

CITY OF GEARHART
Regular Meeting and Public Hearings of the City Council
Wednesday, June 7, 2023
7:00 pm On-site and Virtual/Telephonic

A regular meeting with public hearings of the Gearhart City Council was held Wednesday, June 7, 2023. Council members, City staff, and the public were able to attend on-site, virtually, or by dialing in on a telephone.

Present were Mayor Kerry Smith, Councilor Reita Fackerell, Councilor Dana Gould, Councilor Preston Devereaux, Councilor Sharon Kloepfer, City Administrator Chad Sweet, City Attorney Peter Watts, Sergeant Ian Brown, Fire Chief Josh Como, and City Treasurer Justine Hill. A quorum of the Council was present.

Mayor Smith called the regular meeting of the City Council to order at 7:00 pm.

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

Approve Minutes.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Gould to approve the minutes of the May 3, 2023 regular meeting of the City Council, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- ON MOTION by Councilor Gould, 2nd by Councilor Kloepfer, to approve the minutes of the May 9, 2023 executive session meeting of the City Council, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- ON MOTION by Councilor Gould, 2nd by Councilor Fackerell to approve the minutes of the May 11, 2023 special meeting of the City Council, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- ON MOTION by Councilor Gould, 2nd by Councilor Kloepfer to approve the minutes of the May 30, 2023 worksession of the City Council, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

There were no questions or comments on the Planning Commission report in the Councilors' packets.

Mayor's Report. Mayor Smith talked with the new owner of the old grocery store in downtown Gearhart. They have reroofed the building and plan to reopen it as a grocery store after the inside work is completed.

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

- Councilor Gould noted all the minutes on the agenda demonstrates all the recent activities! She gave a shout-out of appreciation to all city staff and departments for their hard work providing support to the

situation on Glenn Avenue. She has received positive comments on the bench beautification project. She attended and enjoyed the Firefighter's Ball. She also attended the League of Oregon Cities (LOC) small cities meeting. The group has similar issues, which include finding supportive measures to deal with the unhoused situations and recruiting new staff. She would like Gearhart to host one of their meetings in the summer of 2024. With the 4th of July approaching, the City will be taking a proactive approach to encouraging a safe holiday. She has been collaborating with the Gearhart Association, which will be having a beach clean-up/safe 4th of July meeting. Information on other local firework shows, being safe, and courteous will be blogged; and, an email will be sent to short-term rentals so they can share with tenants.

- Councilor Kloepper clarified the collection of information by the CERT (Community Emergency Response Team). They are requesting that locals start putting together a list of emergency response supplies that they have in their residence and share it with the CERT team. She reiterated that the names and information submitted will remain confidential within specific organizations (e.g., CERT, City, Fire). CERT is currently working on the inventory questionnaire that will be communicated out to local properties.
- Councilor Fackerell attended the Clatsop Regional Housing Taskforce meeting. The Warrenton area is the most affordable location for local workers. Warrenton is currently working on a Build-To-Rent program, which is proposed to have about 75 homes.
- Councilor Devereaux contacted Representative Javadi and Senator Weber at the request of the Department of Public Safety Standards and Training. He received a boilerplate letter from Representative Javadi's Chief of Staff. He has not received any communication from Senator Weber.

City Officer Reports.

- Chief of Police. Sergeant Brown did not have specific information to report; however, he clarified at the request of Councilor Gould that there were two different trailers stolen and to date neither had been recovered. Councilor Gould appreciated efforts to monitor the beach line and 10th street access.
- Fire Chief. Fire Chief Como gave a May data report, including a call breakdown, mutual aid, and grant awards. He reiterated from last month that the fire department was awarded two grants, one for a new water tender vehicle and one for providing seasonal staffing. He invited everyone to a free documentary, Sunday, June 11th at 2:00 pm at the Times Theatre in Seaside. The purpose of the event is to expose the community to what firefighters do and hopefully attract new volunteers.
- City Treasurer. Financial reports were submitted in the Councilors' packets. Treasurer Hill mentioned June being the finalization of budgeting; briefly explained the municipal court financial process; and discussed noteworthy expenditures (e.g., phone system, Clatsop County Sheriff's coverage). She also talked about making redistribution adjustments on PERS accounts to individuals who are assigned to

multiple departments (e.g., public works, water/treasurer); a variety of related water issues; and the financial benefits of epermitting.

