

CITY OF GEARHART
Worksession of the City Council
Tuesday, January 30, 2024
6:30 pm On-site and Virtual/Telephonic

A worksession of the Gearhart City Council was held Tuesday, January 30, 2024. Council members, City staff, and the public were able to attend on-site, virtually, or by dialing in on a telephone.

Present were Mayor Kerry Smith, Councilor Preston Devereaux, Councilor Reita Fackerell, Councilor Dana Gould, Councilor Sharon Kloepfer, City Administrator Chad Sweet, City Attorney Peter Watts, Public Works Director Mark McFadden, Police Chief Josh Gregory, Fire Chief Josh Como, Division Chief of Training & Operations Adrienne Park, Executive Assistant Krysti Ficker, and City Treasurer Justine Hill. A quorum of the Council was present.

Mayor Smith called the worksession of the City Council to order at 6:31 pm.

Mayor Smith explained that there has been a name change regarding the emergency services building, which will now be referenced as a public safety building. The facility would be more than an emergency services building. Mayor Smith thanked Police Chief Gregory for his suggestion and input on the renaming.

Mayor Smith opened discussion regarding the Town Hall to start community involvement in the potential exploration of a new public safety building. He asked Council members to keep open lines of communication. He would like to see any suggestions and/or public comments shared so that everyone is aware. He also discouraged criticizing in a public forum. He asked Councilors if they had any comments about the Town Hall.

- Councilor Gould was apprehensive about the meeting but felt that it went off better than she expected. Because the Council had not had discussion about the process and/or agenda, she was concerned they would not have answers to questions that the public wanted. She did not want the Council to come off as afraid to answer questions or have the appearance of incompetence. She feels the priority is to build trust and confidence. She agrees with Town Hall meetings but cautioned that every decision will not be able to have public input. She suggested that Councilors continue to have meetings with all stakeholders and listen. Councilor Gould felt like it was a successful first meeting and that it did accomplish the Mayor's goals. She wants a clear communication plan.
- Councilor Devereaux feels the Town Hall meetings need to be at 7:00 pm so that working people have an opportunity to attend. He felt people that did attend asked pertinent questions. He feels

there is a lot of animosity amongst people over the last fire/police bond and that the more information that is shared, the better.

- Councilor Fackerell appreciated Mayor Smith's no nonsense approach at the meeting. She liked that he was straightforward and stated that if this was not what the people wanted, it would not be pursued.
- Councilor Kloepfer felt it was a great first step. She thanked City staff for their contributions. She has gotten some public feedback and shared some considerations. Council should have control over expenditures and provide due diligence. Expenditures should be made public. Correspondence should be available to the public without a records request process. Structural engineering reports should be available. A response time study should be done on potential location sites. She felt that the public should be surveyed on the needs of the fire department and that an accurate budget for the new project should be presented to the public. She supports finding a method to allow the public to vote.
- Mayor Smith thought it went well. He felt it was an organic meeting. He hoped to convey that if the public is not interested in the project, he does not want to pursue it. The public did, however, seem interested in moving forward and faster than he projected. He will review the Town Hall and formulate a plan for the next meeting. He mentioned Administrator Sweet has done some research and provided information on an owner's representative to assist with the project.
- Administrator Sweet talked about the exploration of an owner's representative. After talking with other Cities that have gone through very similar processes, he agrees that Gearhart needs to take the process one step at a time. He referenced the City of Manzanita project, which uses an owner's representative. He went over some responsibilities of the owner's representative, which included: playing a critical role in managing large projects; help to define project scope and develops project plan; act as a bridge between the city and the various stakeholders including architects, contractors, consultants, and the public; represent the city's interests throughout the project to ensure it is completed on time, within budget, and to require quality standards; assist with procurement and contract management; assists with budget and financial management; assist with communication and stakeholder engagement; and assist with project execution and oversight including regulatory compliance, permitting, change management, project closeout and post project evaluation. Gearhart does not have enough staff to dedicate the time needed for a special project. Initial costs for an owner's representative could be around \$30,000. If the process to build moves forward, other costs, such as architecture work, permitting, and the design process, could total \$140,000 over the next year. Administrator Sweet is interested in researching a request for proposal to hire an owner's representative. Councilor Fackerell wanted to know the role of this person in terms of interacting with the public. Administrator Sweet explained that it depends. He stressed how communication is essential and that this person's role depends on the

needs of the City. There was continued discussion on clarifying the communication role of the owner representative; public engagement; City Councilors' roles; decision making process; spending funds without asking the public; public not feeling informed; lack of engagement with the public; and the inability to have a Town Hall meeting in order to make every decision. Mayor Smith instructed Administrator Sweet to get some proposals for the Council to review.

- Chief Como gave some information on a voting software option that allows the public access to immediate response in polling and voting.
- Councilor Fackerell wanted clarification from Chief Como if the public safety building could be placed at the current location, to which he responded, yes.
- Attorney Watts suggested going out for an advisory vote. He explained that this is a tool to gauge public support. It allows the City the ability to draft a non-binding ballot title to present to the voters during an election. He also reminded the Council that if an owner's representative was hired and a bond ballot is successfully passed, the City will no longer be able to spend any regular City funds. There was discussion on the ballot timeline and any associated costs. Information may be brought to the February City Council meeting.


Mayor Smith introduced the tree discussion and asked Administrator Sweet to go over the document provided. Administrator Sweet explained that the document, Tree discussion - City of Gearhart Council Worksession - 01/30/2024, was informational and something he prepared from notes he took at the last City Council meeting. Councilor Kloepfer wanted to add an item regarding clarification on who should be making the final decisions on trees being cut down, which includes public property. Administrator Sweet explained the process that the Planning Commission approved. Mayor Smith had objections over the cutting of heritage trees. He supported the idea of a three person tree committee. Councilor Devereaux wanted clarification on the background of the individuals who would make-up the tree committee (e.g., layman or professionals). Councilor Kloepfer recommended placement of language to protect the older, larger trees under definitions. Councilor Gould had concerns over Administrator Sweet having to make the sole decision of allowing/denying tree removal. She would like to see more clarity in the definition of a tree and she has concerns over changing things that may impact the Comprehensive Plan. Attorney Watts reminded Councilors that the Planning Commission was tasked with providing clarification to the current ordinance; and, if significant changes are going to be made (e.g., approval committee, categorizing different tree size rules), the approval process would need to be different. He talked about Goal 5; language in code versus Comprehensive Plan; scope; public hearings; impacting property rights; liability exposure; and arborist recommendations. Councilor Gould mentioned that because of septic systems, property in Gearhart can have limited space for improvement. She has concerns over impacting property improvements because of tree restrictions. Councilor Fackerell requested clarification on the enforcement of the tree process and felt it was the City's due diligence to go

look at trees before they are cut. She stressed trees were important and felt the Planning Commission should do more work on the tree cutting process. Councilor Kloepfer agrees that it should go back to the Planning Commission. Mayor Smith would like something drafted to redirect the tree ordinance back to the Planning Commission. Councilor Gould agrees there is more discussion needed.

Mayor Smith adjourned the worksession meeting at 7:38 pm.



Chad Sweet, City Administrator



Mayor Kerry Smith