



JUNE 7, 2017 COUNCIL AGENDA

7:00 P.M.

DECLARATION OF ANY CONFLICT OF INTEREST

APPROVE MINUTES: REGULAR MEETING- MAY 3, 2017
 SPECIAL EMERGENCY CC MTG MAY 24 2017

PUBLIC HEARING 2017/2018 POSSIBLE USES OF STATE REVENUE SHARING FUNDS

ACTION ON STATE REVENUE SHARING FUNDS – ORD. #904
AN ORDINANCE DECLARING THAT THE CITY OF GEARHART HEREBY ELECTS TO
RECEIVE STATE REVENUES AND DELCARING AN EMERGENCY

PUBLIC HEARING 2017/2018 CITY OF GEARHART BUDGET

ACTION ON 2017/2018 CITY OF GEARHART BUDGET – ORD. #905, AN ORDINANCE
IMPOSING TAXES FOR THE CITY OF GEARHART AS PROVIDED FOR IN THE
ADOPTED BUDGET AT THE RATE OF \$1.0053/\$1000.00 ASSESSED VALUE FOR THE
CITY OF GEARHART OPERATIONS AND IN THE AMOUNT OF \$550,000 AND THAT
THESE TAXES ARE HEREBY IMPOSED AND CATERGORIZED FOR TAX YEAR 2017-
2018 UPON THE ASSESSED VALUE OF ALL TAXABLE PROPERTY WITHIN THE CITY
OF GEARHART, AND DECLARING AN EMERGENCY.

PUBLIC HEARING 2017/2018 GEARHART ROAD DISTRICT BUDGET

ACTION ON 2017/2018 GEARHART ROAD DISTRICT BUDGET – ORD. #906, AN
ORDINANCE IMPOSING TAXES FOR THE GEARHART ROAD DISTRICT AS PROVIDED
FOR IN THE ADOPTED BUDGET AT THE RATE OF \$0.0602/\$1000.00 OF ASSESSED
VALUE FOR ROAD DISTRICT REPAIR AND THAT THESE TAXES ARE HEREBY
IMPOSED AND CATERGORIZED FOR TAX YEAR 2017-2018 UPON THE ASSESSED
VALUE OF ALL TAXABLE PROPERTY WITHIN THE DISTRICT, AND DECLARING AN
EMERGENCY.

PLANNING COMMISSION REPORT

MAYOR'S REPORT

COUNCILORS' REPORTS

CITY OFFICER'S REPORTS
CHIEF OF POLICE
CITY TREASURER
CITY ATTORNEY
CITY ADMINISTRATOR

CORRESPONDENCE

VISITORS

ORDINANCES/RESOLUTIONS;

ORD. #907, AN ORDINANCE FIXING THE COMPENSATION OF THE FOLLOWING OFFICERS OF THE CITY OF GEARHART: CITY ATTORNEY, CHIEF OF POLICE, FIRE CHIEF, AUDITOR, TREASURER, AND JUDGE, AND REPEALING ALL PRIOR ORDINANCES FIXING THE COMPENSATION OF THESE OFFICERS OF THE CITY OF GEARHART AND DECLARING AN EMERGENCY.

RESOLUTION #935, A RESOLUTION EXTENDING WORKER'S COMP TO VOLUNTEERS

OLD BUSINESS

DISCUSSION DRAFT VISITORS COMMENT RESOLUTION
FIRE COMMITTEE UPDATE
DISCUSSION LOWENBURG GEARHART CROSSING LOTTERY APPEAL

NEW BUSINESS

DISCUSSION HOUSING STUDY
CERT FUND REQUEST
AIRPORT COMMITTEE MEMBER
BUDGETED TRANSFERS FOR THE 2016/2017 BUDGET

COUNCIL CONCERNS

ADJOURNMENT

MAY 3, 2017

The regular meeting of the Gearhart City Council was called to order on Wednesday May 3, 2017 at 7 p.m. by Mayor Brown. Present were Councilor Lorain, Councilor Jesse, Councilor Smith, Mayor Brown, Councilor Cockrum, City Administrator Peter Watts, City Planner Carole Conner, Chad Sweet and City Treasurer Gail Como.

Mayor Brown advised the City is not ready to make a decision on the vegetation plan and felt that we need more information. Mayor Brown suggested if it is all right with the audience and the Council we can postpone the public hearing to allow more time for facts, findings and time for the committee to research. Mayor Brown advised visitors can speak what's on their mind during the visitor's section. ON MOTION by Councilor Lorain, 2nd by Councilor, 2nd by Councilor Cockrum to postpone the public hearing indefinitely. During council discussion Councilor Jesse suggested adding a provision to allow homeowners to cut noxious weeds on their own property. Councilor Lorain amended her motion to postpone the public hearing but continue the conversation specifically about scotch broom. Councilor Cockrum amended the amended motion to postpone the public hearing and, with a sense of urgency, hold a work session to discuss scotch broom. Councilor Lorain agreed. MOTION was approved 5-0.

There was no conflict of interest declared by any member of the council.

