TILLAMOOK CITY COUNCIL MEETING
MONDAY, SEPTEMBER 20, 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.

ROLL CALL:

Those present for roll call:

Mayor Bob McPheeters
Councilor Joe Martin
Councilor Matt Harris
Councilor Suzanne Weber
Councilor Steven Forster
Councilor John Sandusky
Councilor Willard Berry

Absent: None

Staff Present:

Rob Drake, Interim 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 September 20, 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. Interim City Manager's Monthly Report. (Exhibit A)
3. Bus Maintenance Facility Open House invitation. (Exhibit B)

MINUTES:

Council minutes were not available at this time.

PROCLAMATION: **DOMESTIC VIOLENCE AWARENESS MONTH**

Mayor McPheeters announced that October is designated as Domestic Violence Awareness Month.

PRESENTATIONS: **None**

MONTHLY REPORTS:

City Recorder:

- City is now actively accepting credit cards for payments via telephone and counter.
- Attendees to the League of Oregon Cities annual conference have pertinent information in their mailboxes.
- City has received notification that they are a recipient of a Wellness Award from CIS to be given out at the conference.
- Gave the Council an update on the fire that destroyed Mill City City Hall. Sorensen told the Council that all critical records of the City of Tillamook are contained in the fire proof safe. The server hosting all of the City's software is backed up daily. Worst case scenario would be loss of one day's data.
- It was noted that revenues for all funds except the General Fund was inadvertently left out of the report in the Council packets. Sorensen said she would furnish the information to Council for the next meeting.
- Councilor Weber asked if the collections from credit cards are above or normal for what they would have collected. Sorensen responded that a determination could not be made until some history has accumulated.

Other:

- **Sullivan** told the Council they have received the bids for re-roofing the City Shops storage building. Bids are under $5,000. He is advising the Council that work will commence shortly.

Interim City Manager (Exhibit A):

- He has been investigating and working on the WWTP expansion, loan repayment, rate setting study and litigation.
- He had a discussion with litigation attorney John Baker, State Senator Betsy Johnson and consultant Steve Donovan regarding the rate structure and consultant Vicki Goodman.
- He is working on the implementing mechanism for the Reimbursement District Ordinance.

Manager (Exhibit A):

- Oregon Solutions #4 –the study (purpose is to perform an Economic Opportunity Analysis to determine the City's economic goals, policies and land needs concerning businesses located in the Hwy. 101 flood zone and their relocation) was presented to Council on July 19th and will be given to the County Oregon Solutions Project Team as well as the Oregon State Department of Land Conservation and Development who funded this study.
- The City has joined with the County to appeal the FEMA FIRM maps.
- He is working on the City Personnel Handbook and will have a draft to the Personnel Committee before September 1, 2010.
- Ongoing: He is preparing the legal instruments to establish two Reimbursement Districts in the City where new sewer line extensions were made and paid for by private developers. Those district areas are:
    1. East Third Street from the Seniors with Disabilities building to the Fairview Market near Schild Road. This line lives in the Third Street right-of-way.
    2. Near 12th Street from the City sewer line on the Five Rivers complex property east to where the line ends. The City has an easement for this line.
- He is requesting a workshop on Monday, August 16, 2010 at 6 P.M. to give an update on city projects in progress. Council agreed.
- Need a meeting to go over proposed City of Tillamook/Chamber of Commerce contract. Committee members appointed by Mayor McPheeters are Councilors Martin, Weber and Harris. Councilor Weber said she is not available this week.

Planning Dept.:

- Councilor Martin asked Gervasi for an update on the dentist sign on 12th and Main Avenue that he brought up at the last meeting. The sign blocks the view of cars heading south from drivers heading west across Main. Sullivan said he and the planner looked at the location. The sign has been there a long time. People just need to use caution when proceeding across the intersection.

Public Works:

- Waterline upgrade from 9th to 11th Street is complete. Waterline upgrade on 6th St. at Elm has begun is moving along well. They are in the process of reviewing an easement with the State Forestry Department concerning the Fawcett Creek impoundment relocation.
- Street Dept. has completed the 12th St./Miller Ave. SCA project. Painting of street markings has been delayed due to the unavailability of paint which was impacted by the gulf oil spill.

- Sewer Dept. – a digester boiler has been operating on methane gas entirely for the past several weeks which means a dramatic cost-saving on propane gas use. DEQ mandated P3 testing for effluent water toxicity will start in July and end in November. The results of these tests will have a possible impact on the WWTP in that a further treatment process may be required. Found and repaired a sewer leak adjacent to the old Dean property.
- General: TURA has chosen from three drawings their parking lot design on Stillwell. It will be going before the Planning Commission on August 19, 2010. The CAD drawing file was given to an engineer for lighting and storm water design additions. Sullivan attended a Tillamook County Toxics Reduction Taskforce start up meeting to discuss the DEQ P3 concerns and how best to deal with them on a countywide level. Also discussed was how best to address the matter with the public for their support.

