

CITY OF GEARHART
Regular Meeting of the City Council
Wednesday, April 6, 2022
7:00 pm On-site and Virtual/Telephonic

The regular meeting of the Gearhart City Council was held Wednesday, April 6, 2022. Council members, City staff and the public were able to attend on-site, virtual or by dialing in on a telephone.

Mayor Cockrum called the meeting to order at 7:01 pm. Present were Mayor Paulina Cockrum, Councilor Reita Fackerell, Councilor Kerry Smith, Councilor Brent Warren, Councilor Austin Tomlinson, City Administrator Chad Sweet, City Attorney Peter Watts; Police Chief Jeff Bowman, Fire Chief Josh Como, Fire Training Officer James Hutchinson, Executive Assistant Krysti Ficker, and City Treasurer Justine Hill. A quorum of the Council was present.

Mayor Cockrum requested a motion to add an agenda item in regards to discussion on the proposed Parks Master Plan Draft.

- ON MOTION by Councilor Smith, 2nd by Councilor Fackerell to add the discussion on the proposed Parks Master Plan Draft to this meeting agenda, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.

Mayor Cockrum went over visitor protocols. She gave a reminder that individuals who would like to speak in the visitor section should email Chad Sweet or use the raise hand feature.

There were no conflicts of interest declared by any member of the Council.

There were several sets of minutes that needed to be approved. Councilor Tomlinson requested that the minutes record how each City Council member voted. There was agreement that henceforth a Councilor's vote will be documented.

- ON MOTION by Councilor Smith, 2nd by Councilor Fackerell to approve the minutes of the March 2, 2022 regular meeting of the City Council, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.
- ON MOTION by Councilor Smith, 2nd by Councilor Tomlinson to approve the minutes of the March 3, 2022 special meeting of the City Council, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.

- ON MOTION by Councilor Smith, 2nd by Councilor Fackerell to approve the minutes of the March 29, 2022 special meeting of the City Council, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.
- ON MOTION by Councilor Fackerell, 2nd by Councilor Smith to approve the updated minutes of the March 2, 2022 public hearing meeting of the City Council, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.
- ON MOTION by Councilor Tomlinson, 2nd by Councilor Warren to approve the updated minutes with additional corrections on page 3 and 5 of the March 29, 2022 public hearing meeting of the City Council, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.

Mayor's Report. Mayor Cockrum presented her report.

- She gave an update on the new playground status. Playground equipment has been ordered and should be delivered this month. Site work, such as elevations and prep work, are in progress. Hopefully, the park will be complete around July 1 and a dedication can be planned.
- There is no ordinance on the agenda regarding banning bicycles on the Ridge Path. The discussion has brought up a lot of opportunities for citizen input. She is requesting that an ordinance not be adopted at this time. She suggested that the Council look at signage improvement, trail markers and street crossings at selected streets. Safety is always a concern that should be taken seriously.
- She was dismayed to hear that some people in Gearhart have been harassing our local volunteer fire fighters and their families. She has been a caregiver for the past 45 years and can attest that people who work to serve others, are subject to harassment and bullying. No matter which side of the bond issue that people are on, while a protected right, this type of behavior is uncivil and she cannot condone it. She feels it is unfortunate for the community.

Councilor's Reports. Mayor Cockrum opened discussion for each Council member's report.

- Councilor Tomlinson had nothing new to report.
- Councilor Fackerell had nothing new to report.
- Councilor Warren participated in a zoom meeting with Senator Merkley and some Clatsop County political people, which allowed an opportunity to discuss funding for the police/fire station project. He attended another Fire Station open house, which provided feedback and discussion.
- Councilor Smith had an opportunity to walk the Ridge Path and evaluate encroachments and right of ways. He met with the Mayor. He attempted to put a sign up in the community, but ultimately had some weather interference!

City Officer Reports.

