

APRIL 7, 2021

The regular meeting of the Gearhart City Council was held Wednesday April 7, 2021, 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 Cockrum called the meeting to order at 7 p.m. Present were Councilor Fackerell, Councilor Jesse, Councilor Smith, Mayor Cockrum, Councilor Warren, City Attorney Peter Watts, City Administrator Chad Sweet, and Executive Assistant Krysti Ficker.

Mayor Cockrum added to the agenda appointment of a Planning Commissioner to replace Carl Anderson and a sexual abuse proclamation.

ON MOTION by Councilor Smith, 2<sup>nd</sup> by Councilor Warren for the additions to the agenda; MOTION was approved 5-0.

Mayor Cockrum also requested to table the Noise Ordinance Review.

ON MOTION by Councilor Smith, 2<sup>nd</sup> by Councilor Fackerell to table the noise item to a later meeting or worksession; MOTION was approved 5-0.

Mayor Cockrum requested to table the Homelessness discussion to a workgroup to be created in the near future.

ON MOTION by Councilor Smith, 2<sup>nd</sup> by Councilor Jesse to table the homelessness discussion; MOTION was approved 5-0.

Councilor Smith volunteered to join the workgroup on homelessness, along with Chief Bowman and City Attorney Peter Watts.

Mayor Cockrum opened the Public Hearing on the Gearhart Employee Handbook.

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

City Administrator Chad Sweet advised a few minor changes would be noted during Council deliberations, unless Council wished to hear them now. No one did.

After no public comment was received on the Employee Handbook, Mayor Cockrum closed the Public Hearing. Mr. Sweet ran through a brief list of changes that included:

- the Welcome page – 30 days prior notice for changes to the handbook
- pg 17 – remove employee must inform his or her supervisor before the end of the shift
- pg 19 – amend to any comp hours not taken will be paid when employee is separated from employment
- pg 19 – remove the draft note in brackets

After discussion of each change, ON MOTION by Councilor Warren, 2<sup>nd</sup> by Councilor Fackerell to address the issue of the handbook in the regular Council meeting (following the hearing deliberations under new business); MOTION was approved 5-0.

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

Mayor Cockrum reviewed the two additions to the agenda, and two tabled items.

ON MOTION by Councilor Fackerell, 2<sup>nd</sup> by Councilor Smith to approve the March 3, 2021 City Council meeting minutes, MOTION was approved 5-0.

The Council received a report from the Planning Commission.

Mayor Cockrum reported:

- The loss of Planning Commissioner Carl Anderson
- Thank you to all who have donated towards the playground equipment purchase
- The American Rescue Plan (ARP) will be sending approximately \$330k to the City
- Met with Chief Bowman to discuss communication and learn about his position
- Met with Bob Morey to discuss the ball fields, fencing, and landscaping
- Parks Committee reviewing survey data and trends emerging

Councilor Fackerell reported:

- Gathering info for Gearhart to become a Tree City USA

Councilor Warren reported:

- Small Business Committee closed survey and is reviewing applications
- Attended a CEDR meeting
- Rep Suzanne Weber encouraged the City apply for government funds available for capital expenditure programs

Councilor Smith:

- Nothing to report

Councilor Jesse:

- Nothing to report

City Administrator Chad Sweet advised Misc items on the Treasurer Report could be printed with itemization going forward to avoid questions. He also explained the STR Go-Bag program to Councilor Warren after inquiry.

City Attorney Peter Watts reported on the pending litigation CIS is handling concerning a culvert,

and advised no new activity on the barn property litigation. He also addressed history and possible options pertaining to two items of correspondence the Council received; one being Ed Murphy's letter, the other a letter from The Cottages LLC.

City Administrator Chad Sweet reported a number of topics, all of which were typed and uploaded to the City website for future reference, as he spoke. There was some discussion regarding possible parking issues for the In A Landscape summer event; staff and Council will continue to brainstorm possibilities. He also advised the City will be switching from GoToMeeting to ZOOM as soon as possible.

ON MOTION by Councilor Smith, 2<sup>nd</sup> by Councilor Warren to proclaim April 2021 Child Abuse Prevention and Awareness Month and Sexual Assault Awareness Month in the City of Gearhart; MOTION was approved 5-0.

City Administrator Chad Sweet went through the fire station slideshow presentation given to the Councilors during the worksession. After, Mayor Cockrum summarized the High Point property has complications with the Palisades homeowners, the Murphy's are no longer interested in selling, and Mr. Olstedt is interested in donating land for the fire station (the cottages). Mr. Sweet advised another survey was likely and once in negotiations with Mr. Olstedt, testing of the newly proposed site would need to occur.

Jack Zimmerman, 408 W Kershul Circle, found the potential of the new property encouraging. He suggested the survey to follow includes High Point, a narrative stating the owner participant in the sale is absolutely against it, and even threatened to litigate, be included. He also inquired on the elevation of Hertig Station (GRFPD); Mr. Sweet responded 31 feet.

Bebe Michel, 661 10<sup>th</sup> St, stated the correspondence (she) submitted stands on its own. She is grateful for the City Council looking into this new alternative location.

Mr. Sweet introduced Jonas Biery to go through the possible options with a refinance of the water bonds through resolution. ON MOTION by Councilor Fackerell, 2<sup>nd</sup> by Councilor Warren to approve Resolution #956, a resolution of the City of Gearhart, Oregon authorizing, refunding of general obligation bonds; MOTION was approved 5-0.

Mayor Cockrum advised staff captured “the vision” on regards to playground equipment. She advised she’d be passing on the materials to the Parks Committee. Staff will be working with CIS to determine the increase to liability insurance costs.

ON MOTION by Councilor Warren, 2<sup>nd</sup> by Councilor Fackerell to adopt the new employee handbook as amended; MOTION was approved 5-0.

Mayor Cockrum appointed Sharon Kloepfer to the Planning Commission. ON MOTION by Councilor Smith, 2<sup>nd</sup> by Councilor Fackerell to appoint Sharon Kloepfer to the Planning Commission; MOTION was approved 5-0.

City Administrator Chad Sweet requested clarification from Peter Watts regarding the Acknowledgement page of the Employee Handbook and the City Charter where for-cause and at-will employees are concerned. (non-elected officials versus City Officials)

Due to the late hour, Mayor Cockrum tabled the feedback period.

Councilor Fackerell thanked Mr. Sweet for his written report.

Councilor Smith asked Mr. Watts if every meeting had to be recorded. He stated no. Minutes needed to be kept whether a recording, or written record summarizing what transpired along with date and time. He also said Executive Session minutes were to be vague due to secrecy. Councilor Smith also stated interest in electronic packets versus paper.

Mr. Watts closed with reference to adopting the employee handbook, that by having the Charter exist and taking away the ability to terminate people but for-cause, it's possible that charter section itself would be invalidated by a court.

ON MOTION by Councilor Jesse, 2<sup>nd</sup> by Councilor Smith to adjourn, MOTION; was approved 5-0. Mayor Cockrum adjourned the meeting at 9:34 p.m.

  
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Paulina Cockrum, Mayor

  
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Chad Sweet, City Administrator