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## **PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING MINUTES**

Monday, July 20, 2009

Council Chambers, 6:30 P.M.

6:30 P.M. - PUBLIC HEARING - PROPOSED RATE INCREASE FOR R-SANITARY

Mayor Sue McCarthy called the meeting of the Garibaldi City Council to order at 6:30 pm and opened the public hearing for the proposed rate increase by R-Sanitary. Present were Council President Terry Kandle, Councilors Roberta Bettis, Betty Thomas and Jerry Bartolomucci. Also present were Deavan Woodward representing R-Sanitary, Public Works Director Wayne Schultz, City Attorney Joan Kelsey and Interim City Administrator John O'Leary (acting as Recorder). Mayor McCarthy asked O'Leary to review his staff report. O'Leary explained that his findings of the proposed rate increase indicated an average adjustment compared to the rest of the solid waste collection services in the County. Bartolomucci asked if there had been any other noticing for this hearing other than what was posted around town. O'Leary said that a notice had been placed in the Headlight Herald more than ten days prior. Kelsey advised Council to ask Woodward if they would be noticing their customers prior to the increase. Woodward said they would provide a thirty day notice prior to increasing the rate. Hearing no other comments the Mayor closed the hearing at 6:34 pm.

6:34 P.M. - EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(D) - LABOR NEGOTIATIONS CONSULTATIONS

- I. Mayor McCarthy informed those present that the City Council would be entering into executive session to discuss the union employees contract proposal with the City Attorney and the City's negotiation team. McCarthy asked Schultz, O'Leary and Woodward to leave while Council held executive session. There are no minutes for this meeting.

7:02 P.M. - REGULAR COUNCIL MEETING

- I. CALL TO ORDER

Mayor Sue McCarthy resumed the regular meeting of the Garibaldi City Council at 7:02 pm.

II. CONSENT CALENDAR

McCarthy removed items D and E from the consent calendar. Kandle noted that the agreement with Nehalem Bay Fire & Rescue District was not an acceptable agreement. Staff noted that the agreement in the packet was an earlier draft of the agreement that was ultimately changed. Chief Marugg said he would have the correct agreement ready by the next meeting.

A. Approval of June 15, 2009 Public Hearing and Regular Council meeting minutes.

B. Approval of June 23, 2009 Special City Council meeting minutes.

C. Acknowledgement of June 2009 Financial Documents and Payment of Bills.

F. Approval of a resolution implementing Red Flag - Identity Theft Protection policies for the City of Garibaldi.

G. Adoption of the Downtown Master Plan.

Hearing no other comments the Mayor asked for a motion on the consent calendar. **MOTION made by Bettis to approve the consent calendar as amended. Seconded by Bartolomucci. AYES: McCarthy, Kandle, Bartolomucci, Bettis, Thomas. None opposed. MOTION PASSED.**

III. PUBLIC COMMENT

None.

IV. PRESENTATIONS

None.

V. CORRESPONDENCE

EDCTC: The Mayor recognized the letter from EDCTC regarding their board election results.

Larry Watson: The Council reviewed a letter by Larry Watson regarding residential lighting. Staff and Council discussed the issues with both residential and commercial lighting in general. Kelsey noted that there were two issues; lighting use addressed in land use code and code that addressed existing lighting. Kandle expressed his interest in having a workshop with the community regarding this issue. Council directed staff to research this issue and plan on a Council workshop in the next six months to evaluate the possible legislative options. Council also directed O'Leary to write a letter to Mr. Watson explaining the time frame and process.

TGM Program Grant Status Letter: O'Leary noted that the City was not awarded a TGM grant this year. O'Leary related some of the reasons the City did not receive this grant and noted his desire to reapply next year for the same purpose.

VI. COMMUNITY REPORTS

None.

VII. OLD BUSINESS

None.

VIII. NEW BUSINESS

Collective Bargaining Agreement: McCarthy noted that the Council has received a proposal from the City's employee union. Hearing no other comments McCarthy asked for a motion. **MOTION made by Kandle to accept the proposed collective bargaining agreement and authorize the Mayor to sign the agreement. Seconded by Bettis. AYES: McCarthy, Kandle, Bartolomucci, Bettis, Thomas. None opposed. MOTION PASSED.**

Resolution to Approve an Increase in Solid Waste Collection Rates for R-Sanitary: Hearing no other comments on this issue the Mayor asked for a motion. **MOTION made by Kandle to approve a resolution approving a rate increase for solid waste collection services provided by R. Sanitary Service pursuant to Garibaldi Municipal Code Chapter 8.05. Seconded by Bartolomucci. AYES: McCarthy, Kandle, Bartolomucci, Bettis, Thomas. None opposed. MOTION PASSED.**

IX. STAFF REPORTS

Legal: Kelsey commented on the County's proposed lodging tax and noted that she had provided O'Leary information on the legal issues of this proposal. O'Leary said he would provide more information at the next Council Meeting once he had a chance to review the information.

