

CITY OF GEARHART
Public Hearing and Regular Meeting of the City Council
Wednesday, March 2, 2022
6:00 pm On-site and Virtual via Zoom

The public hearing for the proposed Parks Master Plan and the regular meeting of the Gearhart City Council was held Wednesday, March 2, 2022. Council members and City staff were able to attend on-site. The public was able to attend online via Zoom. Individuals could also join the meeting by dialing in on a telephone.

Mayor Cockrum called the meeting to order at 6:00 pm. Present were Mayor Paulina Cockrum, Councilor Reita Fackerell, Councilor Kerry Smith, Councilor Brent Warren, Councilor Austin Tomlinson, City Administrator Chad Sweet, City Planner Carole Connell, City Attorney Peter Watts; Fire Chief Josh Como, Executive Assistant Krysti Ficker, and City Treasurer Justine Hill. A quorum of the Council was present.

Mayor Cockrum clarified that there were two pieces of Council business prior to the regular meeting, which were the public hearing for the proposed Parks Master Plan and Planning Commission interviews.

At 6:02 pm Mayor Cockrum opened the public hearing for the proposed draft Parks Master Plan. Official meeting minutes were taken separately by the Planning Commission Assistant. In summation, the Mayor read and went over the Hearing Disclosure Statement; there were no conflicts of interest or audience challenges declared; City Planner Connell went over the Staff Report; public comment was heard from Michael Hoard (13095 Princeton Ct, Lake Oswego), Carol Lucas (PO Box 2221, Gearhart), Mike Cranson (5130 Windsor Ct, Portland), George Van Hoomissen (276 N Ocean, Gearhart); Tom Thies (292 Woodland, Gearhart); written correspondence was reviewed; and, there was discussion on the draft Plan.

- ON MOTION by Councilor Smith, 2nd by Councilor Tomlinson to continue the proposed draft Parks Master Plan public hearing on March 29, 6:00 pm, MOTION was approved 5-0.

The public hearing was closed and the meeting transitioned into Planning Commission interviews. Mayor Cockrum said that the actual appointment of the new Planning Commissioner would be later in the regular meeting under New Business. Administrator Sweet went over the Staff Report. There was consensus that since four of the applicants (Gluck, Mesberg, Cranston, Schector) had already been previously interviewed, the new applicant (Zimmerman) would be the only one given the opportunity to answer the questions. Mayor Cockrum did a roll call for applicant Zimmerman, who did not respond or appear to be present at the meeting. Applicant Gluck requested permission to speak, which was granted. He stated that he has since read the City's Comprehensive Plan and provided additional clarification on one of the original interview questions.

Applicant Mesberg stated that in the last interview process, he submitted his responses by paper due to a scheduling conflict, but was now present to clarify if the Council needed any further information. The Planning Commission interviews were concluded.

There were no conflicts of interest declared by any member of the Council.

ON MOTION by Councilor Smith, 2nd by Councilor Fackerell to approve the minutes of the February 2, 2022 regular meeting of the City Council, MOTION was approved 5-0.

The Council received a Planning Commission report in their council packet prepared by Virginia Dideum, Planning Commission President. Councilor Fackerell requested clarification on the specific conditions set by the Planning Commission in regards to the conditional use permit to construct playground equipment. Administrator Sweet stated he would get that information.

Mayor's Report. Mayor Cockrum presented her report.

- She held a Mayor's Coffee with lots of good conversations!
- Her grandmother migrated from the Ukraine and her heart lies with the Ukraine people as they fight for democracy. There has been time for reflection. There has been the implementation of a new staff handbook. There has been a transition in staff as four outstanding, long-serving employees retired. The community has weathered the pandemic, has seen unprecedented growth in town, and is excited to welcome new residents to the Pacific Way Cafe. There has been increased transparency through the use of the BLOG and the website. The Council has been working on an objective and goal's list. There has been the development of the Parks Master Plan. Efforts have been put into a new fire/police station (4-213), which she hopes voters will approve on May 17.

Councilor's Reports. Mayor Cockrum opened discussion for each Council member's report.

- Councilor Fackerell participated in the interview process for the fire training officer position. She was very impressed with the process, learned a lot, and thanked Chief Como.
- Councilor Warren attended a zoom meeting presented by the League of Oregon Cities regarding legislative updates; participated at the Mayor's Coffee on a sunny day with local citizens; and attended the fire station open house.
- Councilor Smith met with the Mayor regarding City business.
- Councilor Tomlinson attended the fire station open house with his family. He was able to meet many of the volunteer firefighters. He also spent several hours with Administrator Sweet familiarizing himself with City operations and Council responsibilities.

