

**TILLAMOOK CITY COUNCIL MEETING
MONDAY, MAY 4, 2009 – 7:30 P.M.
CITY HALL, 210 LAUREL AVENUE**

WORKSHOP: City Council meeting was preceded by a workshop beginning at 6:00 P.M. to discuss 2008-2009 budget items and the Transit Center draft lease agreement.

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 John Sandusky
Councilor Willard Berry

Absent: None

Staff Present:

Mark Gervasi, City Manager
John Putman, City Attorney
Terry Wright, Chief of Police
Arley Sullivan, Public Works Director
Mary Tucker, City Clerk

AGENDA:

The posted agenda for the meeting of May 4, 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. Copy of the Transit Center draft lease agreement.
2. Doug Henson passed out copies of a memo from Deborah Dyson, Attorney, to Doug Henson, representative of the Tillamook Revitalization Association (TRA), in support of the TRA receiving the \$25 surcharge fee.
3. A letter addressed to the Mayor, Council and City Manager, from City Planner, David Mattison, regarding the termination of the City/County Intergovernmental Agreement was handed out by the City Manager to the Mayor, Council and County representatives, Commissioner Josi and Gerald Parker, Director of the Tillamook County Department of Community Development.

MINUTES:

Council minutes are not available at this time.

STAFF REPORTS:

Mark Gervasi, City Manager:

- City/Transit Center lease agreement project was discussed at the workshop prior to the council meeting. The city attorney has direction and will prepare a final draft.

**Tillamook City Council Meeting
May 4, 2009**

- The City Manager will have work papers available by May 18, 2009, for the Mayor and Council, so that the Cities committees' structure as it is now and how the Council recommended they would like it to be set up may be discussed and work started to begin the process of change.
- A supplemental budget resolution of DEQ Amendment #6 for an additional \$866,664 was prepared for Council consideration.
- Also prepared for consideration was a supplemental budget resolution to accept \$45,000 in grant and reimbursement funds to the city. The funds will go into the General fund and the Fuel Business License Fund.
- The City has received the signed Franchise Agreement between the Tillamook PUD and the City. The 6% franchise fee has gone into effect as of April 1, 2009.
- City Manager, Mark Gervasi and Public Works Director, Arley Sullivan, will be meeting to take the next steps toward implementing the Reimbursement District ordinance, to reimburse applicants for public improvement.
- City Manager and city staff are working hard to prepare the 2009-2010 Budget. The first budget meeting is scheduled for Monday, May 11, 2009.
- Pauly Rogers, the City Auditors, will be at our June 1, 2009 Council meeting to present the 2007-2008 audit.

Terry Wright, Police:

- The final episode of CSI for the third grade class at South Prairie is May 20, 2009. The police are requesting any volunteers that would like to help to contact Terry Wright. The event will be from 12:00 a.m. to 3:00 p.m. at South Prairie School.
- The Every 15 Minutes Program went very well. There was good coverage in the paper and there is high expectation that this program will be a positive influence with graduation and summer coming up. Special thanks were mentioned for Officer Troxel's, Sergeant Kettner's, and Officer Harris' involvement.
- The Police Department would like to have a workshop in June to discuss the new equipment they have acquired, the grants that provided them, and to answer any questions posed.
- During the Chief's Conference Chief Wright was presented with a plaque for being on the Board for ten years and a service award for his efforts with the Conference and OACP. He was also presented with the prestigious Max Patterson Award, given out to a chief that goes above and beyond with involvement in youth programs. It was figured that thru the City's program in California, in the last ten years, there has been 1.5 million dollars funneled into other area law enforcement youth programs.

Arley Sullivan, Public Works:

- The Water Department is still working with Boatwright Engineering on a water right transfer from an existing well to an unnamed well on the Hampton Lumber property.
- Arley Sullivan sent a new application for stimulus funds for street projects on May 4, 2009 because the State of Oregon changed its application form. The Carlich House sidewalk is scheduled to be replaced when the weather allows for the work to be done.
- The sewer department is seriously considering changing from gas chlorination and using liquid chlorine application at the wastewater plant. The high dollar upgrades required for our existing gas chlorination room to meet new fire codes is the chief reason. Another consideration is the lack of stringent OSHA rules and requirements for the liquid chlorine application. The engineers are working on this issue.

