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## **REGULAR GARIBALDI CITY COUNCIL MEETING**

Tuesday, January 16, 2010  
Council Chambers, 7:00 P.M.

### **I. CALL TO ORDER**

Mayor Sue McCarthy called the council into the regular meeting of the Garibaldi City Council at 7:00 pm. Present were Council President Terry Kandle, Council members Jerry Bartolomucci, Roberta Bettis, Betty Thomas, City Administrator John O'Leary, Joe Happ for NW Media Consultants, Joe Wrabek representing the Headlight Herald and Tillamook County Community Development Director Butch Parker.

### **II. CONSENT CALENDAR**

Mayor McCarthy asked if any council member would like to add or remove a topic from the consent calendar.

- A. January 19, 2010, Regular City Council Meeting Minutes
- B. Acknowledgment of City financial documents and payment of bills for January 2010
- C. Resolution transferring funds from the Transient Room Tax Fund to the Public Safety Equipment Reserve Fund.
- D. Approval of the Special Event Permit for the Garibaldi Crab Races
- E. Approval of Amendment #3 to the intergovernmental agreement creating the Economic Development Council of Tillamook County

**MOTION made by Cn. Bettis to approve the consent calendar as presented. Seconded by Cn. Bartolomucci. AYES: McCarthy, Kandle, Bettis, Bartolomucci, Thomas. None opposed. MOTION PASSED.**

### **III. PUBLIC COMMENT**

*Tillamook County Hazard Mitigation Plan:* Parker explained that the County would like to apply for a grant through Oregon Emergency Management to update the County's Hazard Mitigation Plan. Parker noted that this grant requires a 25% match that can be satisfied with in-kind services, and that the County would like to provide this in staff time. Parker asked the Council if they would allow their Administrator to participate in the process. The Council discussed this and asked O'Leary if he had time to participate. O'Leary and Parker determined that O'Leary's time would amount to about 40 hours over the course of one year, and O'Leary told the Council that he would be able to provide this time with a nominal impact on other City business. O'Leary also noted that it would be in the City's best interest to participate in this process as this plan affects Garibaldi as well. **MOTION made by Cn. Kandle to participate in the Tillamook County**

**Hazard Mitigation plan update process and authorize the Administrator to sign the grant request letter presented by the County. Seconded by Cn. Thomas. AYES: McCarthy, Kandle, Bettis, Bartolomucci, Thomas. None opposed. MOTION PASSED.**

*Alex J. Olsen – BSD Enterprises:* The Mayor asked Olsen if he had a comment for the Council. Olsen explained that he was a contractor interested the 4<sup>th</sup> Street intersection improvement project and wanted to discuss the project with the Council. O’Leary noted to the Council that it would be inappropriate to discuss this project outside of the Urban Renewal Agency meeting with a potential sub-bidder. O’Leary asked Olsen to attend the bid opening tomorrow and he would go over the selection process with him at that time.

IV. CORRESPONDENCE

- A. *Irwin and Jan Gordon:* Mayor McCarthy noted this letter and its enthusiastic appreciation of Wayne Schultz and Public Works for their response to a water main break by 9<sup>th</sup> Street. The Council expressed their appreciation to Public Works as well and O’Leary said that he would pass it on to them.
- B. *Letter of Acceptance of Vehicle Delivery to H&W Emergency Vehicles:* O’Leary explained that the Council did not need to act on this. O’Leary noted that there were minor changes and corrections that needed to be made before the City would take final acceptance of the vehicle.

OLD BUSINESS

- A. *Draft City-Wide Lighting Ordinance:* Mayor McCarthy suggested that this ordinance be presented to the Planning Commission and City Planner to determine if it belongs in the City’s land use code. Cn. Kandle agreed and the Council directed O’Leary to present it to the Planning Commission for their consideration. Cn. Kandle asked if anyone wanted copies of the background material used to prepare the proposed draft, and Cn. Thomas requested a copy. Cn. Kandle also directed O’Leary to provide copies to the Planning Commission as well. The Council and staff discussed the issue of enforcement and Cn. Kandle noted that there was a foot-candle meter that could be purchased to determine the light level from a suspect light source. O’Leary noted that code enforcement would still be provided on a complaint-driven basis. Cn. Thomas raised the issue of neighbors bringing complaints to the City instead of addressing the same issues with each other. The Council discussed this and the Mayor recognized Alex Olsen, who commented that a courtesy-clause could be placed in the code that requires a neighbor to discuss the issue with a possible violator before the City would act. The Council and O’Leary discussed the current process and determined that the City does not cite for a violation until all other possible resolutions have been exhausted. Cn. Thomas asked about lighting related to signs and the Council and staff determined that this code would exclude lighting related to signs currently regulated through the land use code. O’Leary also suggested broader exemptions regarding the marina. Mayor McCarthy suggested the Cn. Kandle attend the next Planning Commission meeting to present this to them. Cn. Kandle said he would try to attend.
- B. *Draft Amendment to the Administrator, Treasurer, and Council Rules*

