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## REGULAR GARIBALDI CITY COUNCIL MEETING

Monday, May 16, 2011

Council Chambers, 7:00 P.M.

### I. CALL TO ORDER

Mayor Suzanne McCarthy called to order the regular City Council meeting at 7:00 p.m. Present were Council members Jerry Bartolomucci and Betty Thomas, City Manager John O'Leary, Assistant City Manager Mary DeLoria, Public Works Director Wayne Schultz, Fire Chief Jay Marugg, Joe Wrabek, Port Manager and Tourism Commission Chair Kevin Greenwood, Dale and Marlene Mohr, and Rudy Brunson. Council members Terry Kandle and John Foulk were excused.

### II. CONSENT CALENDAR

Mayor McCarthy asked council if there were any items to be removed from the consent calendar. Item C was removed to Old Business. McCarthy asked for a motion.

- A. Approval of the April 18, 2011, Regular City Council minutes
- B. Acknowledgment of City wide financial reports and payment of bills for April, 2011
- C. ~~Adoption of a Resolution Establishing Policies and Procedures for Reimbursement of Submitted Advertising from the Transient Room Tax Fund~~
- D. Approval of OLCC Application for Off-Premises Alcohol Sales - Oasis Deli & Store
- E. Approval of OLCC Application for On-Premises Alcohol Sales - The Pancake House
- F. Approval of Intergovernmental Agreement for Law Enforcement Services with the Tillamook County Sheriff's Office

Prior to seconding the motion, Cn Bartolomucci noted his objections to Items D and E, and explained that he had received negative feedback from residents about the increasing number of businesses selling alcohol in Garibaldi. Bartolomucci noted that Garibaldi has disproportionately more bars and retail alcohol sellers per capita than any other city in Tillamook County. Bartolomucci noted that he would vote to approve the applications, even though he personally objects to contributing to this disturbing condition. O'Leary explained to the audience that the Oregon Liquor Control Commission (OLCC) has a very rigid process for approval of liquor licenses that includes a step requiring comment

from the local governing body. O'Leary further explained that the City does not have a policy in place to comment on license applications, and it would be unfair and arbitrary to not recommend approval based on the City's past practice. O'Leary noted Cn Bartolomucci's concerns as legitimate and very politically astute. O'Leary commented that Bartolomucci has made a difficult decision to ensure these applicants are treated fairly by the City, while acknowledging the public's concerns for increased alcohol sales and consumption in Garibaldi. There were no other comments from the audience.

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

IV. PUBLIC COMMENT

Rudy Brunson read aloud a letter written by Lawrence Susanka regarding the unsightly and potentially unhealthy conditions at 1004 Garibaldi Avenue, site of the old Morin's Diner. The letter recommend that the City cut the grass on the lot and bill the property owner, and discussed having contacted the realtor handling the property regarding getting the grass cut a few times per year. Color photos were submitted and passed to council showing the property's disorder and unsightly conditions. Brunson and Mohr noted having previously filed written complaints with the City regarding the condition of the property. O'Leary noted that Deputy Pippenger has investigated this situation in the past and has not determined it to be an attractive nuisance. O'Leary confirmed with Brunson and the Mohr's that the pictures presented were from an original complaint that the City received and addressed prior to tonight, that there is currently no trash or junk around subject property, and that the only issue is the current height of the grass.

IV. PRESENTATIONS

*[No Presentations]*

V. CORRESPONDENCE

Kevin Greenwood briefly discussed the parks and recreation grant application behind the city's letter of support (see council packet Page 57). He noted that the letter of support was one of several required by the 80% grant application, which was written for \$25,000.

VI. COMMUNITY REPORTS

*[No Community Reports]*

VII. OLD BUSINESS

A. *Resolution Establishing Policies and Procedures for Reimbursement of Submitted Advertising from Transient Room Tax Funds.* Cn Thomas discussed her reservation on changing the text of the resolution, that the change might be construed to give preference to lodging businesses. McCarthy noted that this

is not the intent of the resolution. Greenwood noted that the Tourism Commission discussed the proposed changes to the resolution at its regular monthly meeting on 2 May 2011 and noted the commission's consensus that non-lodging advertisement in some media outlets can contribute to overnight stays by visitors. The council noted that the intent of the resolution does not give preference to lodging businesses in reimbursement for advertisement expense under the resolution.

**MOTION made by Cn Thomas to approve the resolution as amended. Seconded by Cn Bartolomucci. AYES: McCarthy, Bartolomucci, Thomas. None opposed. MOTION PASSED.**

B. *Planning Commission Vacancies.* Council discussed the letter received from Joe Wrabek requesting that he be appointed to the Planning Commission. McCarthy noted that this appointment leaves one remaining seat open. O'Leary noted that the remaining seat would stay open, and he would report to the Council if anyone expressed interest in filling it.

