

**TILLAMOOK CITY COUNCIL MEETING
MONDAY, MARCH 15, 2010
CITY HALL, 210 LAUREL AVENUE**

CALL TO ORDER/FLAG SALUTE:

Mayor McPheeters called the regular City Council meeting to order at 7:00 P.M. and led the Pledge of Allegiance. He also announced that the Council is accepting applications for Ward 2 for the remainder of Carolyn Decker's term. Mayor asked if any applications had been received. Sorensen replied that the City had received two applications. On one application the applicant called and asked to have the application pulled as there was a conflict of interest with their employer. The second one was not valid because the person did not live in the ward. Sorensen said the vacancy has been advertised and is posted on the city website.

ROLL CALL:

Those present for roll call:

Mayor Bob McPheeters
Councilor Joe Martin
Councilor Steven Forster
Councilor John Sandusky
Councilor Willard Berry

Absent: None.

Councilor Suzanne Weber (Excused)

Staff Present:

John Putman, City Attorney
Arley Sullivan, Public Works Director
Bernadette Sorensen, City Recorder

AGENDA:

The posted agenda for the meeting of March 15, 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.

PROCLAMATION: OREGON ARBOR WEEK – APRIL 4-10, 2010

Mayor McPheeters announced the proclamation of Oregon Arbor Week celebrated for one full week, April 4-10, 2010. The City of Tillamook has been a designated Tree City for 24 years. He gave a brief history of the Arbor Foundation.

PRESENTATION:

Councilor Martin said the presentation was to be made to the Chief of Police. Since he is not here tonight Martin asked that the presentation occur at the next Council meeting.

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MINUTES:

Council minutes for January 19, 2010 were provided in Council packets. **Councilor Berry moved approval of the minutes of January 19, 2010. Councilor Sandusky seconded the motion.** There were no corrections, additions or deletions. **Motion carried unanimously by Council seated.**

MONTHLY REPORTS:

City Recorder:

- Employee evaluations have been completed.
- Elections for Wards 2, 4 & 6 and the Mayor's position will be held this November. Candidate information will be available soon after budget is adopted.
- Statement of Economic Interest should be coming directly to Councilors home address some time in the next two weeks. They are due at the state office on April 15, 2010.
- Have received an additional \$4,400 from our Municipal Court Collection Agency, Credits, Inc.

PUBLIC HEARINGS:

1. CITIZEN HEARINGS - NON-AGENDA ITEMS:

Victor Troxell, business owner in Tillamook, asked Council if they would be hearing his parking issue tonight. Council advised him that this issue is addressed under Committee Reports.

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

COMMITTEE REPORTS:

Public Works Committee – Chair Berry stated that the committee met on March 4th. Items discussed were:

- Tillamook Bay Childcare Center asked to renew their lease of city property located at 1100 Miller Avenue, Tillamook. Representatives from the Head Start program and Child Care Center met with the committee to discuss the terms. All parties agreed to recommend to the full council that a new lease be approved that would run until 2025. Both organizations would pay to the City rent in the amount of \$123/mo. to cover the City's insurance cost. Inflation factor language would also be a part of any rent increases. Section 16.3 of the proposed lease relating to other tenants was stricken from the document as recommended by the City Attorney.
- Parking request by Victor Troxell, Rockaway Jewelers, 115 Main Avenue, Tillamook. After hearing the request the committee recommends approval of the parking request by having the police department issue a placard for Troxell's vehicle.
- The committee reviewed the conditions of the City streets after hearing an update from Jon Williams, Street Supervisor and Arley Sullivan, Public Works Director. The Public Works Committee Project list recommendations for FY2010-2011 was included in packets.
- Trucks using the entry way to and from Hampton Mill are dragging gravel on the road and breaking down the street. Sullivan said Brennan-Nelson had plans to pave that area.

Public Safety Committee – Chair Forster reported that the committee is meeting tomorrow afternoon at 2:00 p.m.