City Officer Reports.

- Chief of Police. Chief Bowman did not attend the meeting but the police statistical report information was sent out.
- Fire Chief. Fire Chief Como presented information to the Council. He gave a February data report, including a call breakdown and mutual aid given. The fire station had another successful open house. Scott Adams, the public information officer and firefighter engineer for Banks Fire District, attended. The hiring process for the training officer position was completed and was offered to James Hutchinson, who has been serving on the fire department staff in an interim position. There continues to be country-wide progress on radio dispatch. The fire department has applied for two new grants. Councilor Warren asked if there were any issues regarding address confusion (specifically zip code) in regards to one of the calls. Chief Como could not specifically confirm zip code issues, but did indicate there was a language barrier involved with communication. Councilor Tomlinson asked about a water aid rescue. Chief Como talked about the situation. Councilor Fackerell wanted congratulations conveyed to James Hutchinson for his job well done in the interview process!
- City Treasurer. Financial reports were submitted in the Councilors' packets. Treasurer Hill went over last month's noteworthy impacts on revenues and expenditures. She mentioned staff will start the annual budgeting process and that the City is looking for new budget committee members. The League of Oregon Cities has shared their 2022 State shared revenue report. City staff and auditors have been reviewing SB 866 requirements in regards to third party building officials and financial reporting. There is a request for proposals out for a City building official. The impacts of State Measure 110 in regards to Marijuana Tax were mentioned.
- City Attorney. Attorney Watts said that overall it has been a quiet month. There was no significant information to be reported.
- City Administrator. Information had also been sent to the Council in advance. He gave a summation of his written report. Specific items discussed were: special Council Meeting, March 3 to hear recommendation to hire a new police officer due to a retirement; Emergency Cash day scheduled April 23; and grants.

Correspondence. Mayor Cockrum went over correspondence. There was late correspondence submitted (Garvey and Cundari). Sharon Kloepfer submitted on the Parks Plan. North Coast Food Web submitted a letter of thanks regarding a donation. IN A LANDSCAPE submitted regarding potential future engagements for summer concerts. Sheila Nolan and Emerson Fisher submitted regarding shared zip code issues. The American Red Cross submitted a request for approval on a "Red Cross Month Proclamation 2022".

- ON MOTION by Councilor Smith, 2nd by Councilor Tomlinson to accept the Red Cross Month Proclamation 2022, MOTION was approved 5-0.

Visitors. Mayor Cockrum went over visitor protocols after Accuity's audit presentation.

- Kori Sackett, Accuity, LLC, went over the June 30, 2021 fiscal audit. She referenced information submitted to the City Council in their packets. She discussed growth opportunities in areas such as: organizational structure, reconciliation process between transient room tax and general ledger; journal entry review and approval; excess of expenditures over appropriations; and compliance with public contracts and purchasing. Overall she felt that procedures were moving in the right direction. She talked about the limitations of QuickBooks as a municipal software. She mentioned COVID impacts not really significantly impacting Cities in terms of revenue; the water fund operating in the positive; and, touched on potential new financial reporting requirements in the building department. Councilor Warren inquired about software options. Administrator Sweet said staff would be reviewing software, training opportunities, and updating public contracting procedures/policies. Councilor Tomlinson reiterated that public procurement has very specific financial thresholds and can at times feel frustrating.

Administrator Sweet was allowed to go over the requirements set by the Planning Commission in regards to the new Gearhart playground equipment. Conditions included: capacity limit on erected equipment; water easements; grading plan; restroom requirements and/or future placement; addressing ADA parking requirements; outdoor signage; bike stalls; concrete border; and garbage. Councilor Smith inquired about parking and ADA.

Ordinances/Resolutions. None.

Old Business. None.

New Business.

Planning Commission Appointment - Mayor Cockrum recommended that Judy Schector be appointed to the Planning Commission. Mayor Cockrum felt that her past interview was good. Councilor Fackerell reiterated that Judy did well in her previous interview process and stood out as an applicant. Councilor Tomlinson noted that he was not privy to the previous interview, but would rely on the input from the other Councilors.

- ON MOTION by Mayor Cockrum, 2nd by Councilor Smith to appoint Judy Schector as a new Commissioner to the Planning Commission, MOTION was approved 5-0.

Annual Budget Calendar. Administrator Sweet went over the Staff Report.