*Ordinances:* O'Leary explained that the City's Attorney has not had time to review these drafts and O'Leary would need to present her revised drafts next month. The Council discussed these drafts and suggested some minor changes. O'Leary and the Mayor also noted that the City's Attorney would be presenting a recommendation that the City pursue a charter amendment to clarify some of the roles and responsibilities of City officer positions.

IX. NEW BUSINESS

- A. *Election of Council President and Vice President:* **MOTION made by Cn. Thomas to elect Cn. Kandle to Council President and Cn. Bettis to Council Vice President. Seconded by Cn. Bartolomucci. AYES: McCarthy, Kandle, Bettis, Bartolomucci, Thomas. None opposed. MOTION PASSED.**
- B. *Job Description for Fire Chief:* Mayor McCarthy informed the Council that Cn. Kandle and the Jay Marugg would be working on this description further and that a new draft would be presented at the next meeting.
- C. *Deed of Gift to the Tillamook County Pioneer Museum:* O'Leary noted that this was not on the agenda. O'Leary explained that this was to donate a full uniform from the Garibaldi Police Department to the Pioneer Museum to help preserve the history of the Garibaldi Police Department. O'Leary commented that there were some other uniforms and attire remaining from the Police Department. Council directed O'Leary to donate the uniform to the Pioneer Museum and offer a complete uniform to the Garibaldi Museum as well.

STAFF REPORTS

Legal: No report.

Fire: Council noted the Fire Chief's report.

Police: Council noted the County Sheriff's time sheet and invoice.

Public Works:

Planning:

Admin: There was no written report. Rail Cars: O'Leary noted that the vandalized rail cars located at the east end of town have been moved by the Port of Tillamook Bay (POTB). O'Leary also noted that the rail cars located by the Oregon Coast Scenic Railroad (OCSR) facility belonged to the OCSR. O'Leary explained that the storage of the cars in the POTB right of way was allowed through the City's zoning code and that the OCSR was within their right to continue to store those cars at that location. O'Leary also reported that at least two of the OCSR cars were used in their operations. O'Leary commented that OCSR had some long range plans to improve the appearance of their facility and noted that he would keep the Council apprised of further developments. Budget Issues: O'Leary commented that he was working on utility rate calculations for next year; however, he felt that passing the actual rate increase needed to wait until after the Budget Committee meeting. O'Leary reported that with increases in the Water and Wastewater funds, coupled with changes in how funds were being expended in those departments, indicated that rate increase could be less than expected and that he would prove those projected rates as soon as possible.

X. COUNCIL REPORTS

Cn. Bartolomucci noted that he had received very positive responses to the latest newsletter. Cn Bartolomucci also commented that the Headlight Herald is not publishing the criminal activity for Garibaldi. Cn. Bartolomucci said that he has been receiving comments from the public that this information is provided for other cities and that they would like to see the same information for Garibaldi. The Council discussed this and O'Leary said he would investigate the matter. Cn. Kandle noted his intention to submit a budget proposal to store an emergency food supply at City Hall, and O'Leary asked Kandle to provide his proposal in writing as early as possible so that it can be included in the presented budget document. Cn. Thomas reported that she has been appointed as an alternate to Cape Falcon Marine Reserve Advisory Committee. The Council agreed that Cn. Thomas could represent the City's concerns on that matter.

XI. ADJOURNMENT

Mayor McCarthy adjourned the meeting at 8:24 p.m.

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Hon. Suzanne McCarthy, Mayor

ATTEST:

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John O'Leary, City Administrator