Police Dept.:

- Rough draft for the Nuisance Ordinance is completed and given to City Attorney for review.
- Still haven't heard anything on the COPS grants. Hoping to hear by September.
- This Friday they are testing 35 candidates. They have already exhausted the list of certified candidates so these candidates would have to attend the academy.
- Cadets helped with the Relay for Life. They are working on a Special Olympics event at the Air Museum and are active with training. The cadets had a tour of the U.S. Coast Guard facility in Garibaldi.
- They have identified and sent out warning letters to about 25 businesses and residences in regards to violations of tree clearance requirements in the zoning code. Trees must have 8' of clearance from the walkway and 14' of clearance from the street. They will continue to work on this issue.
- Mayor McPheeters asked about tuition to the academy and who pays. The only cost is wages paid during their training. There is new legislation that addresses if in so many months a new hire goes to another agency, that agency is responsible for reimbursing the City a prorated amount for the training.
- Councilor Berry asked if a workshop could be held to start working on animal nuisances. Chief Wright said he planned to do a rewrite of the several ordinances involved sometime next year. Councilor Forster said for a particular incident that an individual wanted to report there is a form available.

Municipal Court Judge:

- Judge Dolan's report was included in Council packets. Mayor McPheeters mentioned the change in the Motor Vehicle Storage Ordinance requiring movement of the vehicle every 24 hours (instead of 72 hours).

PUBLIC HEARINGS:

1. CITIZEN HEARINGS - NON-AGENDA ITEMS:

Mark McClaskey, Mar Clair Inn, Tillamook spoke of his concern over the recent increase in sewer billings. He would like to be contacted regarding how the structure is set up for his motel. He used $37 worth of water and was charged $850 for the sewer portion of the bill. He commented that it was tough doing business in Tillamook.

Laurice Meyers, 2310 6th Street, Tillamook told the Council she was interested in starting a Neighborhood Watch program in Tillamook. Chief Wright responded that he has been contacted by several people wanting to start programs in their neighborhoods. They have to develop a group of people that want to participate. Once the group is established then call the Police Dept. and they would be happy to work with them.

2. COUNCIL CONCERNS - NON-AGENDA ITEMS:

Councilor Sandusky asked if Public Works could look into the matter brought forward by Mark McClaskey regarding the rate structure for motels. Sullivan responded that they are following the recommendations of the engineering study done but it is worth taking another look at it.

3. PROPOSED LAND USE FEE INCREASE:

COMMITTEE REPORTS:

- **Personnel Committee: Chair Weber** stated that the committee is meeting tomorrow at 9 a.m. It is also meeting on July 13th. She requested that the time for that meeting be moved to 1 p.m. Councilor Berry asked for the Personnel Committee to consider removing the cost of living in with merit pay in the Salary Schedule. Sorensen said it was separate before but at the request of the Council it was merged together. She stated this is a change the Council can direct staff to make.

- **Beautification and Parks Committee – Chair Weber** said the meeting is scheduled for July 20th at 9 a.m. here at City Hall.
- **Finance Committee** – N/A.
- **Public Safety Committee – Chair Forster** reported that a meeting needs to be rescheduled.
- **Public Works Committee – Chair Berry** stated that the committee met on June 29, 2010. Minutes of the meeting were provided to Council (Exhibit A). He went over each agenda item and the committees' recommendations.

PENDING BUSINESS:

- **Carlich House MOA with Tillamook County – Gervasi** explained the original reason for the MOA has expired. The Hoquarton Trail Committee no longer uses the Carlich House. The Carlich House belongs to the County. Gervasi said that he has heard from several of the Hoquarton Trail Committee members that they no longer need the Carlich House. The City is paying the utilities at this location. He has been approached by someone wanting to use the building. Organization, use and intent are unclear at this time.

  Mayor McPheeters asked Butch Parker, Tillamook County Community Development Director to comment. **Parker** said he could not speak for the commissioners but a building in such disrepair probably would not be used by the County. **Sorensen** questioned why the City should pay for electricity at a building owned by the County and in such disrepair. **Councilor Martin** said that if someone else wants to use the building let me make an agreement with the County and let the City get out from under it. Council asked Gervasi to provide more information at the next Council meeting.

NEW BUSINESS:

Council agreed to hear recommendations of the Public Works Committee under New Business.

