge report and I & I report will be sent to DEQ before the end of the month. The new boiler at the plant is still not operating properly on methane gas. Big River Construction is going through final punch list of items needing completion to close out the contract. They continue to breathe threat of additional claims for more money. The new NPDES permit has gone into effect for the new treatment process. They are advertising for a WWTP II licensed operator.
- Work is continuing on the waterline inter-tie project with Bay City.
- The Safety Committee and staff are working on organizing and updating the Safety Manual to assure OSHA compliance.

**Police Chief:**

- The Victim Impact Panel has approved 8 new digital cameras for the officers and 2 new moving radars for two patrol vehicles.
- They have received a grant for approximately \$10,000 for 6 new portable radios and one new vehicle radio. This will make all radios current for all federal requirements. The radio replacements will go to Public Works and the Incident Response Plan for better communications, especially during disasters.
- Officers have been in training due to new laws and changes.
- They have worked on a process of notifying metal dealers of any thefts occurring in Tillamook. A new law says that dealers have to be notified within 24-hours of the occurrence of a theft of metal. His department has come up with a procedure to notify local and Portland area dealers.
- Cadet Program is active with 6 new children joining last meeting. They are getting ready for CSI East School, with the class being held on Jan. 26-27. Training is provided to 5 4<sup>th</sup> grade classes.
- Cadets will be going to Monterey, California for the AT&T Pro-Am in Pebble Beach. Monies earned by the cadets go toward making payments on the van.
- They will be working on annual goals and evaluations for all employees.

**Municipal Court Judge:**

Sorensen explained legislative changes affecting Municipal Court collections. Revenue is down.

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**City Planner;**

**Councilor Berry** asked if addresses for land use applications could be provided on the Planning Report to Council so they would know the location referenced. Gervasi said the free-standing sign size variance was for the medical offices just west of the hospital out Third Street. He would ask the City Planner to provide physical addresses on future reports.

**MINUTES:**

Council minutes for January 19, 2010 were not available at this meeting.

**PUBLIC HEARINGS:**

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

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

3. **SUPPLEMENTAL BUDGET FOR FY 2009-2010 FOR SEWER FUND**

Staff report was given by Gervasi with the recommendation that Council approve the resolution adopting a supplemental budget. There were no written or oral comments. The public hearing was closed.

**PERMITS & LICENSES:** **None.**

**BEAUTIFICATION/PROPERTY IMPROVEMENT NOMINATIONS:** **None.**

**COMMITTEE REPORTS:**

**Personnel Committee:** Meeting is being scheduled.

**Beautification Committee:** **Councilor Decker** announced that the City will be advertising for the planting and growing of the flower baskets for the City. It will be advertised. The committee talked about a new event for the City during Spring Break. Our area has much to offer. Due to time constraints of putting something together and advertising it this will probably take place for next year. Marine Park is being renamed the Sue H. Elmore Park after the ship that used to come into Tillamook at that site. Playground equipment has been turned over to the Urban Renewal Agency to work on that project.

**Public Works Committee (see Exhibit A):** **Councilor Berry** announced that the Committee met last Thursday with Jon Williams. They toured the streets to determine which streets needed work. Their next meeting will be February 11, 2010. The committee received a brief update on the WWTP project. Police Chief Wright will look into the loading and unloading permit applications for Tsunami Party Supply at 113 Main Avenue and Tillamook County Women's Resource Center.

The committee looked at the No Parking concerns of Ryan & Dot's Texaco. They said that having "No Parking" in front of the Tillamook PUD on Pacific Avenue was hurting their business. The Committee recommends to Council to have No Parking allowed 50' back on Pacific, south from 11<sup>th</sup> Street in front of the Tillamook PUD building on the east side of Pacific. The next concern was a safety/clear vision at 11<sup>th</sup> Street and Pacific Avenue.

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**Police Chief Wright** suggested, and the committee agreed, to ask council to approve a No Parking zones at the following location – On Pacific Avenue, south of 11<sup>th</sup> Street on the west side of the street, 30’ back from Pacific Avenue & 11<sup>th</sup> Street intersection, make two (2) compact car parking spaces only on 11<sup>th</sup> Street, south side of the street between Main and Pacific Avenues.

