

OCTOBER 4, 2017

The regular meeting of the Gearhart City Council was called to order on Wednesday October 4, 2017 at 7:00 p.m. by Mayor Matt Brown. Present were Councilor Lorain, Councilor Jesse, Councilor Smith, Mayor Brown, Councilor Cockrum, City Attorney Peter Watts, City Administrator Chad Sweet and City Treasurer Gail Como.

Mayor Brown mentioned we will add an additional 3 minute visitor section with the consensus of the Council. Council agreed.

There was no conflict of interest declared by any member of the Council.

Councilor Cockrum asked for a few additions on page 3 of the Sept. 6, 2017 council meeting minutes. ON MOTION by Councilor Cockrum, 2nd by Councilor Lorain to approve the minutes for the Sept. 6, 2017 council meeting as amended, MOTION was approved 4-0, 1 abstain.

Each Council member was given reports from the Police Dept., Fire Dept., and the City Treasurer.

Mayor Brown attended a League of Oregon Cities Conference and sat on a panel where they talked about getting younger people involved in city government and better communicate with all generations. Mayor Brown reminded everyone that there will be a dune vegetation meeting next Tuesday at 7 pm, and also mentioned holding the first Happy Hour with the Mayor where about 20 people came in to talk about a variety of topics. Mayor Brown thanked Fire Chief Joey Daniels of the Seaside Fire Dept. who donated over 30 air bottles to Gearhart Fire Dept. and will extend the life of our packs another 2 years and save the Fire Dept. a lot of money.

Councilor Lorain attended the Fire Hall committee meeting where they worked on fact finding and a timeline and will attend a CREST Council meeting Oct. 26th.

Councilor Cockrum attended a CERT leaders meeting where they worked on an action plan.

City Administrator Chad Sweet reported on the 81 STR permits, 57 are complete, 6 pending parking permits, 15 working on upgrades to safety and 3 have not had inspections at all. Mayor Brown thanked Chad and Cheryl for administrating this process and thanked the homeowners as well.

Councilor Lorain stated that on the City of Gearhart website (you can type elk in the search box) there is a Gearhart Elk & Wildlife link that you can open and comment and forward to ODFW.

Mayor Brown had a clarification and answer to a letter written to the City and City Council members from Katherine Schroeder and dated 10-1-17 she states she helped draft measure 4-188.

Chad Sweet stated that Trail's End requested permission to put up a sign on the City's property; however they are not here tonight... Council agreed to move it to a future agenda.

Rick Sabol 1149 N. Cottage the Council has done a great job with the STR Ordinance and changing it would be nonsense.

Margaret Green P.O. Box 2597 a member of the dune vegetation committee explained how the committee came to the recommendations and findings for managing vegetation.

Penny Sabol 1149 N. Cottage stated that 80% of the homes being sold are to full time residents and that will take our beach town to a 12 month economy, so I will vote no on measure 4-188 and urge everyone to vote no.

Kathy Peinhardt 2058 Pine Ridge Dr. is a Gearhart resident who does not rent her home however feels it is lovely to rent homes and has concerns with the current laws because they do not permit any new vacation rentals.

Margaret Marino P.O. Box 2353 reminded Council that she addressed the dune vegetation issue a year ago and the Council requested more information and she provided charts, maps, photos, asked Clatsop Soil & Water District to be involved had an opportunity to apply for a grant but the Council tabled it and mentioned the Oregon Council of Vegetation Management is meeting in Seaside at the Convention Center and also the Corporative Weed Management will be meeting at the end of the month.

Bill Corti 815 S. Ocean a dune vegetation committee member is opposed to trimming tree from below, not allow topping the trees, trim only 20% instead of 50% and would like to see a 100 feet buffer zone.

Bonnie Delaney P.O. Box 2187 would like Council to walk the dunes prior to the work session,

Shannon Smith 774 Pacific Way felt it is traditional having short term rentals and would like options for property rights and for the community to come together.

Laurie Whittemore 776 N. Marion stated she is in favor of measure 4-188 and clarified it does not repeal or soften the current ordinances regarding septic, parking, garbage and asked that you read and study measure 4-188.

David Russell 524 F St. supports the short terms rental ordinance that is in place now and hopefully in the future.

Jeannie Mark 1209 N. Cottage stated she has talked with multiple property owners who are in favor of keeping Gearhart residential and bought their home here feeling their property rights were protected in an R-1 zone. Ms. Mark advised there are 300 STR's in our R-3 zone which brings the percentage to 17% on the market.

Stu Bonsworth P.O. Box 2756 100% agreed with Jeannie Mark.