- ON MOTION by Councilor Warren, 2nd by Councilor Fackerell to approve the Annual Budget Calendar as presented, MOTION was approved 5-0.

Gearhart Clean Up Day. Administrator Sweet explained that this was in honor of Earth Day 2022. He went over the Staff Report. The event is scheduled for Saturday, April 23.

- The Council resolved to move forward with Gearhart Clean Up Day, 5-0.

Bikes on the Ridge Path. Mayor Cockrum started the discussion with Ordinance 467, which was not incorporated into the current Ordinances. Ordinance 467 specifically prohibits horses and details signage requirements on the Ridge Path. Her concerns to the Council were addressing whether or not they want to move forward with bicycles being allowed on the Ridge Path. Mayor Cockrum asked Attorney Watts about ADA, to which he responded that it is assumed that the Ridge Path would be used by residents with ADA needs. Attorney Watts provided additional comments. He had concerns that the City was aware of making any modifications on the intended scope of the Ridge Path based on information that was provided regarding donations (both time and funds) for the project. The City would need to evaluate and take into consideration whether or not the project was solicited as a pedestrian only path. There has also been some potential liability concerns raised in terms of pedestrian conflict and bicycles compromising the integrity of the trail (including citizens with ADA needs). There was additional discussion on striving for ADA compliance; vision of Gearhart, enforceability; and, aligning any decisions with the Parks Master Plan. Councilor Smith requested a MOTION to move forward with directing staff to draft an Ordinance banning any kind of bicycle on the Ridge Path. Mayor Cockrum requested an amendment to incorporate prohibiting horses in order to maintain some of the original historical intent of the Ordinance. Councilor Warren seconded the amendment version. There was discussion by the Council. Councilor Tomlinson wanted to know if there were any incidents that spurred the banning of bicycles on the Ridge Path. Resident Lucas was allowed to provide her perspective on a specific incident and the dangers of bicycles on the pathway. Councilor Tomlinson noted that he has lived here his entire life and does not remember hearing that bicycles were an issue on the Ridge Path. He mentioned the Ridge Path easement and suggested exploring the option of clearing vegetation in order to make more room for both bicycles and pedestrians to share the outdoor space. Mayor Cockrum commented that during the snow, there were bike tracks on the pathway in the area of the unauthorized cutting of the arched tree.

- ON MOTION by Councilor Smith, 2nd by Councilor Warren to direct City staff to move forward with drafting an Ordinance prohibiting horses and any kind of bicycle (motorized or

human powered) on the Ridge Path, MOTION was approved 4 yes (Cockrum, Fackerell, Smith, Warren) - 1 nay (Tomlinson).

Council Concerns.

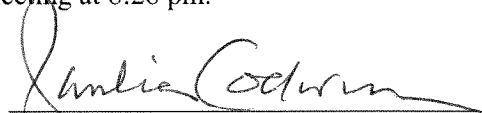
- Councilor Smith had concerns involving the auditor's comments on noncompliance with public contracts and purchasing. He would like to see the City immediately move to address these issues.
- Councilor Tomlinson had no concerns.
- Councilor Fackerell had no concerns. She had some comments on the draft Parks Master Plan that she will share with the Mayor later.
- Councilor Warren expressed concerns about the ongoing issues with misinformation being communicated out on social media in regards to the fire/police general obligation bond. He gave examples, which included property tax amounts and Administrator Sweet being accused of being in a conflict of interest. Councilor Warren said all of the issues that keep getting brought up have already been addressed. He has been blocked from the social media account where most of the information is coming from because, in his opinion, the site only wants to share content that supports the administrators' viewpoints. Attorney Watts again clarified that City Election Officials have very specific requirements and that because Administrator Sweet serves in this capacity, he has to be very careful of his role in the election process. Administrator Sweet's participation in the fire department has nothing to do with Attorney Watts cautionary notes. Councilor Warren gave a reminder that City staff have received training and when serving in their City roles, they are putting out objective information.
- Mayor Cockrum has a few concerns over the draft Parks Master Plan in terms of typos, grammatical issues and aligning references; which Councilor Fackerell chimed in were also her concerns mentioned above. Administrator Sweet requested Councilors to submit their corrections and staff would vet the document.

Mayor Cockrum requested adjournment.

ON MOTION by Councilor Smith, 2nd by Councilor Tomlinson to adjourn the meeting, MOTION was approved 5-0. Mayor Cockrum adjourned the regular Council meeting at 8:28 pm.



Chad Sweet, City Administrator



Mayor Paulina Cockrum