- Chief of Police. Chief Bowman went over the police statistical report information and gave an update on some of the cases. He went over the timeline for the open police officer position. He noted that there was false information circulating about a burglary around Cottage and Creekside. He mentioned a motor home's catalytic converter being removed while the owner was sleeping in it.
- Fire Chief. Fire Chief Como presented information to the Council. He gave a March data report, including a call breakdown and mutual aid given. The fire department had an awards banquet. Chief Como introduced Fire Training and Operations Officer, James Hutchinson. He talked about upcoming community events, training, dispatch and radio communications, grants, burning and clarification that there is no intention to hire any additional paid firefighters.
- City Treasurer. Financial reports were submitted in the Councilors' packets. Treasurer Hill said that since last month's report in general fund revenue, the City has received their annual NW Natural Gas franchise payment and another significant payment in local marijuana tax. Compared to last year at this time, the general fund revenues have increased and overall the City is financially stable. She thanked our local property owners and testors as the City works to become compliant with backflow testing requirements.
- City Attorney. Attorney Watts said he had received many emails this last month. Political signs have been a topic of interest. The City of Gearhart does not have an ordinance regulating the use of political signs and it is his understanding that City staff will not intervene in sign placement unless they are placed in a location that poses a safety hazard or limits clear vision for vehicles. He discussed the State of Oregon versus the US Constitution freedom of speech. He indicated that he is not an arbitrator of violations on elections. There is a division within the Secretary of State's office in elections that handles these issues. Attorney Watts gave an update on the continuing US Bank / Shannon Smith case. He also had comments for the Council on the Parks Master Plan Draft.
- City Administrator. Information had also been sent to the Councilors in advance. He gave a summation of his written report. Specific items discussed were: keeping online/telephonic platforms available for future public City meetings; building department; backflow compliance; fire/police station update; grants; worksessions; clean-up day; and the special council meeting.

Correspondence. Mayor Cockrum went over correspondence. There was late correspondence submitted (Balensifer, Shortman, Tullis). There were three emails received regarding bicycles on the Ridge Path (Archibald, Sabol, Papadopoulos) and one on Ridge Path flooding (Lucas). Mayor Cockrum requested that if any Councilors were interested in participating in the Public Safety Coordinating Council to please let her know. Councilor Fackerell requested clarification on Bob Shortman's correspondence. Administrator Sweet said the alleged incident referenced was from 2012. He had responded to Mr. Shortman's email as clarification of the alleged accusations, which he says are false.

Visitors. Mayor Cockrum reminded visitors of the protocol.

- Robert Lee (627 8th, Gearhart) spoke regarding bicycles on the Ridge Path. Children riding bicycles on the Ridge Path that he has encountered have been polite and respectful. He does not feel bicycles should be prohibited.
- Mitch Cogen (117 Ridge Drive, Gearhart) spoke regarding the fire/police general obligation bond. He wanted clarification on the grant situation in terms of the fire/police station. He feels the bond is large and that there has not been a serious effort to get grants to reduce the costs for taxpayers. He talked about the vote yes mailer that went out, clarification on the statement of why the City cannot seek grants until after the bond passes and who is spearheading the grant efforts. Mr. Cogen also wanted additional clarification on the development of the area that the fire/police station would be placed. He talked about potential water issues, moratoriums and the City of Gearhart being a collaborative partner in terms of other governmental agencies goals and objectives (Clatsop County and Warrenton). Attorney Watts responded that the City has been seeking out grants. The City has been working with Congresswoman Bonamici (and staff), Senator Wyden and Senator Merkley trying to figure out other funding options. He also clarified that cities often need to demonstrate community support, which is usually achieved by the passing of the bond, before private contributors or grant approvers are willing to contribute. He also discussed the UGB Swap, successful work done with Scott Fregonese, the water moratorium and the Clatsop County moratorium. Administrator Sweet also provided information on purchasing water from Warrenton and the land swap. Mayor Cockrum reiterated that the City is interested in getting grants and is continuously trying to seek them out.
- Robert “Bob” Morey (271 D Street, Gearhart) spoke on graffiti that was at the tennis court/water treatment facility restrooms; reiterated his concerns on the land swap; and had earlier requested clarification on the confidentiality removal statement in the Treasurer’s report. Before the recording of the meeting, it was clarified that the statement and the removal of pages from the Treasurer’s report are due to the confidentiality of personally identifiable payroll information of individual employees.
- Jack Zimmerman (408 W Kershul Circle, Gearhart) spoke on the perceived water issue in relation to the fire/police station development area. He feels that providing clarifying information on the water issue is imperative to the project. Mr. Zimmerman does not feel there has been clear communication. He also referenced Clatsop County and the City of Warrenton. He feels there is no information readily available regarding Gearhart’s groundwater, monitoring and water consumption patterns. He indicated that according to information from the City of Warrenton, Gearhart is a large consumer during summer months. Attorney Watts provided clarification on land swap and property zoning swap requirements. Administrator Sweet mentioned the Water Conservation Plan (monitoring/testing).

