

CITY OF GEARHART
Regular Meeting of the City Council
Wednesday, April 3, 2024
7:00 pm On-site and Virtual/Telephonic

A regular meeting of the Gearhart City Council was held Wednesday, April 3, 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, Fire Chief Josh Como, Student Guest Jack Sheesley, Public Works Director Mark McFadden, Executive Assistant Krysti Ficker, and City Treasurer Justine Hill. A quorum of the Council was present.

Mayor Smith introduced Jack Sheesley, the first place Gearhart winner for "If I Were Mayor" poster contest. Sheesley went over his poster, which included improving streets by getting rid of potholes; giving more money to city workers because they work hard and in the junky weather; and building a school in Gearhart. Mayor Smith asked Sheesley to call the meeting to order.

Jack Sheesley called the regular meeting of the City Council to order at 7:09 pm.

Mayor Smith made a motion to add to the agenda.

- ON MOTION by Mayor Smith, 2nd by Councilor Kloepfer to add a new business agenda topic of Post Office Synopsis, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

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

Approve Minutes.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Gould to approve the minutes of the March 6, 2024 public hearing and regular meeting of the City Council, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- ON MOTION by Councilor Gould, 2nd by Councilor Kloepfer to approve the minutes of the March 19, 2024 worksession of the City Council, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

There were no questions on the Planning Commission report in the Councilors' packets.

Mayor's Report. Mayor Smith has participated in a lot of meetings last month. He also attended a League of Oregon Cities (LOC) class in Newport, Oregon.

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

- Councilor Devereaux had nothing new to report.
- Councilor Fackerell attended a Clatsop Regional Housing Taskforce meeting. She learned about an interesting potential housing project in Warrenton that would provide low-cost housing with retail areas. She also met with the Division Chief of Training & Operations Park. They discussed the fire station project, ambulance services, volunteerism, and Chief Como's professionalism.
- Councilor Kloepfer met with Councilor Gould regarding the property that borders the Neacoxie around 1st and 2nd Street. As a citizen she has been concerned about this property for the last three years. Although she was grateful for the KGW elk report, she felt they gave the Oregon Department of Fish & Wildlife (ODFW) a pass. She feels they left out some important facts (e.g., elk pregnancy). Councilor Kloepfer also commented on the airport committee and the exploration of adding new tie downs, which City Planner Phillips will be asked for guidance. She was also thankful to all those who have responded to her outreach postcard. She plans to respond, gather data, and provide feedback. She clarified information with Attorney Watts regarding communication between the City Council and the Planning Commission. She also attended a Community Emergency Response Team (CERT) meeting.
- Councilor Gould attended a luncheon honoring women in public safety, which the Division Chief of Training & Operations Park also attended. She participated in the same LOC training as the Mayor in Newport regarding community visioning and strategic planning. She has been spending time researching and making as many contacts as possible regarding the Gearhart postal service closure.

City Officer Reports.

- Chief of Police. There was no representative for the police department; however, their police log report will be sent out.
- Fire Chief. Fire Chief Como went over the department's March data report, including a call breakdown, mutual aid, and comparisons to last year. He mentioned the fire department receiving a \$35,000 OSFM summer staffing grant. Councilor Gould asked about the easter egg hunt and Chief Como reported that there was good weather, lots of candy eggs, and everyone seemed to have fun.
- City Treasurer. Financial reports were submitted in the Councilors' packets. Treasurer Hill explained that not much occurred in March of financial significance. A few notable expenditures mentioned were elected official expenditures for postage on a community feedback project; fire

department quarter gas/clothing reimbursement to GVFD; EMS replacement supplies; purchase of a new water tank and pump equipment for the new side-by-side; public works professional development opportunities; and routine maintenance on the vector truck and backhoe. She also thanked our new budget committee members (Grey, Lee, Devereaux) for attending a budget committee orientation and reminded everyone of the budget committee meeting.