**Tillamook City Council Meeting
May 4, 2009**

- The department supervisors have been working on the budget. Balanced budgets for the Street, Water and Sewer Departments have been presented to the city manager. Work is still being done on the Carnahan Park and Hoquarton budgets.
- Oregon DEQ is requiring the City to do upgrades to the 101 N. collection system. The City is working with Kennedy Jenks on STEP system upgrades versus conventional gravity sewer collection for the 101 N sewer system. The City has invited another agency to give us a cost comparison. Due to the high costs, rather than taking on the whole job on at once, the City would like to set aside funds each year and do the upgrades systematically.

Timothy Dolan, Municipal Court Judge:

An issue with drivers focusing on the stop light at 1st and Main and running through the light at 1st and Pacific was raised by Mr. Dolan in his April Monthly Report. There has been some discussion between the court and the police department, with no solution available. There is the hope that this issue will be brought up when ODOT looks at improving intersection flow.

PUBLIC HEARINGS:

1. **Citizen Hearings – Non Agenda Items –NONE**
2. **Council Concerns – Non Agenda Items – NONE**
3. **Supplemental Budget.**

- Sewer fund needs to account for the additional funds from the Oregon DEQ state revolving loan #91567, in the amount of \$866,664.00. These funds will be used to help with the wastewater plant upgrade. There was no public discussion.
- The General Fund #1000 will receive \$20,000 from a grant from the Department of Land Conservation and Development to assist the City to analyze and plan for the re-use of sites voluntarily vacated in Flood Hazard areas and insure that there are adequate and suitable receiving areas in an effort to retain businesses and encourage new ones within the community. An additional \$5,000 is a reimbursement from Adelhorst International Inc. for the city's K-9 program. The Fuel Business License Fund #2400 will receive a \$20,000 ODOT Quick Fix Grant to fix a section of sidewalk on State Highway 6 (First Street) in front of the Carlich House. There was no public discussion.

PERMITS & LICENSES:

OLCC APPLICATION-DRD NORTHWEST dba Denny's #8113

Cindy Weight, Manager, stated Denny's purpose in applying for an OLCC permit was to have additional beverages for customers to enjoy and relax while having their dinner. Their alcoholic beverages are priced so as not to promote clientele that would hang out to drink. Councilor Martin inquired as to the status of the routine background check. Chief Wright stated that they were unable to do a regular check due to the size of the organization who owns Denny's. He also stated that he has had several contacts with the management at Denny's and he has been extremely impressed with their professional responses, which were far above the expectations of most businesses. Chief Wright has no objections to the application. Councilor Berry inquired as to problems with servers who are not 21 years of age and the influence on young people where alcoholic beverages are sold. According to Cindy Weight, Denny's alcoholic beverages are under lock and key and only qualified persons have access. If a person is carded for any reason and does not have identification, then they will not be served. They will not serve to intoxicated persons and they quit serving alcohol shortly before the time the bars close. Close management scrutiny and employee training promote a pleasant family atmosphere. All Denny's restaurants in Portland have alcohol permits and have an outstanding record with the OLCC. Councilor Sandusky moved to approve the OLCC application for DRD NORTHWEST dba Denny's #8113. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.