- Mayor Cockrum directed a meeting “call to order” because of time constraints. She directed Administrator Sweet to respond to information requests.

Ordinances/Resolutions. None.

Time check was called at 8:45 pm.

Old Business. Parks Master Plan Draft - Mayor Cockrum opened the discussion by establishing where the Council would start its review of the plan document. Attorney Watts was allowed to provide his recommendations to the Council. He discussed and asked for Council clarification on Section 3.6; Section 3.10; Section 3.15; Section 3.16; and Section 3.19.

- ON MOTION by Councilor Smith, 2nd by Councilor Fackerell to table the discussion on the Parks Master Plan Draft until the special council meeting on April 19, 2022, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.

New Business.

Loan Scenarios. Administrator Sweet went over the Staff Report. The Council briefly discussed the two bond payment options that had been presented by financial advisor, D.A. Davidson. Councilor Warren has created a calculator for property owners to use as a tool to see the impacts of the fire/police general obligation bond, which is available on the City’s website. The Council was reminded that the bond scenarios may likely change depending on current market conditions, but will not be greater than the published \$1.213/\$1,000 of a property’s taxable assessed value. It is important to the City Council to have feedback from the community because the debt does have a financial impact on property owners.

Tax Relief Program. Councilor Warren gave a summation of the program. There was discussion on establishing a tax relief program for households who have low and moderate income and may need assistance with a tax increase associated with the fire/police station general obligation bond. The Council is exploring the option of using cannabis tax dollars to fund the program for up to three years. Attorney Watts has seen similar programs in other jurisdictions, which were focused on utilities. He would research some specific examples for Councilors to review.

Sexual Assault Awareness Month Proclamation. Mayor Cockrum asked Administrator Sweet to read the Proclamation. Mayor Cockrum thanked the Harbor for their work. Administrator Sweet also mentioned that Chief Bowman had distributed a Domestic Violence Advocacy Training flier.

- ON MOTION by Councilor Smith, 2nd by Councilor Warren to approve the Sexual Assault Awareness Month Proclamation, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.

Street Dance Permission request. There was a Staff Report in the packet requesting permission to have a street dance on Pacific Way this July 2022.


- ON MOTION by Councilor Fackerell, 2nd by Councilor Tomlinson to approve the request to have a street dance this July 2022, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays.

Council Concerns.

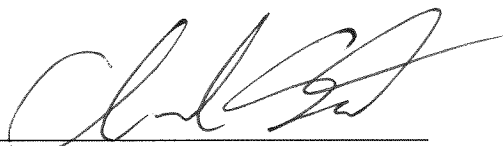
- Councilor Smith requested that the counter timer be placed back up in the Council chambers.
- Councilor Fackerell had no concerns.
- Councilor Tomlinson had no concerns.
- Councilor Warren had no concerns.
- Mayor Cockrum had no concerns.

Mayor Cockrum requested adjournment.

- ON MOTION by Councilor Smith, 2nd by Councilor Tomlinson to adjourn the meeting, MOTION was approved 5 yeas (Cockrum, Fackerell, Smith, Tomlinson, Warren) - 0 nays. Mayor Cockrum adjourned the regular Council meeting at 9:24 pm.



Mayor Paulina Cockrum



Chad Sweet, City Administrator