ON MOTION by Councilor Jesse, 2nd by Councilor Lorain to approve the April 5, 2017 public hearing minutes for the lottery machines, MOTION was approved 4-0, 1 abstain.

ON MOTION by Councilor Lorain, 2nd by Councilor Jesse to approve the April 5, 2017 minutes for the public hearing for RV's, MOTION was approved 4-0, 1 abstain.

Councilor Smith noted a spelling correction on the April 5, 2017 council meeting minutes. ON MOTION by Councilor Lorain, 2nd by Councilor Smith to approve the minutes for the April 5, 2017 Council meeting as corrected, MOTION was approved 4-0, 1 abstain.

Each member of Council was given a copy of reports from the Police Dept., Fire Dept, Planning Commission and City Treasurer.

Mayor Brown attended the Fire Committee work session and mentioned that there will be a town hall meeting tomorrow. Mayor Brown also attended a parliamentary training and urged Council to go if they get a chance.

Councilor Lorain attended a CREST meeting.

Councilor Smith attended a dune vegetation meeting with CREST and noted there will be another meeting this Sat. at 10am.

Councilor Cockrum noted Jeff Merkely's legislative bill for renewable energy goals and thought the Council could learn more about it.

City Attorney Peter Watts reported there is a LUBA hearing tomorrow. Also Mr. Watts stated an initiative was turned in and there is a ballot title challenge.

City Administrator Chad Sweet reported there is a Town Hall meeting for the new fire station tomorrow at 6:30 and also mentioned the Fireman's Ball is May 27 2017 at 8 p.m.

Visitors spoke:

Jack Delaney 1250 N. Ocean had concerns with non resident members on the dune committee and felt they should be home owners in Gearhart and base their decisions on the facts and not their emotions.

Al Carder 598 N. Marion had heard a lot of talk about scotch broom and questioned what about English Ivy.

Jeannie Mark P.O. Box 2627 asked regarding the Short Term Rental inspection process, is there any stats gathered on any issues with the inspection items. Mr. Sweet stated there have been about 20 repair permits for STR's for septic tanks issues such as disconnected systems, cesspools, systems that were under sized and replacing steel tanks.

Kevin Lacost spoke to Council about the tennis courts hours of operation and improvements.

Kathy Schroeder P.O. Box 2240 mentioned the City Code that is the Gearhart City website is dated 2009 and should be up to date. Ms. Schroeder also advised the reason for the

challenge to the notice of ballot title was because they are inaccurate. Ms Schroeder also felt that if all home owners were to go through the same home inspection as vacation homes they would have things to fix.

Kathy Todd P.O. Box 2326 asked for clarification on Councilor Jesses' concern regarding the dunes. Councilor Jesse stated that the City asks property owners to maintain their property by cutting noxious weeds and yet we have property owners between Marion and E St. who own beachfront and are not allowed to cut anything.

Tom Thies P.O. Box 2831 advised that when that code was written there was only dune grass out there not trees, stickers and scotch broom and felt the code should be changed.

Jack Zimmerman P.O. Box 2480 wondered why we don't have porta-potties at the trail heads because we have the poop bags/mutt mitts for the dogs.

Chris Jones 102 S. Ocean stated in 1935 when his house was purchased the dunes didn't exist and today we have trees and scotch broom and if they were to catch fire with the westerly winds it would put homes and firefighters in danger. Mr. Jones felt that for fire, life and safety we should do anything reasonable to protect that from happening.

Police Chief Jeffrey Bowman spoke to the council about RV's and trailers and he suggested that council direct the staff to draft a new ordinance for storage of a RV on public property. Council directed the staff to draft the ordinance.

Medix representative Robin Schultz presented a plaque to the City in thanks for the City support. ON MOTION by Councilor Jesse, 2nd by Councilor Lorain to adopt the proclamation declaring emergency services week, MOTION was approved 5-0.

ON MOTION by Councilor Jesse, 2nd by Councilor Lorain to read ordinance #903 by title only, MOTION was approved 4-1. Mr. Sweet read the ordinance by title only.

After some discussion on the City Administrator's pay increase A MOTION by Councilor Jesse, 2nd by Councilor Smith to give a 2% cost of living increase (to be determined) as per social security, MOTION was approved 3-2. A MOTION by Councilor Jesse, 2nd by

Councilor Smith that if there is a COLA increase it would start as of July 1, 2017, the MOTION was approved 5-0.

ON MOTION by Councilor Jesse, 2nd by Councilor Lorain to sign the Pacific Corp property lease for \$250.00 a year, MOTION was approved 5-0.

Additional visitor comments:

Jeannie Mark commented she is nostalgic for the stop light.

Kathy Schroeder suggested that when you have a visitor here like Medix you should open the meeting and let them go first so they can leave.

Al Carder mentioned changing the route of the parade.

Judd Todd advised the LUBA hearing proceedings tomorrow should be on the website.

Kathy Todd suggested that you could sell tiles for the new fire hall.

Tom Thies asked Council to vote in favor of the additional 3 minute visitor comments.

ON MOTION by Councilor Smith, 2nd by Councilor Lorain to adjourn, MOTION was approved 5-0. Mayor Brown adjourned the meeting at 8:45 p.m.