- City Attorney. Attorney Watts talked about the water purchase agreement with the City of Warrenton. He indicated he had some significant concerns regarding some of the language, which included restrictions on the development of properties within Gearhart's boundaries; imposing system development charges; and setting maximum water purchase limits on Gearhart. He also mentioned the water rate study; exploring purchasing water from the City of Seaside; staffing changes in Warrenton; and collaboration.
- City Administrator. Administrator Sweet's report was sent to the Councilors in their packets. He briefly discussed code enforcement (e.g. Ridge Path plantings, noxious weeds); Federal Emergency Management Agency (FEMA) BiOp; and water conservations. He also gave a reminder about the annual street dance party organized by Melissa Eddy; as well as, the 4th of July parade.

Visitors. Chris Carey, Dan Blue, Scott Miethé - Recology Rate Review. They introduced themselves and explained that they are requesting their annual rate review. They gave a brief update on things happening within Recology. They mentioned drivers, longevity, staffing, customer service, side yard service, and balancing rates. There was discussion on how many side yard services are provided, types of properties that are receiving side yard service, curbside glass pick-up, and subscription (ala carte) services. Recology is requesting that based on their projections for the upcoming rate year, in order to be within their operating ratio range, to increase rates by the annual change in Consumer Price Index (which they have capped at a maximum of 4%).

Public Communications - Written & Oral. Mayor Smith read the oral public comment statement on the agenda. There was written correspondence submitted by: Sara and Jeff Gage (Camping and Trash); North Coast Land Conservancy (Supporting Conservation on the Oregon Coast); Tom Thies (Thanks and Appreciation); Beth Cameron (Tree Planting); Jane Gable (Misinformation); Kathleen Zimmerman (Request for Answers).

- Eric Halperin (661 10th Street) expressed gratitude for how the houseless situation was addressed. He felt there was compassion, humanity, and concern. He specifically acknowledged City Administrator Sweet and Sergeant Brown. He often feels public servants are underappreciated. He felt City staff acted professionally.
- Bob Morey (271 D Street) echoed Eric Halperin's comments. He had a concern over statements that the Mayor made at the Gearhart Association meeting regarding milestones. He has specific concerns over the old Gearhart School property in terms of statements made regarding City Council's involvement. He clarified that the planning application for the property had been withdrawn and was not denied by the Planning Commission nor was it reviewed by City Council. Attorney Watts added that Bob Morey's attorney did an excellent job and that the Planning Commission was able to give more clarity to what additional information was needed to consider rezoning the site.

Ordinances/Resolutions.

Ordinance 938- Charter Franchise Agreement. Mayor Smith opened the discussion. There were no questions.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Gould to approve Ordinance 938 by reading once by the title only, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Resolution 985 - A Resolution Granting Budget Appropriation Transfers. Mayor Smith opened the discussion and Treasurer Hill discussed the specifics. Actual expenditures have varied from the budgeted anticipated expenditures in certain categories, and with Council approval, transfers can be made within categories to accommodate for these variances.

- ON MOTION by Councilor Devereaux, 2nd by Councilor Gould to approve Resolution 985 allowing City staff to make budget appropriation changes, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Public Hearing - State Revenue Share Funds. Mayor Smith opened a public hearing for public comment on State Revenue Share Funds. Hearing no request for comment, the public hearing was closed.

Resolution 986 - A Resolution Stating the City of Gearhart Hereby Elects to Receive State Revenue Share. There were no questions.

- ON MOTION by Councilor Gould, 2nd by Councilor Fackerell to approve Resolution 986 to allow the City of Gearhart to receive State Revenue Share funds, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Public Hearing - 2023-2024 City of Gearhart Budget. Mayor Smith opened a public hearing for public comment on the 2023-2024 City of Gearhart Budget that had been approved by the Budget Committee. Hearing no request for comment, the public hearing was closed.