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City Attorney Putman recommended the Council approve the Street Projects List first and then address the action items as listed in the minutes of the Public Works Committee report.

Councilor Martin moved approval of the attached Street Projects List. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated.

Councilor Sandusky moved approval of the parking permit request by Rockaway Jewelers, 115 Main, Tillamook. Councilor Martin seconded the motion. Councilor Forster asked what the approval allows them to do. **Councilor Berry** didn't know all the allowances and/or restrictions of the placard. **Sorensen** responded that when an applicant applies for a parking placard, they apply at the police department. They are given instructions on the use of the placard and sign for it. **Motion carried unanimously by Council seated.**

Councilor Berry stated that the committee discussed the WWTP Open House. It will be held on May 14, 2010. The ribbon-cutting will be at 10 a.m. **Councilor Sandusky moved to adopt the committee's recommendation to have an Open House at the new Wastewater Treatment Plant Friday, May 14th at 10 a.m. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

City Attorney Putman explained the new lease agreement as it was discussed with the Public Works Committee. A lease restriction ~~setting~~ ^{section} that the City would have to find a replacement ^{leasee} should one of the lessee's cease to exist was deleted from the new agreement at his recommendation. It was also agreed that Head Start and the Childcare Center would pay rent in the amount of \$120/mo. (\$60 each) plus \$1/year for the period March 1, 2003 and ending March 1, 2010. New lease shall end on the last day of February 2025. **Mayor McPheeters** asked representative Monica Pyle if they had flood insurance on the building. She said they have flood insurance on the contents but cannot get flood insurance on the building because they are not the owner. **Councilor Sandusky moved to have the Council enter into a lease agreement for the facility to Early Childhood Education Center with Head Start and Tillamook Bay Child Care Center. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.**

Councilor Berry said the committee recommends the installation of three (3) 30-minute parking signs in front of City Hall (the last three parking stalls closest to Third Street). They also recommend approval to place a compact car only sign in front of the last parking stall on the East side on Laurel Avenue in the front of the County Courthouse (the last stall closest to Third Street). **Councilor Sandusky moved to adopt the committee's recommendation to install the (30-minute) parking signs in front of City Hall and the compact car only parking sign in front the county courthouse. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

NEW BUSINESS:

- **Intergovernmental Agreement between City of Tillamook, Tillamook County and Tillamook Urban Renewal Agency – Liane Welch, Tillamook County Public Works Director**, explained the agreement and the rights, duties and authorities for each of the agencies. The agreement is for developing engineering plans and specifications for roadway and drainage improvements on Third Street from Pine Avenue to Wilson River Loop. They have not identified construction money at this time, however if they move forward with design then they can look for construction monies through federal and state grants. Although the City is not bringing forward money at this time it will be part of the selection committee and design review team. They recommend the mayor sign the (3) originals. Welch stated that Tillamook County is bringing \$11,000 to the design process and Tillamook Urban Renewal Agency is bringing \$164,000. **Councilor Sandusky** said this idea is a great example of cooperation.

Councilor Sandusky moved that the City of Tillamook enter into the Intergovernmental Agreement about the Third Street Roadway and Drainage Improvement Project in Tillamook, Oregon. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.

Councilor Forster commended Welch for her participation in this project and the great job she does for the County and working with other agencies.

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- **2010 Flower Basket Planting Program** – **Sorensen** responded that the City has received one bid for the planting of the flower baskets. The bid was received from Rieger’s Nursery for a price of \$55/per basket. **Councilor Forster** questioned an incident that occurred last year on the timing of when the City was to pick up the baskets. **Sorensen** responded that Jon Williams would be delivering the baskets for planting and would have everything lined up for when the baskets would be picked up.

Councilor Berry moved to award the bid to Rieger’s Nursery for the 2010 Flower Basket Program. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.