PRESENTATIONS: NONE

PROCLAMATIONS: NONE

NEW BUSINESS

1. County/City Building Permit Process – IGA

County Commissioner, Tim Josi, and Butch Parker, Director of the Tillamook County Community Development Department were present to discuss Tillamook County terminating the IGA allowing the City of Tillamook to process building permits within the city. The City Council would like to keep the agreement in place, in order to strategize proposed city development. Commissioner Josi stated that Butch Parker and Craig Wakefield, Tillamook County building official, approached each of the three commissioners individually in December 2008 and they concurred individually that the letter terminating the agreement be sent. The County's stated issues were the inaccuracy of permit processing and the confusion for customers. Mr. Parker stated that the County has the trained and certified permit technicians to deal with permits and that the department felt that it would be in the best interest of the customer to have the whole building process done at the County, with the exception of zoning which would be the first step in the building permit process and would remain the City's responsibility. A letter from David Mattison, City Planner, to the Mayor, Council, and City Manager was presented to the county representatives and listed a number of reasons that he felt that the County had not gone through the proper process to terminate the agreement. After some discussion, Commissioner Josi said that he would take the letter back before the County Commissioners and legal counsel, William Sargent, and present their decision to the City Council.

2. Business Registration \$25.00 Surcharge

Public hearing was held on May 4, 2009 and on reflection Council was ready to move forward on the issue. **Councilor Weber moved to direct staff to prepare a resolution supporting the \$25.00 Surcharge, for an additional period of two years. Councilor Decker seconded the motion. Motion carried unanimously by Council seated.**

3. Council Vacancy for Ward #4

There are three applicants for the Ward #4 vacancy; Katherine Skinner, Richard White, and Steven P. Forster. Each of the three candidates came before council and gave their background and their purpose in applying for the position. Discussion was held as to the proper method of electing the person to fill the vacant position. Council did a written ballot to fill the position.

The first vote was as follows: Councilor Martin-Dick White, Councilor Sandusky-Katherine Skinner, Councilor Berry-Katherine Skinner, Councilor Weber-Steven Forster, and Councilor Decker-Steven Forster.

The vote off was as follows: Councilor Sandusky-Katherine Skinner, Councilor Berry-Steven Forster, Councilor Weber-Steven Forester, Councilor Decker-Steven Forster, and Councilor Martin-Katherine Skinner.

Steven Forster will be sworn in at the May 18, 2009 council meeting and serve a one and a half year service.

Mayor McPheeters suggested Katherine Skinner might want to fill the vacant position on the budget committee. **Councilor Sandusky moved the council appoint Katherine Skinner to the vacant position on the City budget committee. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.**

LEGISLATIVE

1. Resolution adopting a supplemental budget for FY2008-2009 and appropriating funds in the amount of \$866,664.00 within the sewer department fund #2200, by increasing DEQ SRF loan R91567. The aggregate principal amount is not to exceed \$12,271,773.00. **Councilor Sandusky moved to approve the resolution. Councilor Berry seconded the motion. Motion carried unanimously by Council seated.**

**Tillamook City Council Meeting
May 4, 2009**

2. Resolution adopting a supplemental budget for FY 2008-2009 and appropriating funds within the General fund #1000 and Fuel Business License Fund #2400. **Councilor Weber moved for the City Council to adopt the resolution. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.**

OLD BUSINESS: NONE

COMMITTEE REPORTS/UPCOMING MEETINGS:

1. **City of Tillamook Annual Spring Cleanup** on two consecutive **Saturdays, May 9 and 16, 2009 between 9 A.M. and 3:00 P.M.** at the Tillamook Transfer Station located at 1315 Ekloff Road.
2. The first **Budget Committee meeting is on May 11, 2009 at 5:15 P.M. at City Hall.**

MAYOR'S REPORT: Federal legislative action and transportation bills recently passed, under the Stimulus Act, are going to free up funds for road repairs and upgrades. These funds must be met by state funds. The State has proposed that these matching funds be raised by increasing the gas tax or vehicle registration fees. Mayor McPheeters suggests that if voters decline any suggested increases, they will have to pay the difference in vehicle repairs and tire costs created by poor road conditions.

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. Councilor Decker seconded the motion. 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 part of the record.

GENERAL CHECKING ACCOUNT

Special Batch 4/27/09	Check #26414	\$ 286.00
A/P 5/4/09	Checks #26415 – 26478	\$255,918.45

ADJOURNMENT:

There being no further business Mayor McPheeters adjourned the meeting at 8:48 P.M.

APPROVED:

Mayor

ATTEST:

City Recorder