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REGULAR GARIBALDI CITY COUNCIL MEETING

Tuesday, February 22, 2011
Council Chambers, 7:00 P.M.

I. CALL TO ORDER

Mayor Suzanne McCarthy called to order the regular City Council meeting at 7:08 p.m. Present were Council President Terry Kandle, Council members Betty Thomas, Jerry Bartolomucci and John Foulk, GURA members Doris Mengel [*left at 8:00 p.m.*], Val Folkema [*left at 8:00 p.m.*] and Bill Fouste, City Manager John O'Leary, Public Works Director Wayne Schultz [*Left at 7:15 p.m.*], Deputy Bob Pippenger, Joe Happ – NW Media Consultants, Eugene Tish – Proprietor of the Garibaldi House Inn and Suites, Patty Swain – Proprietor of the Garibaldi Pub and Eatery, Rob Trost and Maureen Shore of the Old Mill Marina and RV Park [*left at 8:00 p.m.*].

II. CONSENT CALENDAR

Mayor McCarthy asked council if there were any items to be removed from the consent calendar, and hearing none, asked for a motion.

- A. Approval of the January 18, 2011, Regular City Council minutes
- B. Approval of the February 7, 2011, Council Workshop minutes
- C. Acknowledgment of City wide financial reports and payment of bills for January, 2011
- D. Resolution updating the Low Income Senior Citizen Sewer Discount Program
- E. Approval of ODOT Permit for Hwy Banner – Garibaldi Crab Races

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

IV. PUBLIC COMMENT

Rob Trost and Maureen Shore: Trost and Shore explained to the Council that they had been approached by a mobile commercial kitchen business that wished to locate on property owned by the Old Mill along Hwy 101. They further explained that the mobile facility would not be allowed to connect to the City's water system without paying development fees and meeting extensive land use regulations of the City. Trost and Shore asked the Council to consider the impact of these regulations on the development of local business. They noted that the existing regulations, at least in this case, have economically prohibited the start-up of a business that would have created jobs and contributed to the commercial business diversity of Garibaldi. O'Leary explained that the trigger for regulation

of development was the physical connection to public infrastructure, and that once the City's infrastructure is impacted by a developer the City must receive an appropriate amount in impact fees. This was discussed and Kandle noted that if the primary hurdle was SDC cost, then the subsidy program that the GURA just adopted would address most of that issue. Trost expressed concern that this was a broader policy issue, and that the regulatory constraints may prohibit the potential for very small businesses in Garibaldi, such as the mobile kitchen that had approached Old Mill. O'Leary explained that the existing land use is geared towards allowing specific uses, and that this specific use isn't identified in the existing code. The Council discussed the matter with those present and directed O'Leary to review the current land use code and report back to Council on options.

IV. PRESENTATIONS

[No Presentations]

V. CORRESPONDENCE

- A. *Support Letter – Oregon Coast Scenic Railroad:* Council reviewed the draft letter supporting the OCSR project. The Council expressed support of the project, and O'Leary said he would have a letter for them to sign this week.
- B. *Eugene Tish – Complaint Status:* the Council discussed with Tish the letter he sent to them dated February 14, 2011. The Mayor advised Tish to contact the Tillamook County Sheriff's Office if any violations of the noise ordinance occurred in the future. O'Leary noted that any action taken on a code violation must start with the Sheriff's Department – specifically Deputy Pippenger. Tish expressed satisfaction with the City's response.

VI. COMMUNITY REPORTS

[No Community Reports]

VII. OLD BUSINESS

- A. *Budget Committee Appointments:* The Council discussed this briefly and a **MOTION was made by Cn. Thomas to appoint Roberta Bettis to the City Budget Committee and re-appoint Emmy Lou Orahoad to the City Budget Committee. Seconded by Cn. Bartolomucci. AYES: McCarthy, Kandle, Bartolomucci, Thomas, Foulk. None opposed. MOTION PASSED.**
- B. *Resolution Adjusting System Development Rates:* The Council discussed this with O'Leary and expressed consensus that they would vote to approve the resolution recommended by staff to increase SDC rates for FY 2011-2012. O'Leary asked the Council to not vote on the resolution tonight, and he would have the Council vote next month after he was able to implement the noticing requirement recommended by the City's attorney.

VIII. NEW BUSINESS

- A. *Resolution Adopting an Amended Budget – Operational Expenses Associated with the Tourism Commission, and Unexpected Expenses Associated with Fire*

Department Vehicle Replacement: The Mayor explained the tourism part of this resolution to the Council, noting that the expenditures were associated with producing Garibaldi Day's this year. O'Leary explained the expenditures associated with the re-fit of the Hum-V recently acquired by the Fire Department. O'Leary noted that in both cases the City expected to receive revenues approximately equal to these expenditures – however, it was unnecessary to show revenues in the resolution. After brief discussion a **MOTION was made by Cn. Thomas to adopt a resolution amending the FY 2010-2011 budget adjusting for unexpected expenditures in the Fire Department and for the purposes of producing Garibaldi Day's. Seconded by Cn. Bartolomucci. AYES: McCarthy, Kandle, Bartolomucci, Thomas, Foulk. None opposed. MOTION PASSED**

IX. STAFF REPORTS

Legal: No report.

Fire: Council noted the report by the Fire Chief. O'Leary noted that staff hasn't heard any response on the application for seismic rehabilitation grant.

Police: Council noted the written report by Deputy Pippenger. Pippenger commented on traffic activity due to State highway construction in the area.

Public Works: Council noted the Public Works Director Report.

Planning: No report.

Admin: O'Leary commented on utility rates and explained that he would bring more information back to the Council next month. O'Leary commented that he is still working on the Fire Department/Fire District topic, and that he needs to continue to work with Cn. Kandle on this matter. Cn. Thomas noted that she had discussed the sidewalk accessibility issue with Port staff and apparently resolved the matter. O'Leary said that he would not report anything further on this issue unless the Council raised it again in the future.

X. COUNCIL REPORTS

The Mayor reported that activity with the Tourism Commission and the Garibaldi Day's subcommittee had been progressing positively.

XI. ADJOURNMENT

Mayor McCarthy adjourned the meeting at 8:30 p.m.

Hon. Suzanne McCarthy, Mayor

ATTEST:

John O'Leary, City Manager