Mayor Matt Brown

Chad Sweet, City Administrator

SPECIAL EMERGENCY COUNCIL MEETING
MAY 24, 2017

The Emergency Special Council meeting of May 24, 2017 was open at 7:30 pm by Mayor Matt Brown. Members present were Mayor Brown, Councilmen Cockrum, Jesse, Lorain, and Smith, City administrator Chad Sweet and appearing by telephone Attorney Peter Watts and Planner Carole Connell.

Brown stated the purpose of the meeting is to discuss withdrawal for reconsideration of the Lowenberg application from LUBA, File #16-001CU revised. An emergency meeting was required due to a LUBA deadline. Brown asked if commissioners had any conflict of interest to declare. Brown, Jesse, Lorain and Smith had no conflict of interest, Cockrum stated one of the Lowenberg employees has been living with her they have not discussed lottery machines and she felt she did not have a conflict of interest.

Watts explained the findings prepared for the Lowenberg hearing are consistent with the findings the Planning Commission made, after a review of the recording of the hearing there are elements of the council findings that are reflected in the findings and elements that are not. He is recommending the City Council bring this back for reconsideration and whatever decision the council comes to the council findings will reflect that conclusion. On **MOTION** by Smith, 2nd by Lorain, by unanimous motion staff was directed to withdraw for reconsideration the Lowenberg application from LUBA, File #16-001CU revised.

Watts noted he would process the withdrawal for reconsideration with LUBA tomorrow, the hearing should be held expeditiously.

On **MOTION** by Smith, 2nd by Jesse the special meeting was closed at 7:41 pm.

Matt Brown, Mayor

Chad Sweet, City Administrator

MAY 24, 2017
EXECUTIVE SESSION

The Executive Session of the Gearhart City Council for May 24, 2017 to discuss possible litigation authorized under ORS 192.660 (2)(H) was open at 7:00 pm by Mayor Matt Brown.

On **MOTION** by Smith, 2nd by Jesse the Executive Session was closed at 7:30 pm

Mayor Matt Brown

City Administrator Chad Sweet



Staff Report

For City Council Meeting - 06/07/2017

Subject - An ordinance electing to receive state revenues

Synopsis: The attached ordinance allows Gearhart to receive state revenues for the upcoming fiscal year.

Recommendation: Council make a motion to read the ordinance twice by title only during this meeting and declaring an emergency.

Legal Analysis: This ordinance is necessary to receive revenues.

Financial Analysis: None

Respectfully submitted,

A handwritten signature in black ink, appearing to be the name "Chad", written in a cursive style.

Chad

ORDINANCE NO. 904

AN ORDINANCE DECLARING THAT THE CITY OF GEARHART HEREBY ELECTS TO RECEIVE STATE REVENUES AND DECLARING AN EMERGENCY.

The City of Gearhart ordains as follows:

SECTION 1. Pursuant to ORS 221.770, the City of Gearhart hereby elects to receive State Revenues for fiscal year 2017-2018.

SECTION 2. Inasmuch as this Ordinance is necessary if we are to receive State Revenue Sharing Funds in this fiscal year, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

Passed by the City Council of the city of Gearhart this 7th day June, 2017.

YEAS:
NAYS:
ABSENT:
ABSTAIN:

Approved and signed by the Mayor of the City of Gearhart this 7th day of June, 2017.

Mayor Matt Brown

Chad Sweet, City Administrator



Staff Report

For City Council Meeting - 06/07/2017

Subject - An ordinance imposing taxes for the City of Gearhart

Synopsis: The attached ordinance allows Gearhart to impose taxes for the upcoming fiscal year.

Recommendation: Council make a motion to read the ordinance twice by title only during this meeting and declaring an emergency.

Legal Analysis: This ordinance is necessary to receive tax revenues.

Financial Analysis: None

Respectfully submitted,



Chad

ORDINANCE NO. 905

AN ORDINANCE IMPOSING TAXES FOR THE CITY OF GEARHART AS PROVIDED FOR IN THE ADOPTED BUDGET AT THE RATE OF \$1.0053/\$1,000.00 ASSESSED VALUE FOR THE CITY OF GEARHART OPERATIONS AND IN THE AMOUNT OF \$550,000 AND THAT THESE TAXES ARE HEREBY IMPOSED AND CATEGORIZED FOR TAX YEAR 2017-2018 UPON THE ASSESSED VALUE OF ALL TAXABLE PROPERTY WITHIN THE CITY OF GEARHART, AND DECLARING AN EMERGENCY. THE FOLLOWING ALLOCATION AND CATEGORIZATION SUBJECT TO THE LIMITS OF SECTION 11B, ARTICLE XI OF THE OREGON CONSTITUTION MAKE UP THE ABOVE AGGREGATE LEVY:

	SUBJECT TO THE GENERAL GOVERNMENT LIMITATION	EXCLUDED FROM THE LIMITATION
GENERAL FUND	\$ 1.0053/\$1,000.00	
DEBT SERVICE FUND		\$825,284

THE CITY OF GEARHART DOES ORDAIN AS FOLLOWS:

Section 1. That there is and is hereby imposed a tax rate for the City of Gearhart for the general municipal purposes for the City of Gearhart for fiscal year July 1, 2017 to June 30, 2018 inclusive upon said fiscal roll at a rate of \$1.0053/\$1,000.00 and assessed value for the city of Gearhart operations and in the amount of \$550,000 and that these taxes are hereby imposed and categorized upon all of the taxable property within the City Limits of the City of Gearhart, Clatsop County, State of Oregon, July 1, 2017.