1. **Councilor Berry moved to have "No Parking" signs approved for the duration of the fair and other major events at the Fairgrounds for the area on 3rd Street from the west gate of the fairgrounds to Schild Road and McCormick Loop Road. Councilor Martin seconded the motion.** Under discussion **Chief Wright** explained that Council by ordinance should have approval of all signs within the City limits. This recommendation is worded to address this issue now and in the future. **Councilor Forster** mentioned he heard from concerned citizens that the No Parking signs went up to raise revenue by forcing people to pay for parking at the fairgrounds. Forster said he now understands that this is a safety issue for pedestrians parking and then walking along the street to and from the fairgrounds. **Motion carried (4-1) with Councilor Weber casting a nay vote.**

2. **Councilor Berry moved that a 30-minute loading zone be approved on the south side of 2nd & Main. Councilor Martin seconded the motion.** Under discussion **Councilor Weber** asked for a more-detailed explanation. Chief Wright explained that the committee had received a stack of 15-minute and loading zone requests from vendors at the Second Street Market. This recommendation will address the needs of the vendors. **Motion carried unanimously by Council seated.**

3. **Councilor Berry moved to approve the 15-minute parking space adjacent to the 30-minute loading zone. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.**

4. **Councilor Berry moved that the request for a 15-minute parking exemption pass from Body N' Sole, 403 Main Avenue is granted. Councilor Martin seconded the motion.** Under discussion **Chief Wright** explained that a placard will be given and will need to be placed on the dashboard of the vehicle. **Motion carried unanimously by Council seated.**

5. **Councilor Berry moved that a strongly worded letter be sent to the County Commissioners deploring the condition of the county roads located in the City and a copy of the letter forwarded to the *Headlight-Herald*. Councilor Martin seconded the motion.** Under discussion **Councilor Forster** asked for clarification on what streets are included in the motion and why a strongly worded letter was necessary. **Councilor Berry** responded that the streets in question were 3rd Street, Marolf and 12th Street. The County seems to fix potholes elsewhere with little consideration to their streets located in the City limits.

   Councilor Weber commented that it is the County's intention to fix the road in front of TBCC this summer. **Councilor Forster** did not agree with a strongly-worded letter and copied to the newspaper. He felt a telephone call from the Public Works Director to the county would be better. He also acknowledged that the county is suffering because of economic times and most recently a story appeared in the paper about the county considering putting road repairs on the ballot. **Motion failed (2-3) with Councilor Weber, Councilor Forster and Councilor Harris casting nay votes.**

6. **Councilor Berry moved to have the County place a No Parking sign along Marolf on the west side due to limited visibility and safety concerns. Councilor Martin seconded the motion. Chief Wright** clarified that this would be for two spaces. **Motion carried unanimously by Council seated.**

7. **Chief Wright** said that the agreement with the County on paid parking spaces is not at issue at this time. The County is still working on how many spaces they will need with the Community Development Dept. relocating to the old TLC building. However, they are formally requesting that the City yellow out what was a County parking space on First Street closest to the mailbox drop. The space

is identified as #74 and the county is willing to continue paying for the space. They feel it is a safety issue and the employee that used that spot had his car ran into by someone pulling wide out of the Post Office lot.

Councilor Berry moved that parking spot #74 leased by the County be painted yellow to facilitate people going to the mailbox. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.

LEGISLATIVE

1. **APPOINTMENT OF TONY VELTRI, HURLIMAN-VELTRI INSURANCE AS AGENT OF RECORD FOR THE CITY OF TILLAMOOK -- RESOLUTION**

Councilor Weber moved for the approval of the resolution appointing Tony Veltri, Hurliman-Veltri Insurance Services as the agent of record for the City of Tillamook and repealing Resolution No. 1330. Councilor Forster seconded the motion. Under discussion **Councilor Berry** questioned the reference to contractor in the resolution. Services provided by the agent of record on behalf of the City of Tillamook with City County Insurance Services were explained by the City Attorney. Commissions are received by the agent and paid from CIS directly. **Motion carried unanimously by Council seated.**

STAFF COMMUNICATION/CORRESPONDENCE/DISCUSSION:

Gervasi mentioned correspondence included in Council packets. He said if councilors wanted to see a copy of the Water, Wastewater and Stormwater 2009 Survey done by the League of Oregon Cities they could stop by and check it out. It is a large document so he didn't make individual copies.

Gervasi said also included with correspondence are letters he prepared to motel/hotel owners in Tillamook regarding the payment of collected taxes on a monthly basis beginning with July 2010 and the increase of that tax from 9% to 10% with the additional 1% going to promote Tillamook Chamber of Commerce

EXECUTIVE SESSION: ORS 192.660(2) (E) Real Property Transactions

At 8:40 P.M. Mayor McPheeters announced that Council would be going into Executive Session after a 5-minute recess.

City Council reconvened from Executive Session at 9:05 P.M. Gervasi asked the Council if they are interested in being the sub-grantee in first position on the subject property should it avail itself of a FEMA buyout.

Councilor Weber moved to have the City continue the policy established by Council in FEMA buyout opportunities. Councilor Martin seconded the motion. Motion carried unanimously by Council seated.

MAYOR'S REPORT:

Mayor McPheeters reported on the new 80-page brochure published by Tillamook Estuaries Partnership on waterways in our area. It is an excellent source of information on kayaking, canoeing, fishing, and boating.

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

A/P Batch 09/20/2010	**Checks #29653-29709**	**$ 27,525.68**

ADJOURNMENT:

There being no further business Mayor McPheeters adjourned the meeting at 7:52 P.M.

APPROVED:

Suzanne Weber

Mayor

ATTEST:

Abigail Smoot 1/17/12

City Recorder