

FEBRUARY 6, 2008

The regular meeting of the Gearhart City Council was called to order on Wednesday Feb. 6, 2008 at 7:00 P.M. by Mayor Kent Smith. All Council members were present, except Councilor Well. All City Officials were present except the Chief of Police.

Mayor Smith noted an addition to the agenda, under new business, Chautauqua Center Association, fundraiser request.

There was no conflict of interest declared by any member of Council.

ON MOTION by Councilor Widdop, 2nd by Councilor Schluter, to approve the minutes for the Gearhart City Council meeting of January 2, 2008, the minutes were approved as presented, 4-0, 1 absent.

There was no verbal Police report.

There was no verbal Treasurer report.

There was no City Attorney report.

City Administrator, Dennis McNally updated Council on storm damage, emergency operations, Gearhart Loop culvert and the water system. (see attached) Mr. McNally reported receiving an email from Douglas MacDougal and the letter mailed to Mayor Gilbert Gramson, The City of Warrenton. (see attached)

Mayor Smith read a letter of resignation from Bill Berg, Planning Commission Chairman pro tempore.

Mayor Smith reported corresponding with Attorney Dan Kearns regarding the legality of the Council's actions during the Jan. council meeting, when the Mayor was absent. Councilor Widdop asked the City Attorney for his advice. Mr. Canessa said the

council directed staff, to revise the Planning Commission ordinance, and that is ok, that is how you do business. Councilor Schluter stated, if the Council was out of line, our City Attorney would have told us so.

Visitor, Royal Nebeker, stated that the Council made it clear I intimidated them at the Nov. work session at the Sand Trap, and assured the Council he is not intimidating.

Mr. Nebeker questioned why a councilor (an elected official) could head up the Chautauqua Center Association and why it was taken away from the Trails End.

Councilor Widdop recapped the events and the invitation to the Trails End to become a part of the Chautauqua Center Association. Councilor Tice reminded him that, Councilor Widdop, was excused from making decisions and voting regarding the Chautauqua Center and got up from the Council table and went to sit in the audience during that time.

ON MOTION by Councilor Widdop, 2nd by Councilor Schluter to read Ordinance NO 812, MOTION was approved 4-0, 1 absent. Councilor Tice had concerns with section (B) the terms of office, stating, the length of service can be a positive thing, could we possibly omit (B) and have further discussion. Council agreed. After the first reading of Ordinance NO 812, Mr. Cannessa explained ORS227.030 state statues and reminded Council the next meeting will be the second reading of Ordinance NO 812 and any further discussion. Mayor Smith scheduled a Public Hearing for 6:30 p.m., prior to the March 5, 2008 Council meeting. Mayor Smith had concerns that the Ordinance would take away the only powers he has and stated disappointment. Councilor Widdop noted, per the page in our packets, the majority (82%) of other small Oregon cities on the list, already use the process of interviewing candidates and Council votes. (see attached) There was no further discussion.

Mayor Smith stated he would like to consider Sarah Nebeker for the Planning Commission. There was no motion. Mayor Smith stated he would like to appoint Paulina Cockrum. ON MOTION by Councilor Schluter, 2nd by Councilor Widdop, to appoint Paulina Cockrum to the Planning Commission, MOTION was approved 4-0, 1 absent. Mayor Smith stated he would like to appoint Sally Mannex. There was no motion. Mayor Smith stated he would like to appoint Al Carder. ON MOTION by Councilor Widdop, 2nd by Councilor Schluter, to appoint Al Carder to the Planning Commission, MOTION was approved 4-0, 1 absent. Councilor Tice stated he did not realize Council was voting and wanted to re-visit appointing Sarah Nebeker for Planning Commission. ON MOTION by Councilor Tice, to appoint Sarah Nebeker to the Planning Commission. There was no second, motion dies. Mayor Smith stated he would like to appoint Claudia Kulland. There was no motion. ON MOTION by Councilor Widdop, 2nd by Councilor Schluter, to appoint Daniel Jesse to the Planning Commission, MOTION was approved, 3-1, 1 absent. Mayor recapped that Paulina Cockrum, Al Carder and Daniel Jesse are the new Planning Commission members.

ON MOTION by Councilor Widdop, 2nd by Councilor Schluter, to appoint Dennis McNally as budget officer, MOTION was approved 4-0, 1 absent.

ON MOTION by Councilor Tice, 2nd by Councilor Widdop, to adopt the budget calendar, MOTION was approved 4-0, 1 absent.

ON MOTION by Councilor Tice, 2nd by Councilor Widdop, to approve the OLCC application for McMenamins Sandtrap Bar & Grill, MOTION was approved 4-0, 1 absent.

Chautauqua Center Association President, Dianne Widdop asked permission to hold children's games, after the 4th of July parade and on July 5th to hold a fundraiser with a fenced beer & wine area, a silent auction, food and live music with a street dance until 9p.m. ON MOTION by Councilor Tice, 2nd by Councilor Schluter, to allow the fundraiser, MOTION was approved 3-0, 1 abstain, 1 absent.

Councilor Tice stated, by making Charter Amendments, we could change the calendar for the election cycle, for the Mayor and City Council, from 3-2 to 2-2-1, to eliminate a sweep. City Attorney, Bill Cannessa advised, you can reduce the mayors term to 3 years by a resolution. ON MOTION by Councilor Schluter, 2nd by Councilor Tice, to direct staff to draft a resolution, MOTION was approved 4-0, 1 absent.

Mayor Smith questioned Council, now that we are minus a Police Commissioner, do you think these special commissions are necessary or do you want to get rid of these. It was tabled until the March Council meeting.

There was no student representative report.

Councilor Widdop had concerns with Bill Berg's resignation letter and stated the Council is not trying to duck wetlands, there is no duplicity and all decisions were made in an open and public meeting.

ON MOTION by Councilor Widdop, 2nd by Councilor Schluter, to adjourn, MOTION was approved 4-0, 1 absent. Mayor Smith adjourned the meeting at 8:10 p.m.

Mayor Kent Smith

Dennis McNally, City Administrator