- **2010 Strategic Plan** – **Sullivan** offered to answer any questions of the Council. The only change from the last discussion on the plan was the inclusion of 6.3. **Councilor Sandusky moved to adopt the 2010 Strategic Plan as presented. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.**

- **Amendment No. 3 to the Intergovernmental Agreement Creating the Economic Development Council of Tillamook County** – **Marshall Doak, Executive Director, Economic and Small Business Development of Tillamook County** stated that the EDC Board has determined that it is in the best interests of the organization to increase the board members to ten and add the TBCC President to the Board. The City, as a party to the original agreement would need to approve and sign off on this amendment.

Councilor Forster moved to approve the mayor to sign the Intergovernmental Agreement Amendment No. 3 to the Economic Development Council. Councilor Berry seconded the motion. Councilor Sandusky disclosed that he is employed by the Community College but has no potential conflict of interest. **Motion carried unanimously by Council seated. Doak** asked for the mayor’s signature on the document immediately. Mayor complied. City would receive a copy containing all signatures once they were obtained.

- **Revised Amendment to Professional Services Contract of Kennedy/Jenks Consultants** – **Attorney Putman** referred any questions of the revised amendment to Public Works Director Sullivan in the absence of the City Manager. **Sullivan** directed the Council to the summary page of the request from Kennedy/Jenks. It explains the additional effort required for the scope of work and the additional cost of \$450,000. Completion date is estimated to December 31, 2010. **Sullivan** recommends acceptance of the amendment. He said that funds are available from the SRF.

Councilor Sandusky moved to accept the revised amendment to the professional services contract for Wastewater services from Kennedy/Jenks Proposal P09100. Councilor Martin seconded the motion. Under discussion **Councilor Berry** asked if the City does nothing with the 12th Street Pump Station will that (\$150,000) go away. **Sullivan** responded that something has to be done at the 12th Street Pump Station but it is on hold for now. However, there were some complications with getting an intergovernmental agreement with Tillamook PUD. It has been on hold for over a year. **Motion carried unanimously by Council seated.**

- **Tillamook County Quilt Trail “Walk Our Blocks”** – Item was put on hold due to the absence of Councilor Weber.

LEGISLATIVE

1. **ORDINANCE ANNEXING TERRITORY INTO THE CITY OF TILLAMOOK UNDER OREGON REVISED STATUTES AND CONSISTENT WITH TILLAMOOK URBAN GROWTH MANAGEMENT AGREEMENT, COMPREHENSIVE PLAN, OREGON ADMINISTRATIVE RULES AND STATEWIDE PLANNING GOALS – SECOND READING**

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Councilor Sandusky moved for the second reading of the ordinance annexing territory into the City of Tillamook by title only. Councilor Berry seconded the motion. Motion carried unanimously by Council seated. Sorensen read the ordinance by title only.

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

Councilor Martin	Aye	Councilor Forster	Aye
Councilor Sandusky	Aye	Councilor Berry	Aye

STAFF COMMUNICATION/CORRESPONDENCE/DISCUSSION:

~~Gervasi mentioned correspondence included in Council packets. He said the City of Tillamook is not the only City in the state affected by new FEMA Flood maps. (DELETE).~~

MAYOR'S REPORT:

Mayor McPheeters reported that Scouting is celebrating 100 years in Tillamook and is being recognized via an invitation to a donation only breakfast Police Cadets will be serving at the breakfast from 8 – 11 a.m. at the Nazarene Church, 2611 Third Street, Tillamook, on March 19, 2010. All the Council is invited to attend. The League of Oregon Cities is sponsoring a contest for all students for posters, essays or videos. It is open to 4th graders to high school and community colleges. Mayor will make available to everyone the contest rules and instructions. Local prizes will be awarded as well as a laptop computer for the winner at the state level. The contest title is "If I Were Mayor".

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 02/18/2010	Check #27875	\$ 42.00
A/P Batch 03/01/2010	Checks #27876-27958	\$ 103,925.55

ADJOURNMENT:

There being no further business Mayor McPheeters adjourned the meeting at 8:15 P.M.

APPROVED:

Mayor

ATTEST:

City Recorder