Section 2. That the budget for general municipal purposes expenses and purposes and interest of the City of Gearhart for the fiscal year as of July 1, 2017, to June 30, 2018 inclusive upon said fiscal tax rates prepared, submitted and adopted by the levying board and the Budget Committee of the City of Gearhart and now on file in the office of the auditor of the City of Gearhart, be and the said budget is hereby confirmed, approved and adopted and is hereby referred to and made a part of this Tax Ordinance as though set out in full herein.

Section 3. That the amount for the fiscal year beginning July 1, 2017 to and including June 30, 2018, and for the purpose shown below are hereby appropriated as follows:

CITY OF GEARHART
GEARHART, OREGON

SCHEDULE OF APPROPRIATIONS FOR
THE FISCAL YEAR BEGINNING JULY 1, 2017
GENERAL FUND

ADMINISTRATIVE DEPARTMENT:

Personal Services	\$ 227,279.20
Materials & Services	137,000
Capital Outlay	<u>4,000</u>
Total Administrative Department	\$ 368,279.20

BUILDING DEPARTMENT

Personal Services	\$ 4
Materials & Services	<u>198,900</u>
Total Building Department	198,904

POLICE DEPARTMENT

Personal Services	\$ 405,385.44
Materials & Services	68,950
Capital Outlay	<u>15,000</u>
Total Police Department	\$ 489,335.44

MUNICIPAL COURT

Personal Services	\$ 13,700
Materials & Services	<u>25,350</u>
Total Municipal Court	\$ 39,050

FIRE DEPARTMENT

Personal Services	\$ 236,079.44
Materials & Services	187,200
Capital Outlay	<u>44,000</u>
Total Fire Department	\$ 467,279.44

PLANNING

Personnel Services	\$ 41,700
Materials & Services	<u>\$ 147,000</u>
Total Planning Department	\$ 188,700

PARKS DEPARTMENT

Personal Services	\$ 21,135
Materials & Services	19,500
Capital Outlay	<u>5,000</u>
Total Parks Department	\$ 45,635

NON-DEPARTMENTAL

Materials & Services	\$ 54,006.12
Operating Contingencies	55,400.80
Transfer	<u>65,000</u>
Total Non-Departmental	\$ 174,406.92

TOTAL GENERAL FUND APPROPRIATIONS \$1,971,590

WATER FUND

Personal Services	\$ 249,120.56
Materials & Services	651,500
Capital Outlay	66,379.44
Operating Contingencies and Transfers	190,000

TOTAL WATER FUND APPROPRIATIONS \$ 1,157,000

STATE REVENUE SHARING

Personal Services	\$ 0
Materials & Services	27,200
Capital Outlay	<u>3,000</u>

TOTAL STATE REVENUE SHARING APPROPRIATIONS 30,200

STATE STREET FUND

Personal Services	\$ 35,060
Materials & Services	153,440
Capital Outlay	<u>0.00</u>

TOTAL STATE STREET FUND APPROPRIATIONS \$ 188,500

WATER RESERVE FUND

Capital Outlay	<u>\$ 1,196,500</u>
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TOTAL WATER RESERVE FUND APPROPRIATIONS \$ 1,196,500

FIRE APPARATUS RESERVE FUND	
Capital Outlay	<u>\$ 190,028.30,</u>
TOTAL FIRE APPARATUS RESERVE FUND APPROP.	\$ 190,028.30,
POLICE CAR RESERVE FUND	
Capital Outlay	<u>\$ 67,626</u>
TOTAL POLICE CAR RESERVE FUND APPROP.	\$ 67,626
PUBLIC WORKS MAJOR EQUIP. RESERVE FUND	
Capital Outlay	<u>\$ 95,677</u>
TOTAL PUBLIC WORKS MAJOR EQUIP. RESERVE FUNDS APPROPRIATIONS	\$ 95,677
9-1-1 EMERGENCY PHONE RESERVE FUND	
Materials & Services	\$
Capital Outlay	<u>2,026</u>
TOTAL 9-1-1 EMERGENCY PHONE RESERVE FUND APPROPRIATIONS	\$ 2,026
BUILDING RESERVE FUND	<u>\$ 185,364</u>
TOTAL BUILDING RESERVE FUND	\$ 185,364
WATER IMPROVEMENT CONSTRUCTION FUND	
Capital Outlay	<u>\$ 105,193</u>
TOTAL WATER IMPROVEMENT CONST. FUND	\$ 105,193
DEBT SERVICE FUND	
Debt Service	<u>\$902,361</u>
TOTAL DEBT SERVICE FUND	\$902,361

Section 4. That the Auditor of the City of Gearhart be and is hereby directed to notify in writing the County Assessor of Clatsop County of the tax rate proposed to be raised by taxation not later than the 15th day of July, 2017, by giving to the County

Assessor two copies of the statement of the approved levy, and two copies of the imposing Ordinance.

