

**TILLAMOOK CITY COUNCIL MEETING  
MONDAY, MARCH 2, 2009 - 7:30 P.M.  
CITY HALL, 210 LAUREL AVENUE**

**CALL TO ORDER/FLAG SALUTE:**

Mayor McPheeters called the regular City Council meeting to order at 7:38 P.M. and led the Pledge of Allegiance.

**ROLL CALL:**

**Those present for roll call:**

Mayor Bob McPheeters  
Councilor Joe Martin  
Councilor Suzanne Weber  
Councilor John Sandusky  
Councilor Willard Berry

**Absent:**

Councilor Carolyn Decker  
Councilor Susie Coughlan

**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 March 2, 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. City Manager's Monthly Report. (Exhibit A)

**MINUTES:**

Council minutes for Monday, January 5, 2009 were available in Council packets. There were no additions, deletions or corrections. **Councilor Berry moved to approve the minutes of January 5, 2009 as presented. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.**

**PROCLAMATION:        NONE.**

**PRESENTATION:        HOQUARTON TRAIL COMMITTEE UPDATE**

**April Peterson and Laurie Lamb** gave the Council an update on the Hoquarton Trail. The new sign has been installed. Tillamook Estuaries Partnership has funded three interpretive signs for the docks explaining what people are looking at. Children will be helping out in May for the Down by the Riverside project clean-up.

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**Lamb** requested the Council approve a letter of intent for support of the American Association of University Women (AAUW) Memorial Tree Project. The letter of intent lists the responsibilities of each party. The Hoquarton Trail committee meets the 4<sup>th</sup> Monday at 3 p.m. at the Carlich House. Every third Saturday they have a work party that works on the trail or renovating the Carlich House.

**Councilor Sandusky moved to approve the letter of intent with the Tillamook branch of the AAUW for the Memorial Tree Project. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

**MONTHLY REPORT:**

**City Manager:**

- **Transit Center** – The Finance Committee has met to discuss the draft lease. Several changes were made to the document by the Transit Center. The committee and City Attorney recommended changes to their changes. Putman will review and meet again with the committee and council by mid-March with his recommendations.
- **Committee Restructuring** – **Gervasi** will get back to the Council with amendments to Ord. No. 720, Section 5, Rule 4 to add additional language. He hopes to have this before the Council by April 6<sup>th</sup>.
- **WWTP Project** – **Attorney John Baker** will be at the next Council meeting to update the Council on claims and mediation concerning Big River. **Gervasi** is still working on securing additional DEQ/State Revolving Loan funds to pay the remaining construction costs.
- Staff has worked on the 2009 Strategic Plan. It will go before Council later on the agenda.
- **Gervasi** met with Pat Ashby, PUD General Manager regarding the franchise agreement. Just a few items to hammer out.
- The Oregon DPSST Law Enforcement Management Assistance program audit is underway.
- **Gervasi** is preparing the Reimbursement District Ordinance for Council approval.

**Public Works:**

- **Sullivan** commended Jon Williams and Ron Trogdon for the Hoquarton Trail sign posts.
- Staff had a meeting with Boatwright Engineering to discuss water rights issues for the well located on Hampton Mill property.
- The final draft of the MOA and NPDES permit that is being sent to EPA is being reviewed by staff.
- Working on annual employee evaluations.
- 2009 SCA grant has been signed by the mayor and is in final processing for the funding to become available.

**Councilor Berry** asked where the well was located on the Hampton Mill site. **Sullivan** responded and gave a breakdown of the other city wells.

**Police Department:**

- They received youth identification equipment and will use it during the Teddy Bear Fair at the hospital in March. The equipment was purchased through grants and donations.
- His department is working through staffing issues.
- They recently sponsored a gang training for school staff and local law enforcement. They hosted 2-day active shooter training for all local law enforcement.
- Three old patrol cars are now being auctioned online by PropertyRoom.com.
- He is requesting Council review two sign issues that will be presented later on the agenda.

**Municipal Court:**

- **Judge Tim Dolan** included his report in Council packets.