- City Attorney. Attorney Watts mentioned the Portland State University (PSU) population forecast and noted that they were planning a special breakout for the City of Gearhart (e.g., growth rates, housing supply, impacts of State Revenue Share). He also mentioned request for proposal (RPF) work that the City has been working on. Attorney Watts talked about the Gearhart postal service issue and that State officials have been made aware (e.g., Senator Wyden, Senator Merkley). Councilor Fackerell mentioned that Attorney Watts, as a participant, was able to provide helpful information at the Clatsop Regional Housing Taskforce meeting in terms of the PSU population data. She felt his contributions were valuable.
- City Administrator. Administrator Sweet's report was sent to the Councilors in their packets. He thanked everyone for attending all the recent meetings. He also confirmed the Gearhart Clean-up day, April 20, which allows residents an opportunity to get rid of unwanted items and electronics.

Visitors. Melissa Eddy, community member, talked about the proposed 2024 Gearhart Street Dance. She distributed a budget, a list of basic event set-up needs, and a community flier. She briefly went over City staff requirements and Councilor Gould was interested in assisting with volunteers.

- ON MOTION by Councilor Gould, 2nd by Councilor Fackerell to approve the request to hold the 2024 Gearhart Street Dance, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepper, Smith) - 0 nays.

Public Communications - Written & Oral. Mayor Smith read the oral public comment statement on the agenda. There was written correspondence submitted by: CIS Insurance (Recreational Immunity Update); Pacific Power (BlueSky); Jack Zimmerman (2nd Street Lots-Wetlands); Nakesha Womble, Executive Director CASA (2023-2024 Donation); Mark Rolofson (Ceasefire Resolution Ending Hostilities GAZA); Bob Morey (Comments Regarding Zimmerman Submittal 3rd Street Site); Dana Gould, Councilor (Post Office Article 2003); Jack Zimmerman (2nd Street Lots); Griffinmjones@yahoo.com (Postal Issues); and Eva Kirk (Passing Ceasefire Resolution).

- Beth Cameron (2906 Glen Ct, Gearhart) requested that the link to the fire and police OSHA standards in regard to public safety facility requirements be posted for the public to view. Councilor Gould was going to follow-up.

Ordinances/Resolutions.

Ordinance 943 - An Ordinance Amending the City of Gearhart Zoning Ordinance Section 3.2 Medium Density Residential R-2 Zone - Mayor Smith opened the discussion. Attorney Watts talked about the amendment change request made by the Drifthaven Inn. Councilor Devereaux requested clarification that with this type of amendment the Drifthaven Inn would be able to rebuild if there was a fire, which Attorney Watts confirmed. Attorney Watts also mentioned that this type of change does not allow the Drifthaven Inn or other businesses more flexibility in making additional changes. Any changes would still need to go through the Planning Commission process.

- ON MOTION by Councilor Gould, 2nd by Councilor Devereaux to approve Ordinance 943 reading by the title only, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloefer, Smith) - 0 nays.

Old Business. Mayor Smith invited the public to comment on the old business items.

Zip Code Update - Administrator Sweet went over the staff report. He gave a brief history, current update, and clarified there were no new developments. He mentioned that State representatives were aware of the zip code issue and were also actively engaged in trying to get information. There was continued discussion. Attorney Watts explained there had been some turnover with USPS staffing, which has been causing some delays. Councilor Gould referenced the correspondence she submitted regarding a Daily Astorian article, ("*Gearhart delivers mail fee decision to postal service*"), addressing a historical reference on expanding street mail delivery to Gearhart residents.

New Business. Mayor Smith invited the public to comment on the new business items.

Post Office Synopsis. Mayor Smith opened the discussion. Administrator Sweet gave a brief explanation of the closure of the Gearhart contracted USPS office, the 30 day closure notification due to health issues, and the communication actions that have been taken to date. USPS has stated there are interested parties in taking over the contracted Gearhart USPS office. Administrator Sweet also stated that the City and/or Councilors are not preventing street delivery in Gearhart nor does any City code appear to prohibit it. Attorney Watts referenced a possibility of temporarily keeping the Gearhart USPS service available in the current facility. Councilor Gould is very actively involved. She is concerned about residents who may not be able to get to Seaside to check their mail and suggested a potential volunteer carpool program. She also has concerns over upcoming elections and any potential confusion in delivery of ballots. She posted information on the postal issue on the BLOG.