Section 5. That an emergency is hereby declared to exist for the reason that the City would be without funds to operate its Fire and Police Departments or to perform any municipal functions without the passage of this Ordinance promptly, and this Ordinance shall go into force and effect immediately upon passage and approval.

Passed by the City Council of the City of Gearhart this _____ day of June, 2017.

YEAS:

NAYS:

ABSENT:

ABSTAIN:

Approved and signed by the Mayor of the City of Gearhart this _____ day of June, 2017.

Mayor Matt Brown

Chad Sweet, City Administrator

gford.wps



Staff Report

For City Council Meeting - 06/07/2017

Subject - An ordinance imposing taxes for the City of Gearhart Road District

Synopsis: The attached ordinance allows Gearhart to impose road district taxes for the upcoming fiscal year.

Recommendation: Council make a motion to read the ordinance twice by title only during this meeting and declaring an emergency.

Legal Analysis: This ordinance is necessary to receive tax revenues.

Financial Analysis: None

Respectfully submitted,



Chad

ORDINANCE NO. 906

AN ORDINANCE HEREBY IMPOSING TAXES FOR THE GEARHART ROAD DISTRICT AS PROVIDED FOR IN THE ADOPTED BUDGET AT THE RATE OF \$0.0602/\$1,000 OF ASSESSED VALUE FOR ROAD DISTRICT REPAIR AND THAT THESE TAXES ARE HEREBY IMPOSED AND CATEGORIZED FOR TAX YEAR 2017-2018 UPON THE ASSESSED VALUE OF ALL TAXABLE PROPERTY WITHIN THE DISTRICT, AND DECLARING AN EMERGENCY. THE FOLLOWING ALLOCATION AND CATEGORIZATION SUBJECT TO THE LIMITS OF SECTION 11B, ARTICLE XI OF THE OREGON CONSTITUTION MAKE UP THE ABOVE AGGREGATE LEVY:

	SUBJECT TO THE GENERAL GOVERNMENT LIMITATION	EXCLUDED FROM THE LIMITATION
GEARHART ROAD DISTRICT	\$0.0602/\$1,000.00	
TOTAL RATE	\$0.0602/\$1,000.00	

THE CITY OF GEARHART DOES ORDAIN AS FOLLOWS:

Section 1. That there is and is hereby imposed a tax rate for the Road District for the City of Gearhart for fiscal year July 1, 2017 to June 30, 2018, inclusive upon said fiscal roll at a rate of \$0.0602/\$1,000.00 and that said rate is hereby imposed upon all of the taxable property within the City Limits of the City of Gearhart, Clatsop County, State of Oregon, July 1, 2017.

Section 2. That the budget for the road district expenses and purposes and interest of the City of Gearhart for the fiscal year as of July 1, 2017 to June 30, 2018, inclusive upon said fiscal tax rate as prepared, submitted and adopted by the levying board and the Budget committee of the City of Gearhart and now on file in the office of the auditor of the City of Gearhart, be and the said budget is hereby confirmed, approved and adopted and is hereby referred to and made a part of this Tax Imposing Ordinance as though set out in full herein.

Section 3. That the amount for the fiscal year beginning July 1, 2017 to and including June 30, 2018, and for the purpose shown below are hereby appropriated as follows:

General Maintenance, Repair and

Construction of Roads and Bridges \$ 152,800

TOTAL GEARHART ROAD DISTRICT FUND APPROPRIATIONS \$152,800

Section 4. That the Auditor of the City of Gearhart be and is hereby directed to notify in

writing the County Assessor of Clatsop County of the tax rate proposed to be raised by taxation not later than the 15th day of July, 2017, by giving to the County Assessor two copies of notice of levy and the categorization certification, two copies of the statement of the approved levy, and two copies of the imposing ordinance.

Section 5. That an emergency is hereby declared to exist for the reason that the city would be without funds to perform any municipal functions without the passage of this Ordinance promptly, and this Ordinance shall go into force and effect immediately upon passage and approval.

Passed by the City Council of the City of Gearhart this ____ day of June, 2017.

YEAS:

NAYS:

ABSENT:

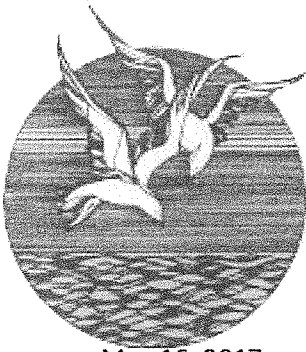
ABSTAIN:

Approved and signed by the Mayor of the City of Gearhart this _____ day of June, 2017.

Mayor Matt Brown

Chad Sweet City Administrator

roaddis.wps



CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138
(503) 738-5501 • (503) FAX 738-9385

May 16, 2017

Mayor Matt Brown and Councilors
P O Box 2510
Gearhart, Oregon 97138

RE: Planning Commission, May 2017

Dear Mayor and City Councilmen:

The Gearhart Planning Commission met May 11, 2017 at 6 p.m. Present were Virginia Dideum, David Smith, Carl Anderson, Jeremy Davis and Richard Owsley. Terry Graff and Russ Taggard were excused. Present from staff was Chad Sweet.