**PUBLIC HEARINGS:**

1. CITIZEN HEARINGS - NON-AGENDA ITEMS: NONE.
2. COUNCIL CONCERNS - NON-AGENDA ITEMS:

**Councilor Martin** said there was a fully loaded truck and trailer on Cedar Avenue between 5<sup>th</sup> & 6<sup>th</sup> Streets that is parked there a lot of the time. He asked Chief Wright if that was allowed. Chief Wright said yes.

**Councilor Weber** encouraged everyone to support the Salvation Army and the Food Bank. There are an increasing number of people in need of help during these economic times. She also commented that the City crew did a wonderful job at Goodspeed Park.

**COMMITTEE REPORTS:**

- **Finance Committee – Chair Councilor Martin** reported that the draft lease for TCTD has been given to the City Attorney to review and update with all the changes.
- **Beautification Committee – Chair Councilor Weber** asked for more forms for property improvement nominations. Cherry trees have been planted at the Dean Wayside. A load of rock received from a grant written by Ed Armstrong was placed to delineate the area. A large rock was placed to house the plaque commemorating the Dean family. This rock was donated by SC Paving. Weber explained the mitigation for the rocks. She also said that Armstrong has a good supply of native plants. Council will receive two bids for the planting of the flower baskets tonight.

The committee is working on dates for the Citywide Clean-Up and Garage Sale Day. The committee is researching Marine Park and will come up with a plan. Tentatively, the next meeting for the committee is March 17<sup>th</sup>.

**OTHER:**

**Mayor McPheeters** noted that High School Spanish teacher Matt Dixon has offered to work with anyone on a skateboard park or a bicycle motocross park. It has been on Council goals to increase the opportunities of healthful activities for youth.

**Councilor Berry** said that United Methodist Church planted 75 trees (Hemlock, Spruce and Cedar) along Holden Creek last Saturday.

**Mayor McPheeters** said that the first full week of April is Arbor Week. Membership for the Arbor Day Foundation is \$15 and entitles you to up to ten little trees.

**NEW BUSINESS:**

- **Ratification of ODOT Quick Fix Agreement - Gervasi** said that at the Feb. 17<sup>th</sup> meeting Council approved the agreement for the sidewalk repairs at the Carlich House with a change to No. 15. ODOT was unable to make that change but did add the City Ordinance that addresses sidewalk repairs being the responsibility of the landowners, in this case, the County. He telephone polled the Council and a quorum was in favor of this change. The mayor has signed the agreement and the project is moving forward. **Councilor Martin moved to ratify the agreement with ODOT. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated.**

- **Mail truck parking issue – Jack DeSwart, 2305 1<sup>st</sup> Street, Tillamook** wrote a letter regarding a problem he is having with trucks parking between Madrona Avenue and Ocean Avenue on 1<sup>st</sup> Street. This is the block where he lives. He told the Council the trucks block the view for cars to pull out onto 1<sup>st</sup> Street from Madrona. They start their diesel engines very early in the morning and let the truck sit and run. This wakes them up. He suggested these trucks should be parked in an industrial area and not in front of his residence. He requested a sign placement stating No Truck Parking. **Councilor Sandusky moved to direct the City to post the south side of 1<sup>st</sup> Street between Madrona and Ocean Avenues passenger vehicle parking only. Councilor Weber seconded the motion. Councilor Martin** asked Police Chief Wright if signing the south side would take care of the problem. Chief Wright said yes. **Motion carried unanimously by Council seated.**

## LEGISLATIVE

### 1. 2009 CITY OF TILLAMOOK STRATEGIC PLAN

Gervasi presented the 2009 Strategic Plan to the Council. Put together by the City Manager and department heads it lists the City Goals 1-7 and Department objectives. At the request of Council he has included a 7.6 Review Business Registration Ordinance for possible updates. He recommends that Council approve the plan.

**Councilor Weber moved that the Council approve the City of Tillamook 2009 Strategic Plan as printed. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.**

### 2. TILLAMOOK FARMER'S MARKET – RESOLUTION

City Attorney Putman had one addition he would like added to the resolution. He would like to see the City added as an additional insured on the Liability Insurance. He recommended including the language in Section 4: Liability Insurance.