**MOTION made by Cn Thomas to appoint Joe Wrabek to serve on the Planning Commission. Seconded by Cn Bartolomucci. AYES: McCarthy, Bartolomucci, Thomas. None opposed. MOTION PASSED.**

VIII. NEW BUSINESS

*[None.]*

IX. STAFF REPORTS

Legal: No report.

Fire: Marugg noted that the Humvee brush vehicle is now in service and complete except for lettering and striping. Assistant Fire Chief Martin McCormick was commended on his hard work in preparing the vehicle for painting, and installing lights and sirens. The Fire Department will drive the vehicle in local parades including the June Dairy Parade, Rockaway Beach's July 4<sup>th</sup> parade, and the Garibaldi Days parade.

The seismic rehab grant contract has arrived and is being processed. Funding will become available after the State secures funds through sale of bonds.

The department is now ready to sell the old brush rig, and it will be offered for sale locally then advertised elsewhere. Proceeds from the sale will help offset the approximately \$7,000 spent to acquire and retrofit the Humvee brush vehicle.

Beach access is now open for the season for rescue operations.

Police: No report.

Public Works: Schultz noted that Public Works is currently working on weed spraying in city rights-of-way and on city property. McCarthy asked about the status of the city garbage can located in front of M'wa Pink Pig and whether it is being emptied. Schultz stated that he had previously worked with R Sanitary to enable them to empty the city garbage cans that had been filled with rainwater and that he would check the can on Tuesday, 17 May.

Greenwood commended Public Works staff for the care taken in building the new lift

station building so that it complements the surrounding area.

*Planning:* No report.

*Admin:* O'Leary noted that the 12<sup>th</sup> Street project is proceeding on schedule. Surveying is done and engineering is in progress. Sidewalks will be installed on the north side near the Coast Guard house down to approximately 11<sup>th</sup> Street, utilities will be undergrounded and a bike lane will be added on the north side of the street. The funding is through a \$100,000 ODOT grant.

The budget has been approved, and with minimal changes will go before the City Council at the regular meeting in June. The newsletter is out, and the required budget notice has been published in the newsletter.

O'Leary is working on a report on utility rates and recommends setting a workshop to review and discuss the utility rates report. **Council set a workshop for Monday, June 6 at 6:30 p.m. to be held in the Council Chambers.**

X. COUNCIL REPORTS

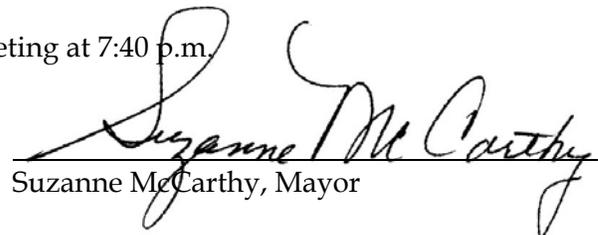
*Cn Bartolomucci:* Cn Bartolomucci said he has heard many inquiries and negative comments from residents on the new liquor license applications. He noted residents' concerns regarding the number of establishments selling alcohol per capita compared to surrounding communities. McCarthy noted the adverse impact on local businesses if they are unable to offer alcohol and her distaste at seeing empty businesses in town.

*Cn Thomas:* Thomas confirmed council's receipt of Mary Sause's invitation to her retirement party (see council packet). She noted that Val Folkema would like the city newsletter to address earthquake and tsunami preparedness and further noted the article in the current newsletter and Cn Kandle's ongoing work with the Emergency Operations Management plan. Thomas stated that there is an earthquake and tsunami preparedness workshop at the library in Tillamook on Tuesday, May 17 from 6:30 to 8:30 p.m.

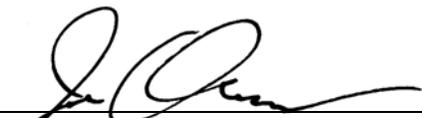
*Mayor McCarthy:* Noted that the Tourism Commission is working hard on Garibaldi Days preparations. She provided a brief history of the Commission to the audience and an overview of the event plans. McCarthy also noted that long-time Sister City coordinator Sharon Stafford will attend the May 24 Garibaldi Days Committee meeting to assist with parade planning with respect to the Sparks contingent's participation in the parade.

XI. ADJOURNMENT

Mayor McCarthy adjourned the meeting at 7:40 p.m.

  
Suzanne McCarthy, Mayor

ATTEST:

  
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John O'Leary, City Manager