**Chief Wright** also stated that Tillamook PUD is requesting a stop sign placement at the SE corner of 11<sup>th</sup> Street and Madrona Avenue. The committee recommends Council approval of the stop sign but have the PUD pay for the sign and the labor to put it in.

**Councilor Berry** said the committee also recommends to the Council approval of a No Parking zone request by the hospital on the north side of Third Street from Ash Avenue to the emergency entrance driveway located west of the hospital. Since acquiring Bay Ocean Medical offices the pedestrian traffic across the street to the hospital has increased. This would allow better vision of oncoming traffic by removing the parking. Most of the spaces taken are by employees of the hospital and the hospital provides on-site parking for their employees. **Councilor Forster** disagreed that the spaces are used primarily for employees. People visiting patients in the hospital use those spaces, too. He stated that people are not using the curb placement for the crosswalk but are crossing mid-block. The hospital is considering applying to ODOT for a 25 M.P.H. speed limit on Third Street.

**Councilor Berry moved to approve the Committee’s recommendation on item #5 of Exhibit A concerning having No Parking allowed 50’ back on Pacific, south from 11<sup>th</sup> in front of the Tillamook PUD building on the east side of Pacific Avenue. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated.**

**Councilor Berry moved to approve the Committee’s recommendation on item #6 of Exhibit A concerning the stop sign placement at the SE corner of 11<sup>th</sup> Street and Madrona Avenue but have the Tillamook PUD pay for the sign and labor to install it. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.**

**Councilor Berry moved to approve the Committee’s recommendation on item #7(b) of Exhibit A concerning the No Parking zones at the following location – On Pacific Avenue, south of 11<sup>th</sup> Street on the west side of the street, 30’ back from Pacific Avenue & 11<sup>th</sup> Street intersection, make two (2) compact car parking spaces only on 11<sup>th</sup> Street, south side of the street between Main and Pacific Avenues. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

**Councilor Berry moved to approve the Committee’s recommendation on item #7(a) of Exhibit A regarding a No Parking zone by the hospital on the north side of Third Street from Ash Avenue to the emergency entrance driveway located west of the hospital. Councilor Martin seconded the motion. Under discussion Councilor Sandusky voiced his concerns over the loss of parking spaces but acknowledged the safety issue. Motion carried (5-1) with Councilor Forster casting a Nay vote.**

**OLD BUSINESS: Shilo Levee Repairs**

**City Manager Gervasi** updated the Council regarding the County wanting the City to help pay for the Shilo levee repairs to the amount of \$70,000. The County had approached the Council several months ago with this request. At the time the City was unsure of the support it could give. Mayor McPheeters stated it would be hard for the Council to approve any kind of commitment if we don’t know where the money is going to come from. Councilor Sandusky asked if the Council approved this request. It was determined that the Council did not commit to the contribution. Under discussion **City Attorney Putman** said it was unusual that they would present the City at invoice when no debt was incurred. Gervasi clarified that the work on the levee has not been done yet. He asked for direction from the Council so he could send the County a letter resolving the issue. **Councilor Forster** said we should be very clear with the County that although the City supports the project we don’t have the money. **Councilor Sandusky** said the letter should be very clear that we don’t have any money this year but we will look at the possibility of including some money in next year’s budget.

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**Don Hurd, Tillamook Urban Renewal Agency** mentioned that the City should not reject the request as such, but more diplomatically make known the value of additional parking spaces the City may make available to the County over by the Police Dept. Gervasi said he had enough direction from the Council to proceed.

