

**TILLAMOOK CITY COUNCIL MEETING
MONDAY, SEPTEMBER 21, 2009
CITY HALL, 210 LAUREL AVENUE**

WORKSHOP: City Council workshop at 6:00 P.M. to discuss ODOT/City US Hwy. 101/OR 6 with representatives from ODOT.

CALL TO ORDER/FLAG SALUTE:

Council President Martin chaired and 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:

Staff Present:

Mark Gervasi, City Manager
John Putman, City Attorney
Terry Wright, Chief of Police
Bernadette Sorensen, City Recorder

AGENDA:

The posted agenda for the meeting of September 21, 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.

PROCLAMATION: NONE.

MINUTES:

Council minutes of Aug. 17, 2009 were available and included in Council packets. The following corrections by Councilor Berry were noted. On page 3 under New Business -- include in Request for Partial Fee Waiver that **request was made by Kelly Vice for Planning Commission Site Plan action**. Under Old Business include description via tax lot no. 1S10 25AC 00100 on Schmidt property possible land donation. **Councilor Sandusky moved approval of the minutes of August 17, 2009 with noted corrections. Councilor Forster seconded the motion. Motion carried unanimously by Council seated.**

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PRESENTATION: NONE.

MONTHLY REPORT:

City Recorder:

- Reported on the Municipal Court outstanding collections this fiscal year.
- Briefed the Council on classes attended at the Local Government Personnel Institute conference.
- Updated Council on the League of Oregon Cities annual conference in October. All accommodations have been made.
- Notified all TRT grant recipients from last year to present report for Council by Sept. 28th. They will be included in Council packets for the October 5th meeting.
- Councilor Berry asked about Animal Control money coming in from the County. Chief Wright responded that money has been received but data entry is a little behind due to the birth of her baby.
- Councilor Berry asked about the City Sanitary Franchise fee. Gervasi responded that it was discussed during the budget process and is going into the Street Fund for this fiscal year.

PUBLIC HEARINGS:

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

2. **COUNCIL CONCERNS - NON-AGENDA ITEMS:**

Councilor Berry said there were weeds growing on the SW corner of Third and Laurel.

Councilor Martin said that the people of Cedar Plaza Apartments did a good job of cleaning up their property.

Councilor Weber asked what had happened to the church signs taken down by ODOT. A person from her church would like the sign back that they paid for.

PERMITS & LICENSES: NONE

COMMITTEE REPORTS: NONE

NEW BUSINESS:

- **WORK SESSION – WATER DEPARTMENT DOOR HANGER FEE**

Gervasi said he talked with staff and asked that this issue be held back to a later time, possibly January or February. Council agreed.

- **RESIGNATION OF ROB HUSTON FROM THE TILLAMOOK PLANNING COMMISSION**

Councilor Weber moved to accept the resignation of Rob Huston from the Tillamook Planning Commission. **Councilor Sandusky** seconded the motion. Motion carried unanimously by Council seated. **Gervasi** said there are two positions open.

OLD BUSINESS:

- **Update on the City of Tillamook/Tillamook County Transportation District lease.** Gervasi asked that this item be placed at the end of the agenda. Council agreed.

LEGISLATIVE

1. ORDINANCE AMENDING ORD. NO. 720, RULE 4 OF SECTION 5 RELATING TO RULES AND COMMITTEES OF THE COUNCIL – SECOND READING

Councilor Berry moved to have the second reading of the ordinance amending Ordinance No. 720, Rule 4 of Section 5 relating to rules and committees of the Council by title only. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated. Ordinance was read by title only by City Recorder Sorensen.

Councilor Berry moved to adopt the ordinance. Councilor Decker seconded the motion. Motion carried unanimously by the following roll call vote:

Councilor Martin	Aye	Councilor Forster	Aye
Councilor Decker	Aye	Councilor Sandusky	Aye
Councilor Weber	Aye	Councilor Berry	Aye

STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION:

- Letter from DEQ to Tillamook County Public Works regarding 2008 Material Recovery Report. No action necessary.
- Tillamook County Shilo levy repair invoice for \$70,000. **Gervasi** told the Council that Commissioner Labhart had come to the City Council some time back to ask for city support to help with the cost of the levee repair. \$20,000 was placed in the current budget for Oregon Solutions. In a conversation with Commissioner Labhart Gervasi told him that \$70,000 in one fiscal year was too much for the city to give. Commissioner Labhart asked that the Oregon Solutions dollars be used for the levee. **Councilor Weber** asked how much money the businesses adjacent to this levee have contributed. Gervasi said he would send a letter to Commissioner Labhart requesting that information. **Councilor Sandusky** said he did not recall the Council making a decision to give that money. **Councilor Forster** asked if the city contributed the \$20,000 this year would it be committed contractually for the remaining \$50,000. Council agreed that they need clarification on what action, if any, was taken at the time of the request. Council asked for minutes to see what they agreed to. **Gervasi** stated that the Council agreed to support Oregon Solutions in the amount of \$20,000 but the Shilo levee is not part of the Oregon Solutions projects.

EXECUTIVE SESSION:

ORS 192.660 (2) (e) REAL PROPERTY TRANSACTIONS

At 7:55 P.M. Council President Martin announced that Council would be holding an Executive Session according to the above referenced ORS.

At 8:48 P.M. Council President Martin announced the return to regular session from Executive Session.

Councilor Sandusky moved to direct the City Attorney to prepare a letter to the Tillamook County Transportation District Board of the Council's wishes to enter into mediation as set forth in Section IV. General Provisions D. 1 Dispute Resolution of the Memorandum of Agreement. **Councilor Forster** seconded the motion. For clarification, Sorensen asked if the letter was to be signed by all of the Council. Council agreed they would all sign the letter. Motion carried unanimously by Council seated.

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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

A/P Batch 9/21/09

Checks #27090-227137

\$ 169,257.32

ADJOURNMENT:

There being no further business Mayor McPheeters adjourned the meeting at 9:50 P.M.

APPROVED:

Mayor

ATTEST:

City Recorder