Virginia Dideum gave a report on the Parliamentary Procedures training she took along with Mayor Brown. She spoke about the importance of clearly communicating motions made and the different actions that can be taken after a motion is made.

Chad Sweet reported on the STR case that is before LUBA and that Terry Lowenberg would be appealing the decision regarding video poker machines in his business to LUBA. Chad also shared the reasons the City Council did not have a public hearing at their last meeting on the noxious weed amendment. Hannah from CREST also spoke on the progress the dune committee is making and the focus of their next meeting. The summary of the STR initiative has been approved.

After discussion, the planning commission decided to leave the Commission Goals list the way it is except to correct the numbering. The Flood Hazard Overlay Zone regulations will be addressed in the fall.

Chad Sweet summarized the information from the new firehouse committee and town hall meetings.

The meeting ended at 7:55 pm.

Respectfully,

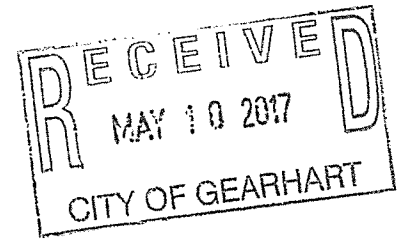
Virginia A. Dideum
President, Gearhart Planning Commission

May 10, 2017

TO: Chad Sweet, City Manager
City of Gearhart, Oregon

FR: Larry Taylor

RE: Public Records Request



This is a public records request directed to the City of Gearhart, Oregon, pursuant to the Oregon Public Records Law, ORS 192.410 et seq.

Please provide records that show the dates and amounts of money expended by the City of Gearhart for legal services from January 1, 2007 to date, and the recipients of the expenditures. This is not a request for information covered by attorney-client privilege, but is a request for documents that show the dates and amount of public funds spent on legal services from January 1, 2007 to date, and the recipients of the expenditures. This request does not seek multiple records reflecting the same expenditure; any record(s) that shows the date, amount and recipient of any given expenditure shall be sufficient for each expenditure. In the alternative, should the City decide to produce a spreadsheet listing the dates amounts and recipients, that would be an acceptable form of disclosure.

Sincerely,

Larry Taylor

May 4, 2017

Chad Sweet, Administrator
City of Gearhart
P.O. Box 2510
Gearhart, OR 97138

Mr. Sweet:

We are writing to oppose the proposed Gearhart Park site for a new fire station.

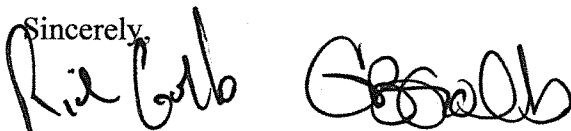
As Gearhart homeowners, we value the open space of the Gearhart Park and the view it offers the public. It is also how we access the beach. Gearhart Park provides public space for everyone to enjoy. Our family, and others, have enjoyed many hours playing in the grass, eating ice cream cones while watching the sunset, admiring the elk grazing in the dunes, and even watching a wedding or two. This park is truly a Gearhart landmark that deserves preservation from development.

After reading the Horning Geosciences report, it is clear there are several sites better suited for a new fire station. While these sites may not score as high, it should be obvious that the city should consider the needs and interests of the community as a whole.

We're also concerned with the preservation of open space and environmental values, as well as public safety. We were unable to identify where the City's environmental analysis, if it has been completed, is located. And, aside from tsunami related issues, let's focus on what a fire station at Gearhart Park really means. Public safety!! When the trucks race down Pacific Way en route to an emergency it presents a risk to public safety. Just envision small children, bicyclists, dogs and elderly vacationers along the sidewalks lining Pacific Way and shopping at the center of town.

We understand there are no easy answers, but the City needs to lead us in a better direction of conservation, preservation of open spaces and public safety. Sometimes the best decision is not the easiest, but the most responsible for the entire community.

We strongly encourage you to not place the new fire station in the Gearhart Park.

Sincerely,

Richard and Gigi Golb



Staff Report

For City Council Meeting - 06/07/2017

Subject - An Ordinance Fixing the compensation of the City of Gearhart officers.

Synopsis: This ordinance is necessary to set the compensation for the officers of the City of Gearhart.

Recommendation: Council make a motion to read the ordinance twice by title only during this meeting and declaring an emergency.

Legal Analysis: None

Financial Analysis: The compensation rates were approved by the City of Gearhart Budget Committee.

Respectfully submitted,



Chad

ORDINANCE NO. 907

AN ORDINANCE FIXING THE COMPENSATION OF THE FOLLOWING OFFICERS OF THE CITY OF GEARHART: CITY ATTORNEY, CHIEF OF POLICE, FIRE CHIEF, AUDITOR, TREASURER, AND JUDGE, AND REPEALING ALL PRIOR ORDINANCES FIXING THE COMPENSATION OF THESE OFFICERS OF THE CITY OF GEARHART AND DECLARING AN EMERGENCY.

