

CITY OF GEARHART  
Regular Meeting of the City Council  
Wednesday, November 2, 2022  
7:00 pm On-site and Virtual/Telephonic

The regular meeting of the Gearhart City Council was held Wednesday, November 2, 2022. Council members, City staff and the public were able to attend on-site, virtually, or by dialing in on a telephone.

Mayor Smith called the meeting to order at 7:00 pm. Present were Mayor Kerry Smith, Councilor Reita Fackerell, Councilor Dana Gould, Councilor Austin Tomlinson, Councilor Brent Warren, City Administrator Chad Sweet, City Attorney Peter Watts, Police Chief Jeff Bowman, Fire Chief Josh Como, Executive Assistant Krysti Ficker, and City Treasurer Justine Hill. A quorum of the Council was present.

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

Approve Minutes.

- ON MOTION by Councilor Warren, 2nd by Councilor Gould to approve the minutes of the October 5, 2022 regular meeting of the City Council, MOTION was approved 5 yeas (Fackerell, Gould, Smith, Tomlinson, Warren) - 0 nays.
- City Treasurer Hill also requested permission during the City Officer Report to amend the regular meeting minutes for August and September 2022. She explained that the word ordinance was incorrectly used when referencing Resolution #974 - Weapons Banned from Public Gearhart City Meetings. The agendas and staff reports reference the correct terminology of "resolution." ON MOTION by Councilor Gould, 2nd by Councilor Fackerell to approve the terminology of ordinance to be amended to resolution in reference to Resolution #974 in the regular minutes of August 3, 2022 and September 7, 2022.

The Council received a Planning Commission report in their council packet prepared by Virginia Dideum. There were no questions by Council members.

Mayor's Report. Mayor Smith attended a meeting regarding the Urban Growth Boundary (UGB) transfer to continue exploring viable options.

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

- Councilor Fackerell attended the Clatsop County Forestry Tour for Community Leaders. The Clatsop Forestry office assisted in organizing this event to provide educational opportunities about

the local timber industry. She felt it was very informative. She learned that the wages in the professional field of timber harvesting are among the highest in the area. They also went over new technologies used in harvesting and discussed the objectives of preservation/environmental impacts on local habitats. Councilor Fackerell was approached by the Seaside High School Students' Future Business Leaders of America (FBLA) program to create a children's library in Gearhart through a new book nook. The group would like to present at the next City Council meeting to share their idea. There was consensus by the Council that this agenda item could be added to the next meeting.

- Councilor Gould is also aware of the desire for a new book nook in the community. After hearing the FBLA's interest in creating a new one, she did some research on other local nooks. She talked about local locations and praised efforts to enhance the community. She also received additional information on the Oregon Department of Transportation (ODOT) highway 101 transportation project. Concerns are primarily from the eastside residents. She would like the Council to look at the project and concerns before it is finalized with ODOT.
- Councilor Tomlinson had no new information to report.
- Councilor Warren has been out canvassing. The experience has allowed him to connect with the local community. Due to a scheduling conflict, he was unable to attend the last Clatsop Regional Housing Taskforce meeting; however, he will be able to listen to the information via recording. He mentioned that City staff did submit a request for access to a foreclosure property in Gearhart to help address local housing and public service needs. Councilor Warren also suggested inviting Trell Anderson, Northwest Housing Alternatives (NHA,) to participate in a work session. He also worked with the fire department on converting statistical call data, which will allow clearer data mapping and analysis.

#### City Officer Reports.

- Chief of Police. Police Chief Bowman went over highlights in his statistical report, which reflects an almost non-existent incident month.
- Fire Chief. Fire Chief Como gave an October data report, including a call breakdown, mutual aid given, and water rescue data. He also went over misinformation being circulated about him using City fire vehicles for personal use. These accusations are false. His position requires him to be a 24/7 responder and he is regularly assigned on-call duty, which requires immediate response to incidents. Responding requires specific equipment and personal protective gear, which are in the City response vehicles. Staff who are assigned the on-call status must be available and ready to respond. They are allowed to run local errands while on-call. Councilor Warren requested Chief Como's opinion on the practicality of rebuilding the fire station at the current location. Chief Como did not feel that the current location provided any more safety or cost-effective measures. He talked

about structural reinforcement costs, placement and apron requirements, apparatus coverages, and safety.

