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REGULAR GARIBALDI CITY COUNCIL MEETING

Monday, November 21, 2011
Council Chambers, 7:00 P.M.

I. CALL TO ORDER

Mayor Suzanne McCarthy called to order the regular City Council meeting at 7:01 p.m. Present were Council President Terry Kandle, Vice President Jerry Bartolomucci, Council members Betty Thomas and John Foulk, City Manager John O'Leary, Assistant City Manager Mary DeLoria, Public Works Director Wayne Schultz, Deputy Robert Pippenger, Fire Chief Jay Marugg (*arrived late*), Ken Phillips and Ray Sieler -- Tillamook P.U.D., Tina Sieler, Jerry Rilette and Jeannell Wyntergreen -- Oregon Department of Geology and Mineral Industries, Eugene Tish, Linda Buel - Fisherman's Advisory Committee for Tillamook County (FACT), Mitchell Buell, Paul Peterson -- Kayak Tillamook, Dave Peterson.

II. CONSENT CALENDAR

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

- A. Approval of October 17, 2011 Regular Council Meeting Minutes
- B. Approval of October 25, 2011 Council Workshop Meeting Minutes
- C. Acknowledgement of October 2011 Financial Reports / Payment of Bills
- D. Approval of a Resolution Entering into an Agreement to Receive Grant Funding from the Oregon Department of Land Conservation and Development
- E. Approval of a Resolution Amending ODOT Grant Agreement 27111, and Extending the Completion Date of the Project to December 31, 2012
- F. Approval of a Letter to Congressional Representative Kurt Schrader Requesting Co-Sponsorship of HR 2698

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

III. PUBLIC COMMENT

Elizabeth Reid / dog barking complaint moved to New Business.

IV. PRESENTATIONS

- A. *Ray Sieler - Tillamook PUD* -- The new manager of Tillamook PUD, Seiler gave an update of the current power plan, noting that the cost of BPA power increased this fall.

Jerry Rilette and Jeannell Wyntergreen - Oregon Department of Geology and Industries -- Wyntergreen gave an overview of the tsunami preparedness outreach program and discussed elements including the pre-education citizen survey, educational programs, and the post-program survey. The program will run through the end of July, 2012.

V. CORRESPONDENCE

[None.]

VI. COMMUNITY REPORTS

[No Community Reports]

VII. OLD BUSINESS

Zoning Code Amendment - Accessory Structure -- O'Leary discussed with the council their positions on pursuing the amendment to the accessory structure code, noting that the council has three options at this point: 1) the current draft can be presented for open discussion at a public meeting, 2) the council can deliberate further, potentially make changes then take to public meeting, or 3) terminate the process. Discussion resulted in a consensus to discuss further at the joint council and Planning Commission workshop on December 19, 2011. O'Leary requested that council members provide questions as early as possible so that the city planner has ample time to research and address the questions posed.

VIII. NEW BUSINESS

- A. *City Council Strategic Goals for 2012* -- O'Leary and the Council discussed the draft goal document included in the packet. The Council made no changes the document as presented, and O'Leary said that he would place it on the next meeting agenda for final consideration.

- B. *Barking Dog Complaint* -- Elizabeth Reid summarized the actions regarding her complaint of a neighbor's barking dog, providing a timeline and comments to the council. Reid noted her primary concerns were the city code not being enforced and a lack of appropriate customer service from the police officer investigating the complaint.

O'Leary gave a summary of city action on the complaint that originated on August 19, 2011, noting that Deputy Hanratty conducted the initial investigation while Deputy Pippenger was on vacation. O'Leary discussed his recent communications with Judge Lemery regarding the case and its dismissal as result of procedural requirements that were unknown to City

staff. Pippenger summarized his investigation and explained that he could properly cite for a violation now that the process has been clarified.

Reid noted that the dog continues to bark frequently when not supervised and asked the city to develop a viable ordinance to deal with this kind of situation. O'Leary stated that staff would address the matter and he would report back to the Council when he had more information.

- C. *Community Supported Fisheries Resolution* -- Linda Buell, co-chair of FACT, gave a summary of the group's position on the proposed resolution supporting community supported fisheries and requested that the council delay passage of the resolution until FACT has met with Marcus Hinz and other developers of the concept.

Paul Peterson, member of Kayak Tillamook, spoke on behalf of Marcus Hinz who was unable to attend the council meeting and noted that the primary thrust of the agreement is to help revitalize the economy of the area by assisting commercial fishermen in the collective marketing of their products.

O'Leary discussed the impact of the resolution, noting that the city's involvement is limited to support of the idea itself and perhaps making the community hall available for public meetings as needed. Cm Thomas noted that she is in favor of exploring the idea, but not necessarily in favor of city involvement in development of a program.

O'Leary noted that Hinz is planning to attend the January 19, 2012 FACT meeting. The proposed resolution will be presented to the council at the February council meeting.

IX. STAFF REPORTS

Legal: No report.

Fire: Marugg reported on forecasts for the current extreme weather and discussed the repairs to Engine 12.

Police: Deputy Pippenger noted that there was a lot of traffic for the Coast Guard Haunted House, but that the event went well and the Coast Guard was great to work with.

Public Works: No additions to the written report.

Planning: No report.

Admin: O'Leary reported that staff will be spending more time refining the code enforcement process. Discussion of municipal judge contract and of the statutory citation process. O'Leary noted the need to work on a new municipal judge contract.

X. COUNCIL REPORTS

Cn. Bartolomucci: Bartolomucci noted positive comments from the public on the Driftwood Avenue work and noted that fishermen are unhappy about the change in the crab season beginning date.

Cn. Thomas: Thomas noted her appreciation for Cn. Kandle and O'Leary for attending the DOGAMI meeting.

XI. ADJOURNMENT

Mayor McCarthy adjourned the meeting at 8:50 p.m.

Suzanne McCarthy, Mayor

ATTEST:

John O'Leary, City Manager