

JULY 7, 2020

The special meeting of the Gearhart City Council was held Tuesday July 7, 2020, online via Go-To-Meeting, using a computer, a tablet or a smartphone. Citizens could also join the meeting by calling in on a landline telephone. Mayor Brown called the meeting to order at 5 p.m. Present were Councilor Fackerell, Councilor Jesse, Councilor Smith, Mayor Brown, Councilor Cockrum, City Attorney Peter Watts and City Administrator Chad Sweet.

Mayor Brown advised that the purpose of this meeting is to go over resolution 949 and also to consider initiating ORS 33.710 a judicial validation proceeding in reference to possibly building a new fire station on a certain location.

Councilor Smith announced that at this time he will resign his position on CERT.

Councilor Jesse and Councilor Cockrum both declared a conflict of interest with resolution 949 to extend workers comp to volunteers, because they are CERT members.

City Administrator Chad Sweet advised a change to res 949 where section 6 has non-applicable checked he asked that be un-checked and applicable be checked.

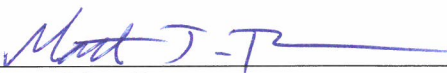
City Attorney Peter Watts stated that your insurer requires workers comp for volunteers and without it there would be potential liabilities to the city. The guidance letter states that the city council could not vote to cover themselves. Councilor Cockrum suggested the resolution exclude a city council member when they are taking on that role. Mr. Watts agreed you could carve out city council from the resolution.

ON MOTION by Councilor Smith, 2nd by Councilor Fackerell to extend workers compensation coverage to volunteers of the City of Gearhart pursuant to ORS 656.031 workers compensation coverage will be provided to the classes of volunteers listed in this

resolution noted on CIS payroll schedule and verified at audit, except for the city council members. Mayor Brown noted there is a motion, and a 2nd is there any discussion. Mr. Sweet asked to amend the motion to include the change on line 6. Councilor Smith amended the motion to include the change on section 6; uncheck non-applicable and to check applicable. There was a 2nd by Councilor Fackerell. The MOTION was approved 3-0, 2 recused.

City Attorney Peter Watts stated we have done our due diligence with trying to build a new fire station and proposed a way to get certainty that High Point is the right site. A judicial validation proceeding by a judge would give us a final conclusion. Mr. Watts noted if you instruct staff to do so we will prepare and publish notices and proceed. The council agreed.

ON MOTION by Councilor Smith, 2nd by Councilor Jesse to adjourn, MOTION was approved 5-0. Mayor Brown adjourned the meeting at 5:40 p.m.



Mayor Matt Brown



Chad Sweet, City Administrator