The City of Gearhart does ordain as follows:

Section 1. That all prior Ordinances fixing the compensation of the City Attorney, Chief of Police, Fire Chief, Auditor, Treasurer and Judge of the City of Gearhart and the same are hereby repealed.

Section 2. The City Attorney of the City of Gearhart shall be paid a rate of \$200.00 per hour on a as needed basis.

Section 3. That the compensation of the Chief of Police of the City of Gearhart be and is hereby fixed in the sum of 76,880 per year. The compensation of the Fire Chief of the City of Gearhart be and is hereby fixed in the sum of 76,880 per year.

Section 4. That the compensation of the auditor /city administrator position of the City of Gearhart be and is hereby fixed in the sum of \$87,157 per year to be paid from the General Fund Administration.

Section 5. That the compensation of the Treasurer of the City of Gearhart be and is hereby fixed in the sum of \$48,960 per year, to be paid 22,500 from the Water Fund, \$26,460 from the General Fund Administration .

Section 6. That the compensation of the Judge of the City of Gearhart be and is hereby fixed in the sum of \$250.00 per hour.

Section 7. That in as much as this Ordinance is necessary for the immediate preservation of the health, peace and safety of the people of the City of Gearhart in order that the City may function and provide water services, legal service, police protection, health protection and have its financial and business affairs taken care of for the benefit of the people of the City, which cannot be done unless payment is made for such services, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect on the 1st day of July, 2017, after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council of the City of Gearhart this ____ day of June, 2017.

YEAS:

NAYS:

ABSENT:

ABSTAIN:

Approved and signed by the Mayor of the City of Gearhart this ____ day of June, 2017.

Mayor Matt Brown

Chad Sweet, City Administrator

salord.wps



Staff Report

For City Council Meeting - 06/07/2017

Subject - Resolution 935 extending workers comp to volunteers

Synopsis: This resolution is necessary to extend workers compensation coverage to the volunteers of the Gearhart Volunteer Fire Dept, Planning Commission, CERT team and other volunteers. The coverage amount has been doubled to \$1600 from \$800 as desired by council. City Council coverage is excluded in this ordinance.

Recommendation: Staff recommends the resolution to extend workers comp be made by the council.

Legal Analysis: This resolution is required to extend coverage.

Financial Analysis: Costs have been accommodated for in the budget.

Respectfully submitted,



Chad



Volunteer Resolution

Resolution No.: 935

A resolution extending workers' compensation coverage to volunteers of The City Gearhart, in which Gearhart City Council elects the following:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on CIS payroll schedule, and verified at audit:

1. Public Safety Volunteers

Applicable Non-applicable

An assumed monthly wage of \$1600 will be used for public safety volunteers in the following volunteer positions (check all that apply):

- Search and rescue
- Firefighter
- Emergency medical personnel
- CERT

2. Volunteer boards, commissions, and councils for the performance of administrative duties.

Applicable Non-applicable

An aggregate assumed annual wage of \$2,500 will be used per each volunteer board, commission, or council for the performance of administrative duties. The covered bodies are (list each body):

- a. City Council
- b. Planning Commission

3. Manual labor by elected officials.

Applicable _____ Non-applicable X

An assumed monthly wage of \$800 per month will be used for public officials for the performance of non-administrative duties other than those covered in paragraph 2 above

List duties *[appropriate classification code will be applied by underwriting]*

4. Non-public safety volunteers

Applicable _____ Non-applicable X

All non-public safety volunteers listed below will track their hours and Oregon minimum wage will serve as assumed wage for both premium and benefits calculations. CIS will assign the appropriate classification code according to the type of volunteer work being performed. (List specific non-public safety volunteers below)

- Parks and recreation
- Senior center
- Public works
- Library
- Other *[List specifically by title]*

5. Public Events

Applicable X Non-applicable _____

Volunteers at the following public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation: (List specific events)

- a. Gearhart Firefighters Ball

6. Community Service Volunteers/Inmates

Applicable X Non-applicable _____

Pursuant to ORS 656.041, workers' compensation coverage will be provided to community service volunteers commuting their sentences by performing work authorized by The City of Gearhart.

Oregon minimum wage tracked hourly will be used for both premium and benefit calculations, verifiable by providing a copy of the roster and/or sentencing agreement from the court.

7. Other Volunteers

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that The City of Gearhart:

- a. Provides at least two weeks' advance written notice to CIS underwriting requesting the coverage
- b. CIS approves the coverage and date of coverage
- c. CIS provides written confirmation of coverage

The City of Gearhart agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.

Now, therefore, be it resolved by The Gearhart City Council to provide workers' compensation coverage as indicated above.

Adopted by the Gearhart City Council this _____ day of June, 2017.

Matt Brown Printed Name Mayor of Gearhart

Attest by _____ this _____ day of June, 2017.
Printed Name

Signature Title



Staff Report

For City Council Meeting - 06/07/2017

Subject - For Discussion - DRAFT Resolution adding a public comment section at the end of the city agenda.