Lisa Torbaney 524 F St. respects the opinion of the yes votes however what about my property rights. Ms. Torbaney advised that on F St. she bought into a quiet residential neighborhood and now has transitioned into multiple STR's and one person bought 4 homes for rental properties and that is a business and a hotel. Ms. Torbaney stated "I have property rights".

Dianne Widdop 1236 Fifer commented, to all of the Council, Chad, Gail and everyone else who worked on the short term rental ordinance, thank-you for all of your hard work, thank-you very much and I will vote no in November.

ON MOTION by Councilor Lorain, 2nd by Councilor Cockrum to read Ordinance #908, an Ordinance for Transportation System Plan, once by title only MOTION was approved 4-1. Following the second reading A MOTION by Councilor Lorain, 2nd by Councilor Cockrum to adopt Ordinance # 908, MOTION was approved 4-1.

Gearhart Volunteer Fire Dept. Chief Bill Eddy is requesting permission to purchase a new truck to accommodate the new firefighter and staff recommends we choose Lum's plus the cost to outfit it with lights & sirens. ON MOTION by Councilor

Lorain, 2nd by Councilor Jesse to honor the request to purchase a 2018 Dodge Ram pick up from Lum's Auto, MOTION was approved 5-0.

ON MOTION by Councilor Lorain, 2nd by Councilor Cockrum to support Pacific Powers Integrated Resource Plan and direct staff to draft a letter to support Pacific Power & Light, MOTION was approved 5-0.

Judd Todd P.O. Box 2326 advised that Pacific Power & Light's purpose in asking for support is to get the wind power under Federal Tax credits. Mr. Todd had concerns that the purchase of a truck should have been brought up at the budget meeting not as a supplemental request, it just doesn't make good sense. Mr. Sweet advised this money has been saved and put into the Fire Apparatus reserve fund and the ordinance is written that the monies could be used for fire apparatus. Mr. Sweet stated this is the way we have purchased equipment for public works and for the police dept. and their reserve accounts.

Laurie Whittemore 776 N. Marion wanted us to be cognizant of the real statistics and reported that the number of homes that applied for STR permits is 5% of Gearhart homes and ballot Measure 4-188 simply asks to increase that to a sustainable 7% an increase of only 2%. Mayor Brown stopped Ms. Whittemore to let her know for future reference when talking to people that they took out any cap in ballot measure 4-188 and now allows unlimited rentals. Mayor Brown advised the first draft had 7% and they took that away so now it reads unlimited rentals. Ms. Whittemore stated she received her copy today and it read 7% and Mayor Brown advised that is not what is on the ballot and I have a copy that says unlimited if you would like to look at it. Ms. Whittemore advised she has a copy and it says 7%.

Jeannie Mark 1209 N. Cottage added she was on the Clatsop County website today and ballot measure 4-188 is posted and it clearly states no limit and also mentioned that item is near the bottom of the list and felt it is a number one item to consider unlimited rentals in Gearhart and that is why we are fighting so hard for a no vote.

Shannon Smith 774 Pacific Way advised we have 100 years of history and have not been overrun by hotels yet in Gearhart.

Councilor Lorain had concerns with some visitor comments that heirs can never ever afford the house and wants to be very clear that when we passed this Ordinance unanimously the Council agreed to see what works and what is not working and re-evaluate and this Council and future Council will be able to make changes. Ms. Lorain stated those comments are simply not true, it's propaganda.

Councilor Jesse commented that if ballot measure 4-188 passes that will take the ability to change it out of the hands of the Council and put it to the voters.

Councilor Smith advised passing measure 4-188 makes this ordinance so it is only voter changeable. Mr. Smith stated the Council made the STR ordinance and they can make any changes needed and Mr. Smith added vote no on measure 4-188.

Councilor Cockrum mentioned that Alan Evans of Helping Hands came to the Council to ask for a donation and she would like to see that on a future agenda for discussion.

City Attorney Peter Watts clarified that currently the house can be inherited and continue to operate as a vacation rental and what they can't do is sell the house and have the new owners take over the permit because the permit dissolves.

Mayor Brown felt the Council did a good job going through the public process and received a lot of input from citizens and research from other cities and a lot has happened since 2013. Mayor Brown has asked for citizen input, opinions and ideas and feels the Council did a good job with the ordinance that it is a fair compromise and we have the highest number of rentals plus you have the R-3 zone with unlimited rentals and have the ability to pass on your permits, Mayor Brown thought it is very fair and appreciated all the Council has done and thanked them.

ON MOTION by Councilor Jesse, 2nd by Councilor Smith to adjourn the meeting, MOTION was approved 5-0. Mayor Brown adjourned the meeting at 8:27 p.m.



Mayor Matt Brown



Chad Sweet, City Administrator