**Councilor Weber moved approval of the resolution authorizing the waiver of certain requirements to the Tillamook Farmer's Market and approval of certain uses during the Farmer's Market season with the recommended language added. Councilor Sandusky seconded the motion.** Discussion followed on the location of the Farmer's Market. **Motion carried unanimously by Council seated.**

Additionally, Chief Wright requested a motion to approve signing Laurel Avenue between 1<sup>st</sup> and 3<sup>rd</sup> Streets on both sides, No Parking on Saturday between 7 a.m. and 3 p.m. for Farmer's Market. This is due to increased activity and parking on Laurel around the time the Farmer's Market is occurring. The signs would be in addition to other signs and can be removed in off season. The cost could be presented to the Market to pay at the City's option.

**Councilor Berry moved that the recommendations by the Chief of Police regarding No Parking on Saturday between 7 a.m. and 3 p.m. for Farmer's Market. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.**

### 3. FLOWER BASKET PROGRAM BIDS

Councilor Weber referred to the documentation in Council packets including advertisement and bids received. The City received two bids. Rieger's Nursery for \$5,500 and Hidden Acres Greenhouse for \$7,500. The Beautification Committee recommends the approval of the bid from Rieger's Nursery for \$5,500.

**Councilor Weber moved to award the bid for the Summer Flower Basket Program planting to Rieger's Nursery. Councilor Sandusky seconded the motion.** Under discussion, Attorney Putman suggested Council insist on a contract for the presentation of this award.

**Councilor Berry moved to amend the motion to include a contract is drawn up per the City Attorney. Councilor Martin seconded the motion.** In discussion Council agreed by their action tonight that the contract shall be signed without coming before Council again. **Motion carried unanimously by Council seated.**

**Main motion carried unanimously by Council seated.**

4. **OREGON SOLUTIONS PROJECT (O/S) #4**

**Gervasi** updated the Council on this project. It calls for a Needs Assessment and Economic Opportunity Analysis (EOA) which is a land use related project that will analyze and plan for the re-use of sites voluntarily vacated in the Flood Hazard Areas on Hwy. 101N and will look to insure that there are adequate and suitable receiving areas in an effort to retain businesses and encourage new ones within the Tillamook Community. The City requested proposals from five (5) consultants familiar with performing needs assessments and economic opportunity analyses (EOA). Two proposals were received. These proposals were evaluated to determine which one meets the city's needs. The recommendation is to award the proposal to Johnson Gardner, LLC for a not to exceed price of \$17,000. The City's cash contribution of \$3,000 to this project was budgeted out of the Mayor and Council sub-fund, Special Projects line item.

**Councilor Martin moved to accept the Johnson Gardner, LLC bid for a not to exceed price of \$17,000 to do Oregon Solutions Project No. 4. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated.**

**STAFF COMMUNICATIONS/CORRESPONDENCE:**

**Gervasi** told the Council items for discussion at their work session for March 16, 2009. The session will begin at 5 p.m. and dinner will be served. John Baker, attorney representing the City for the issues at the WWTP will give Council an update. The Planning Commission will meet with Council to hear about the Highway 101 and Highway 6 project. Lastly, there will be discussion regarding the Intergovernmental Agreement with Tillamook County regarding building permits.

**MAYOR'S REPORT:**

**Mayor McPheeters** told Council he attended a League of Oregon Cities board meeting last week. Discussion was on the budget, cutbacks and the possibility of diverting 9-1-1 funds to other areas. He briefed the Council on a bill in the Senate dealing with the mandatory 70-30% split on Transient Room Tax collections. They are looking at adjusting the split so entities could use more than the 30%. He will keep the Council apprised of this bill.

**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.

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**GENERAL CHECKING ACCOUNT**

Special Batch 2/26//09	Check #26151	\$ 2,868.00
A/P 3/02/09	Checks #26152 – 26194	\$ 47,812.82

**ADJOURNMENT:**

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

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

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City Recorder