Resolution 987- A Resolution Adopting the City of Gearhart Budget for 2023-2024, Imposing Taxes, Categorizing Taxes, and Making Appropriations for the City of Gearhart. There were no questions.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Kloepfer to approve Resolution 987 to adopt the City of Gearhart Budget for 2023-2024, imposing taxes, categorizing taxes, and making appropriations for the City of Gearhart, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- *There were no changes from the Budget Committee's 2023-2024 Budget approval in the amount of \$8,181,445.51, which includes a permanent tax rate limit levy of \$1.0053 per thousand of assessed value, and general obligation debt service.*

Public Hearing - 2023-2024 Gearhart Road District Budget. Mayor Smith opened a public hearing for public comment on the 2023-2024 approved Gearhart Road District Budget. Hearing no request for comment, the public hearing was closed.

Resolution 988 - A Resolution Adopting the Gearhart Road District Budget for 2023-2024, Imposing Taxes, Categorizing Taxes, and Making Appropriations for the Gearhart Road District. There were no questions.

- ON MOTION by Councilor Gould, 2nd by Councilor Fackerell to approve Resolution 988 to adopt the Gearhart Road District Budget for 2023-2024, imposing taxes, categorizing taxes, and making appropriations for the Gearhart Road District, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- *There were no changes from the Budget Committee's 2023-2024 Budget approval of the Gearhart Road District proposed 2023-2024 Budget in the amount of \$280,168.00 with a permanent tax rate limit levy \$0.0602 per thousand of assessed value.*

Resolution 989 - A Resolution Fixing the Compensation of the Following Officers of the City of Gearhart: City Attorney, Police Chief, Fire Chief, City Administrator, Treasurer, and Judge, and Repealing all Prior Ordinances and/or Resolutions Affixing the Compensation of these Officers of the City of Gearhart. Mayor Smith opened the discussion and Treasurer Hill discussed the specifics. Hill explained the origin of this resolution is probably due to specific language in the Charter that addresses these positions having the salaries affixed by the City Council. The intent was probably for transparency so the public could see staff salaries. The implementation of the employee handbook, which created a salary schedule for positions, created a very public method of staff salary transparency; however, this resolution does define Attorney and Judge.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Kloepfer to approve Resolution 989, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Old Business. None.

New Business. Mayor Smith invited the public to comment on any new business item.

Request for Moving Expenditures to the Water Reserve Fund. Treasurer Hill explained the financial status of the Water (Operating) Fund 30 is in financial instability and is projected to have a negative ending fund balance unless eligible expenditures are transferred to the Water Reserve Fund 71.

- ON MOTION by Councilor Kloepfer, 2nd by Councilor Gould to approve City staff to move allowable expenditures in the Water (Operating) Fund to the Water Reserve Fund, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Park Bench Committee Appointment. Mayor Smith led a discussion on creating an ad hoc committee regarding the park bench placement within the City of Gearhart. Attorney Watts recommended the public being allowed to attend the meetings; however, stressed that they are only an advisory committee. Their recommendations should go before the Planning Commission.

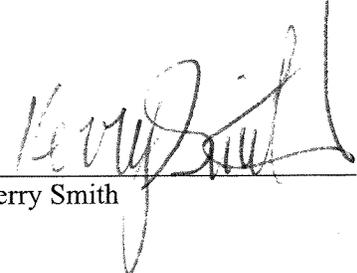
- ON MOTION by Mayor Smith, 2nd by Councilor Kloepfer approve creating an ad hoc committee for park bench placement, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Council Concerns.

- Councilor Devereaux reported no concerns.
- Councilor Fackerell reported no concerns.
- Councilor Kloepfer reported no concerns.
- Councilor Gould invited everyone to attend a July 5 clean-up meeting this Saturday.
- Mayor Smith reported no concerns.

Mayor Smith requested adjournment.

- ON MOTION by Councilor Gould, 2nd by Councilor Kloepfer to adjourn the meeting, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays. Mayor Smith adjourned the regular Council meeting at 8:31 pm.



Mayor Kerry Smith



Chad Sweet, City Administrator