

CITY OF GEARHART
Worksession of the City Council
Tuesday, April 29, 2025
6:30 pm On-site and Virtual/Telephonic

A worksession of the Gearhart City Council was held Tuesday, April 29, 2025. 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 Paulina Cockrum, Councilor Preston Devereaux, Councilor Dana Gould, Councilor Sharon Kloefer, City Administrator Chad Sweet, City Planner Garrett Phillips, City Attorney Peter Watts, Executive Assistant Krysti Ficker, and City Treasurer Justine Hill. A quorum of the Council was present.

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

Mayor Smith mentioned that the City Administrator evaluation document can be picked up in the Councilors' boxes. The document needs to be returned by the second or third week in May.

Mayor Smith would like to consider City Council meetings starting at 6:00 pm. He would like to bring a proposal to the June City Council meeting for approval, which would make the change effective with the July meeting. He indicated that the change could be on a trial period. Councilor Cockrum inquired how the earlier start time would impact public hearings, which are usually before the City Council meetings. Mayor Smith indicated public hearings would start at 5:30 pm. Councilor Devereaux expressed a concern about people giving up their dinner time to come to a meeting. Mayor Smith explained that he would like to start earlier in hopes of ending the meeting at a more reasonable hour. Councilor Gould inquired with the City Treasurer Hill if that time would create any issues for City staff. City Treasurer Hill did not think it would cause any issues.

Mayor Smith introduced the topic of Ordinance 942 and asked Administrator Sweet to go over the issues. Administrator Sweet explained there had been handouts distributed to the Council (*Ordinance 942, Staff Report, Pictures, Issues Highlighted from Ordinance 942*). He explained that there has been some ambiguity among staff with the interpretation of language regarding the designations of Heritage tree versus a tree greater than 55", which has created some regulatory confusion. Administrator Sweet went over the handout, *Issues Highlighted from Ordinance 942*, which covered definitions and potential conflicts; protection requirements; Heritage tree designations; exceptions and immediate removals; and recommended Council clarifications. He explained that staff are asking Council for clarification on the

tree definition categories by either: 1) consolidating the 55" tree and Heritage tree definitions for simplified universal protection, or 2) maintaining and clearly distinguishing separate categories (55" versus Heritage) as the Ordinance was approved.

There was discussion among the Councilors that included: discrepancy with unsigned Ordinance 942 that was distributed and signed Ordinance 942 on City's webpage; time City staff have been spending on Ordinance 942; language in Ordinance 942, Section E, Major Tree Removal Permit Criteria; permitting and Planning Commission; a 55" tree definition being a trigger for a major tree removal permit; trees planted in right-of-ways; and safety concerns over trees planted around utility infrastructure (e.g., water, power).

Mayor Smith asked each Councilors' thoughts on the intent of the definition categories. Councilor Cockrum felt that the Heritage tree was a voluntary property owner requested designation. She has several large Sitka Spruce trees on her property and loves them. Councilor Gould voted no against the Ordinance. She also has an appreciation for trees; however, feels strongly about property owner's rights. She feels that a five member Council, with only three approving votes, creating a rule that financially impacts property owners is not appropriate. She feels that the Heritage tree designation was a voluntary option for property owners. Councilor Kloepper expressed confusion over the discussion because the Ordinance has already been approved. She feels the discussion should only be focused on clarifying the definition for Administrator Sweet between Heritage tree or 55" tree. She stated that Heritage trees do not have to be 55" because the tree may meet other qualifying Heritage tree criteria. She feels there should be separate tree definition categories. She mentioned that in her research, she has found that property values are higher with mature foliage. Mayor Smith felt there were two distinct definitions. He felt there was the 55" tree definition and voluntary Heritage tree definition. He reiterated that the worksession's purpose was to clarify definitions for City staff.


Administrator Sweet gave an example of a current situation where a property owner has requested three trees to be removed; however, under the current language in Ordinance 942, only one of the three is eligible to be removed. The other two trees have a primary trunk greater than 55" in circumference and do not qualify under Section E Major Tree Removal Permit Criteria to be removed (*referenced Picture handout, page 3*).

Councilor Kloepper, Mayor Smith, and Councilor Cockrum agreed that the definitions in Ordinance 942 were accurate. Councilor Gould and Councilor Devereaux agreed there was clarification required for City staff to implement Ordinance 942; however, both still opposed the Ordinance. Mayor Smith told

Councilors if they have any issues, they are able to write changes to the Ordinance and present them at a City Council meeting.

Administrator Sweet had no further comments. Attorney Watts and City Planner Phillips felt there was clarification to pass on to the Planning Commission to assist the Planning Commissioners in their decision making process.

The Mayor adjourned the worksession at 7:19 pm.



Mayor Kerry Smith

Chad Sweet, City Administrator