- City Treasurer. Financial reports were submitted in the Councilors' packets. Treasurer Hill reported receiving the first current property tax collections. She talked about noteworthy revenues and expenditures. She explained a new revenue account for mechanical permits has been added, which is not an additional revenue source, but provides a clearer breakdown of the building permit revenue. She mentioned an account transfer in the fire department, and an invitation to bid out for a comprehensive water rate study. Councilor Warren requested clarification on the Check Detail report; as well as a software upgrade update.
- City Attorney. Attorney Watts gave a brief update on the US Bank/Shannon Smith case, which he hopes will end in a global resolution for all parties. He mentioned watching for revised land use related information at the State level. He referenced the Grants Pass, Oregon court case challenging anti-camping and anti-sleeping ordinances. Attorney Watts also mentioned City staff processing public records requests.
- City Administrator. Information had also been sent to the Councilors in advance. He reminded everyone of election day and stressed the drop-off ballot box at Gearhart City Hall is not monitored by City staff but the County Elections office. He mentioned the next worksession and going over the Water Conservation Plan. He invited everyone to attend the planting of new vegetation in cooperation with the Necanicum Watershed group along the Ridge Path. He explained that new doors would be installed at City Hall. He announced that the City's Planner, Carole Connell will be retiring after ten years of service with Gearhart.

Visitors. None.

Public Communications - Written & Oral. Mayor Smith read the oral public comment statement on the agenda. Written correspondence was submitted by Zimmerman, St. Vincent De Paul Food Pantry, and Graffius.

- Margaret Marino (PO Box 2353, Gearhart) spoke and referenced her correspondence last Council meeting regarding dune management. She submitted information regarding the control of noxious weeds in specific areas within the beaches and dunes. She has concerns with whom to address since the City Administrator is the current code enforcement officer; however, the Mayor has restricted new permits. She referenced the Parks Master Plan, mowing permits, past practice, the approval process, and code enforcement.
- Sheila Nolan (PO Box 2295, Gearhart) shared positive comments to volunteers, City Councilors, City Administrators, City staff, Attorney Watts, Fire, Police, citizens, and the Mayor. She addressed

voter suppression, voter integrity, the legal terminology of domicile, voting rights and responsibilities, social media, and the correct spelling of position.

- Mary Gilroy (302 S Nita) felt compelled to speak on voter integrity and targeting. She went over her local residency, the emotional toll of being challenged as a voter, inappropriate behaviors of local residents when addressing each other, lack of townhall meetings, moving forward, and community.
- Sherry Prendergast (510 D Street) talked about voter integrity. She talked about her residency, the voice of the people not being heard; the lack of open forums; limiting citizen input to five minutes; and the need for citizens to take action.
- Craig Loomis (593 3rd Street) mentioned Bob McEwan's 100th birthday party celebration. He invited all to attend a party at the American Legion on November 12th and asked that people RSVP so planners have an idea how many may attend. He talked about Bob's history in the community and welcomed all to the celebration!
- Shannon Smith (774 Pacific Way) commented on people being allowed to give criticism and others being receptive. She talked about seeing viewpoints from different perspectives, the importance of voting, engagement being a positive thing, individuals feeling intimidated, and how one's tone can make a difference. She distributed a handout to the Council (Chapter Two - Vision, McCall Area Comprehensive Plan). She also talked about Bob McEwan, rebuilding trust, values, and visions.
- Because Bill Graffius (Spruce, Gearhart) requested that his written correspondence be read into the public record, Mayor Smith requested that Administrator Sweet read it to the Council. The subject was political signage.

Ordinances/Resolutions. None.

Old Business. None.

New Business.

Robert "Bob" Reed McEwan 100th Birthday Proclamation. Mayor Smith introduced the proclamation and requested that Administrator Sweet read it to the Council.

- ON MOTION by Councilor Gould, 2nd by Councilor Tomlinson to approve the Robert "Bob" Reed McEwan 100th Birthday Proclamation, MOTION was approved 5 yeas (Fackerell, Gould, Smith, Tomlinson, Warren) - 0 nays.

Operation Green Light Proclamation. Administrator Sweet went over the staff report and was requested to read the proclamation to the Council.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Warren to approve the Operation Green Light Proclamation, MOTION was approved 5 yeas (Fackerell, Gould, Smith, Tomlinson, Warren) - 0 nays.

Council Concerns.

- Councilor Warren has recruiting concerns over the hiring of a new Police Chief with the retirement announcement from Chief Bowman. He reiterated the issues that the City has already been having with hiring an entry level police officer. He feels that interim solutions should be investigated. He feels that Councilor Gould's background and expertise will be invaluable in the process.
- Councilor Tomlinson shared the same concerns about the hiring of a new Police Chief.
- Councilor Gould does have some ideas for the Police Chief position. She expressed gratitude for the opportunity to serve on the Council and appreciated everything she has learned so far.
- Councilor Fackerell addressed Bill Graffius' correspondence and corrected terminology that was read aloud during the visitor's section.
- Mayor Smith is planning a town hall event in January. He feels that things needed to settle down before a town hall meeting can be productive.

Councilor Fackerell requested adjournment.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Gould to adjourn the meeting, MOTION was approved 5 yeas (Gould, Fackerell, Smith, Tomlinson, Warren) - 0 nays. Mayor Smith adjourned the regular Council meeting at 8:14 pm.

  
Chad Sweet, City Administrator  
Mayor Kerry Smith