Synopsis: Council directed staff to change the charter adding public comment at the end of the agenda. The process is below. Staff will have the draft resolution at the meeting and will report on the timing of the election and costs.

§ 30.51 CHARTER AMENDMENTS. An amendment to the City Charter, or a measure, or a new charter, may be proposed and submitted to the legal voters thereof by resolution of the City Council without an initiative petition. The resolution shall be filed with the Auditor for submission not later than 15 days before the election at which it is to be voted upon, and no amendment to the Charter or a measure, or new charter, shall be effective until it is approved by a majority of the votes cast thereon by the legal voters of the city.

Recommendation:

- 1) Resolve to change the charter.
- 2) Make minor changes and resolve the change the charter.
- 3) Table the issue depending on elections timeline.
- 4) Do nothing.

Legal Analysis: Procedure above.

Financial Analysis: Depends on the timing of the election. Staff will explain in the meeting.

Respectfully submitted,



Chad



Staff Report

For City Council Meeting of 06/07/2017

Subject - Old Business - Fire Committee Update

Synopsis - A member of the Fire Station / Public Safety Building Committee will update the council.

Council Options:

Recommendation:

Legal Analysis:

Financial Analysis:

Respectfully submitted,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Chad



Staff Report

For City Council Meeting of 06/07/2017

Subject - Old Business - Discussion - Scope of review for Lowenburg appeal

Synopsis - Peter Watts will discuss with the council the options and scope of the Gearhart Crossing lottery machines appeal.

Council Options:

Recommendation:

Legal Analysis:

Financial Analysis:

Respectfully submitted,

A handwritten signature in black ink, appearing to be the name "Chad" written in a cursive style.

Chad



Staff Report

For City Council Meeting of 06/07/2017

Subject - New Business - Discussion - Housing Study Partnership

Synopsis - Chad Sweet will hold a short discussion with the council regarding Gearhart participating in a county wide housing study. Topics will include assigning a council member as a committee representative and the costs involved.

Council Options:

- *Assign a council member to the committee.*
- *Do nothing*

Recommendation:

- Staff recommends assigning a council member to the committee to learn more about the costs, commitment, and scope.

Legal Analysis:

Financial Analysis:

- If the city participates there will be a yet to be determined cost.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Chad Sweet", written in a cursive style.

Chad



Staff Report

For City Council Meeting - 02/01/2017

Subject - Gearhart CERT Hazard Mitigation Fund Request

Synopsis: The Gearhart Community Emergency Response Team is requesting \$1000 from the Hazard Mitigation fund. The CERT group made a request in November of 2016 for \$1000 and \$1000 in February for additional medications and supplies. This request is for communication radios stored in our local cache locations. The program is part of a CERT disaster preparedness project. Council members Paulina and Dan will be on hand to answer any questions.

Recommendation:

- 1) Council resolve to expend up to \$300 from the hazard mitigation fund for this project.
- 2) Do nothing

Legal Analysis: The hazard mitigation fund was set up to work on hazard mitigation projects. The project fits within the fund's scope in my opinion.

Financial Analysis: The Hazard Mitigation Fund is currently at \$8,050. Another \$5000 is scheduled to be added to the fund at the end of the fiscal year. This will be the third withdrawal from the fund since it was set up.

Possible resolution: I (council member) move to allocate up to \$300 from the Hazard Mitigation Fund for medicines for the CERT disaster preparedness project.

Respectfully submitted,



Chad



Staff Report

For City Council Meeting of 06/07/2017

Subject - New Business - Airport Committee Member

Synopsis - The Seaside Airport Committee is looking for a member from the City of Gearhart. The committee meets every two months to discuss issues and operations of the airport. Part of the airport is in the City of Gearhart. The term for the committee is 4 years. The next meeting is in July. Dianne Widdop had been the representative from Gearhart and she will continue to serve as an at large representative.

Council Options:

- *Assign a council member to the committee.*
- *Assign a member of the community to the committee.*
- *Do nothing*

Recommendation:

- None

Legal Analysis:

- None

Financial Analysis:

- None

Respectfully submitted,

A handwritten signature in black ink, appearing to be the name "Chad", written in a cursive style.

Chad



Staff Report

For City Council Meeting of 06/07/2017

Subject - New Business - Budgeted Transfers

Synopsis - Staff to report on 2016/2017 budgeted transfers to reserve accounts.

Council Options:

- 1) N/A

Recommendation: Staff is recommending that the treasurer transfer the budgeted amounts to the reserve accounts as indicated on the following document.

Legal Analysis: N/A

Financial Analysis: As budgeted

Respectfully Submitted,



Chad

**2016/2017
BUDGETED TRANSFERS**

Transfer From Non Departmental Material & Services, \$ 5,000 to Hazard Mitigation.

Transfer From Non Departmental Material & Services, \$25,000 to Fire Apparatus Reserve Fund

Transfer From Non Departmental Material & Services, \$15,000 to Police Car Reserve Fund

Transfer From Non Departmental Material & Services, \$10,000 to Building Reserve Fund

Transfer From Water Fund Material & Services, \$30,000 to Public Work Reserve Fund

Transfer From Water Fund Material & Services, \$150,000 to H2O Reserve Fund