Fire: Chief Marugg noted his report in the packet. Marugg said he had attended the Coast Guard changing of the guard ceremony last Friday, noted possible future improvements in regional communication during rescue events in Tillamook Bay, and reported on plans for Garibaldi Day's.

Police: Deputy Bob Pippenger explained logistical plans for Garibaldi Day's. Pippenger noted the total number of violations and arrests last month, and his efforts to enforce business license requirements. Pippenger noted his efforts to enforce pedestrian right of way in cross walks this summer.

Public Works: Schultz noted plans for Garibaldi Day's. Schultz talked about the paving done by Bayview Transit and explained that the cost for paving came in higher than the quote by \$1,994.15. Staff and Council discussed this and O'Leary explained that he had not understood the process completely, and had assumed that the quote amount would be the final cost. Kelsey explained that the Council could approve the additional cost by motion. **MOTION made by Bartolomucci to approve an additional amount of \$1,994.15 with the approved amount of \$44,430.75 to be paid to Bayview Transit Mix, Inc. for Paving of 7<sup>th</sup> Street and Acacia Ave.. Seconded by Bettis. AYES: McCarthy, Kandle, Bartolomucci, Bettis, Thomas. None opposed. MOTION PASSED.** Staff discussed issues regarding contracting and the special exemptions in the code. Schultz also noted that he would

like to have one of the Public Works employees certified to spray weed killer, and would look into what would be needed to do this. Schultz also gave Council a proposal for improving the gravel corner located on the northeast side of City Hall. Council and Schultz discussed this and agreed that the improvement would be worth the projected costs as long as funds were available in the budget. **MOTION made by Bettis for Public Works to improve the northeast corner of City Hall between the sidewalk and the reader board, and install either a bike rack or hand railing on the north side of the improvement at a cost not to exceed \$2,000. Seconded by Bartolomucci. AYES: McCarthy, Kandle, Bartolomucci, Bettis, Thomas. None opposed. MOTION PASSED.**

*Planning and Admin:* O'Leary noted construction and development for the last month; commenting that there was one permit for a new single family residential unit. O'Leary referenced one possible development in the D-1 zone that is still in the review phase. O'Leary asked if Council had any questions regarding his staff report, and specifically asked for feedback regarding his suggestion that Tillamook Community Development accept and process structural building permits instead the City of Garibaldi. McCarthy asked O'Leary to explain the process as it is now. O'Leary summarized the existing steps and indicated that the only change would be to have the County actually accept the application for a structural permit in their office instead of Garibaldi City Hall. Bettis emphasized that the County currently has the City acting as an agent by accepting the applications and coordinating the review process out of Garibaldi City Hall. O'Leary expressed that there wouldn't be a significant loss of revenue; however, by not acting as the County's agent the City would lose about \$5,000 based on the current application volume. O'Leary explained that the City would not relinquish the land use regulation, it would only let go of the administrative tasks associated with structural building permits; something that the County, not the City, regulates anyway. The Council and O'Leary discussed this and reviewed the existing process. Council directed staff to recommend a plan that would allow the City to evaluate the concept recommended by O'Leary for six months with an option to extend that evaluation for another six months. Kelsey and O'Leary said they would work with Tillamook Community Development to prepare a proposal. O'Leary also commented on a conversation with Rockaway Beach City Administrator Cliff Jensen about extending a water line from Garibaldi to Rockaway Beach. Staff and Council discussed this idea and how providing water to Rockaway Beach would affect Garibaldi's existing needs and future development. Staff was directed to request a letter of inquiry from the City of Rockaway Beach in regards to this possibility.

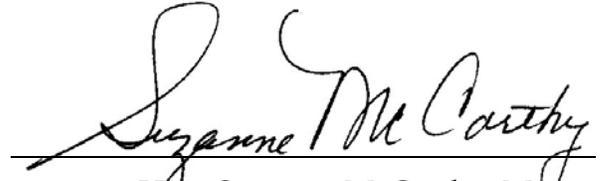
X. COUNCIL REPORTS

McCarthy commented that the Council needed to review the existing tasks

and responsibilities of the Administrative Office and decide what, if any, changes needed to be made. O'Leary asked if the Council wanted to address the permanent replacement of the City Administrator. Council indicated that they wanted to review the existing conditions before they made a decision on the matter. Staff and Council discussed this and scheduled a workshop for August 13, at 6:30 pm to evaluate the requirements of the Administrative Office.

XI. ADJOURNMENT

Mayor McCarthy adjourned the meeting at 9:14 p.m.

  
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Hon. Suzanne McCarthy, Mayor

ATTEST:

  
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John O'Leary, Interim City Administrator