**NEW BUSINESS:**

- **Tillamook Urban Renewal Agency (TURA) update by Chairman Don Hurd.** Hurd read into the record a letter from TURA regarding Third Street improvements. The proposal includes both sides of Third Street with improvements to include curbs and sidewalks and a storm water drainage system. The proposal also includes possible improvements to the storm water drainage system that adversely impacts Holden Creek and the East School area. Last, but not least, extending the above improvements to either the Wilson River Loop Road or to Shield Road. Their proposal includes a partnership amongst the City, County and TURA. Engineering costs for the Third Street project will be approximately \$170,000. TURA is the only agency that is able to fund those costs. At their January 28<sup>th</sup> meeting the Board voted to fund the total cost of the engineering less the \$11,000 Tillamook Bay Community College has agreed to put toward the improvements. **Gervasi** asked Council to set a workshop date. **Councilor Forster** stated that partnerships are essential and clarity of position will help us move forward. **Councilor Sandusky** asked about the bidding process. **Hurd** said that the stimulus money (approximately \$700,000 has already been identified for this project and would be run through the County's books. The Council would review the bids. Council set a workshop for February 8, 2010 at 5:30 p.m. in Council Chambers.
- **Bids for Goodspeed Park Restroom Roof Repair by Arley Sullivan.** Sullivan told the Council that the City received three bids to do the work at Goodspeed Park restroom. Staff is requesting authorization to accept the low bid for the demolition and rebuilding of the restroom roof as well as any necessary electrical work needed to complete the project. Low bid was from A Good Roof, owner Randy Klobas for an amount of \$10,600. **Councilor Sandusky made a motion for the City to accept the low bid for the demolition and restoration of the Goodspeed Park restroom roof. Councilor Berry seconded the motion.** Under discussion **Councilor Forster** asked if the demolition debris removal was consistent with all bidders. **Sullivan** said yes. **Councilor Forster** asked if references were checked. **Sullivan** said yes. **Sullivan** added that funds have been budgeted for the repair from Property Purchase Fund. **Motion carried unanimously by Council seated.**
- **Digital Flood Insurance Rate Map (DFIRM) and Flood Insurance Study Report for Tillamook County, Oregon and Incorporated Areas – Gervasi** included in Council packets, at the direction of Council, a letter to FEMA in protest of the preliminary DFIRM released to the City by FEMA on December 31, 2009. **Councilor Sandusky** asked if it would help if a letter was sent by the City Council. Gervasi said yes. **Councilor Sandusky moved that the Council send a letter signed by the mayor in support the letter sent by the City Manager regarding reconsideration by FEMA of the location of the boundaries with respect to existing elevations and land forms and to be present to hear concerns of the community. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.**

**LEGISLATIVE**

1. **RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FY2009-2010 AND APPROPRIATING FUNDS IN THE AMOUNT OF \$2,197,062 WITHIN THE SEWER DEPARTMENT FUND #2200**

**Councilor Weber** moved for the approval of the Supplemental Budget for fiscal year 2009-2010 and appropriating funds in the amount of \$2,197,062 within the Sewer Department Fund #2200. **Councilor Martin** seconded the motion. **Motion carried unanimously by Council seated.**

2. **RESOLUTION AUTHORIZING WAIVER OF CERTAIN REQUIREMENTS TO THE TILLAMOOK FARMERS' MARKET AND APPROVAL OF CERTAIN USES DURING THE FARMERS' MARKET SEASON**

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**Councilor Sandusky moved to adopt the resolution authorizing the waiver of certain requirements to the Farmers' Market and approval of certain uses during the Farmers' Market season. Councilor Decker seconded the motion.** Under discussion **Councilor Berry** asked for clarification of the resolution. **Gervasi** explained the considerations given by the City to the Farmers' Market. **Councilor Forster** questioned the insurance clause that stated product liability coverage for vendors is not covered under this insurance and each vendor is required to sign a hold harmless clause for each vendor application. He wondered if the City could be held liable. **Sorensen** said she would contact City insurance carrier CIS to see if we are covered. **Councilor Decker** withdrew her second and **Councilor Sandusky** withdrew his motion. **Councilor Weber moved to continue this discussion to February 16, 2010 Council meeting. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated.**

**OTHER:**

**Councilor Berry** stated one more request of his committee report. They were asked to look at the pickups parking at the entrance to the Post Office lot. People exiting the parking lot cannot see vehicles approaching from the east. **Chief Wright** responded that he had taken care of the issue.

**STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION:**

**Gervasi** told Council that the items listed on the agenda were for informational purposes only.

**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 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>A/P Batch 02/01/2010</b>	<b>Checks #27681-27745</b>	<b>\$ 142,848.02</b>
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**ADJOURNMENT:**

**There being no further business Mayor McPheeters adjourned the meeting at 9:30 P.M.**

**APPROVED:**

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**Mayor**

**ATTEST:**

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**City Recorder**