- Community members talked about items such as: who to contact outside of Gearhart regarding the issue; the City not putting up opposition on allowing delivery service in Gearhart; issues with being able to pick up packages if Gearhart office is not staffed; and costs and installation of community boxes.

RFP - Groundwater Modeling Services. Mayor Smith opened the discussion. Public Works Director McFadden talked about the project and explained that one of the people in the proposal has been involved in monitoring Gearhart's groundwater since the beginning.

- ON MOTION by Councilor Fackerell, 2nd by Councilor Devereaux to approve the award of the Groundwater Modeling Services as submitted up to \$83,000 (Water Reserve Account), MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

RFP - Owner's Representative Services. Administrator Sweet went over the staff report. He explained that he has been checking references and has talked with all four organizations that submitted proposals. Administrator Sweet feels more time is needed before finalizing the award. He requested that the approval to award be deferred to a later date.

- ON MOTION by Councilor Gould, 2nd by Councilor Kloepfer to approve tabling the approval of an RFP for Owner's Representative Services until a later date, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Leak Reduction Request. Administrator Sweet went over the staff report. He explained that leaks do happen, and that City Ordinance 940 does allow up to a 40% reduction credit; however, this property (871 Hager) is requesting an additional reduction due to the size of the leak. There were clarifying questions about the type of property (short-term rental); amount of revenue generated by the property; and the ability to hear the leak.

- ON MOTION by Councilor Kloepfer, 2nd by Councilor Fackerell to approve only the 40% reduction credit as allowable by the ordinance, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.

Funds Request - Hypochlorite Generation System. Mayor Smith opened the discussion. Public Works Director McFadden talked about the need to replace the water treatment facility's chlorine system due to age and hours of operation.

- ON MOTION by Councilor Devereaux, 2nd by Councilor Kloepfer to approve the request of Water Reserve Funds up to \$161,000 to purchase the replacement chlorine system, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays.
- *This would be a sole source procurement due to patented and/or trademarked products.*

Discussion - Skid Unit Membrane Filtration System. Public Works Director McFadden talked about the benefits of a new, third skid unit at the water treatment facility. He is requesting that the City be allowed to explore the cost options, which he is estimating may be over \$1 million. He is requesting to move forward with the engineering phase by issuing an RFP.

- City Council was in agreement to allow City staff to move forward with obtaining quotes for implementing a new skid unit at the water treatment facility.

Discussion - Council/Community Communications. Mayor Smith asked Councilor Gould to go over the discussion item. Councilor Gould is exploring options to communicate decisions that impact the community. Citizens have shared that they are often not aware of changes that are made that impact them. She is very interested in hearing suggestions. There was discussion on distribution through the BLOG and water bills. Councilor Devereaux suggested a notice on the water bill reminding residents to view the BLOG. Administrator Sweet said that he would explore options.

Discussion - Worksessions Prior to Council Meetings. Mayor Smith asked Councilor Gould to go over the discussion item. Councilor Gould explained that worksessions before City Council meetings may allow for more efficient and succinct discussions during the actual meetings. There was discussion about continuing the current worksession schedule, the ability to reevaluate, and the potential of decreasing workloads on staff.

- City Council was in agreement to move forward with scheduling worksessions before monthly City Council meetings with the caveat that it may be reevaluated for efficiency.

Council Concerns.

- Councilor Fackerell had no concerns.
- Councilor Devereaux had no concerns.
- Councilor Kloepfer had no concerns.
- Councilor Gould gave a reminder that the Statement of Economic Interest is due April 15, 2024.
- Mayor Smith had no concerns.

Mayor Smith requested adjournment.

- ON MOTION by Councilor Gould, 2nd by Councilor Kloepfer to adjourn the meeting, MOTION was approved 5 yeas (Devereaux, Fackerell, Gould, Kloepfer, Smith) - 0 nays. Mayor Smith adjourned the regular Council meeting at 9:03 pm.

Mayor Kerry Smith

Chad Sweet, City Administrator