

MARCH 5, 2008

Mayor Kent Smith opened the public hearing to amend the charter, to change the date, of the Mayoral election, on Wednesday March 5, 2008 at 6:30 P.M.

Correspondence received from Russ & Nancy Taggard, 698 3rd Street, objecting to the actions of the Council. (see attached)

Mayor Smith asked for public testimony in favor of the amendments. Bob Widdop 1236 Fifer Heights, spoke in favor.

Mayor Smith asked for public testimony opposed to the amendments. Bill Berg had concerns with personal agenda's, which could sabotage the planning commission.

John Pincetich 544 Woodland Ave. stated there is no demonstrated need at this time to change the process and suggested the change should be made by the voters.

Sarah Nebeker 750 G, thanked the Council to be able to speak and had concerns with removing members and removing the Mayor of his power to appoint the Planning Commission members.

Carol Lucas 702 3rd had concerns that the Council is mis-using their power, in dismissing, the well experienced Planning Commission members, and since the system has worked well, why would we want to be like the other 80% of Oregon Cities.

Tom Thies 292 Woodland thought the Council should wait before decisions are made. (see attached)

Mayor Smith closed the Public Hearing at 6:46 p.m.

The regular meeting of the Gearhart City Council was called to order on Wednesday March 5, 2008 at 6:46 p.m. by Mayor Smith. All Council members were present. All City Officials were present.

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

Mayor Smith noted adding to the agenda, Resolution NO. 884 & NO. 885.

Councilor Widdop mentioned a typo in the Feb. minutes on page 4, next to the last paragraph, duct should have been duck. ON MOTION by Councilor Tice, 2nd by Councilor Well, the minutes were unanimously approved as amended.

A copy of the Police report was given to Council.

A copy of the treasurer report was given to Council.

There was no City Attorney report.

City Administrator Dennis McNally asked Council to schedule an Executive Session to meet with the City water attorney, March 12, 2008 at 7p.m. was decided.

Correspondence was received from Duane Tucker, a letter of resignation from his position on the planning commission. (see attached)

Correspondence was received from Chuck Schluter, a letter of resignation from the City Council. (see attached)

Correspondence was received from Tom Thies, he thought lack of communication has caused problems between City Council and Planning Commission. (see attached)

Gearhart Volunteer Fire Department representative Judy Curnow asked permission to hold their annual fundraiser, The Fireman's Ball on May 31, 2008 from 8-midnight. ON MOTION by Councilor Widdop, 2nd by Councilor Tice to allow the annual fundraiser, MOTION was unanimously approved.

John Veenendal representative for Salmon Recovery, passed out brochures and gave a charismatic and entertaining presentation, on the need for Salmon Recovery. Mayor Smith asked Mr. Veenendal to submit in writing what we can do for Salmon Recovery.

Bob Kloss 1341 Eastpine spoke to Council on behalf of residents of Eastpine that are opposed to the proposed annexation. Mr. Kloss advised that Eastpine, is the most Northern and Eastern Street in the urban growth area, and the residents do not want to be annexed into the City of Gearhart, they like things just the way they are. Mr. Kloss submitted a petition of 100% of the

residents of Eastpine who are against the annexation. Council thanked Mr. Kloss for informing them and assured him they could omit Eastpine from the proposed annexation plan.

City Administrator, Dennis McNally recapped the events during the storm of Dec. 2007, where Emergency Operations Center and 911 Dispatch were some areas that needed improving, whereas, resolution NO 882 states the City supports a co-located Emergency Operations Center and Consolidated 911 Center on the Hwy 101 corridor. ON MOTION by Councilor Tice, 2nd by Councilor Widdop, to adopt resolution no 882, MOTION was unanimously approved.

Mr. McNally recapped the proposed amendments to the Gearhart City Charter, to change the date of the Mayoral election. After discussion and consideration, there was no motion made. The resolution dies from lack of motion.

Mr. McNally reported to Council the purpose in drafting resolution NO 884, is to add a line item to the budget for FEMA FUNDS and the purpose in drafting resolution NO 885, is to add a line item to the budget for INSURANCE PROCEEDS.

ON MOTION by Councilor Tice, 2nd by Councilor Widdop, to adopt resolution NO 884, MOTION was unanimously approved.

ON MOTION by Councilor Tice, 2nd by Councilor Widdop to adopt resolution NO 885, MOTION was unanimously approved.

ON MOTION by Councilor Widdop, 2nd by Councilor Well, to read 2nd reading of Ordinance NO 812, an Ordinance amending Chapter 34: Planning Commission of Gearhart's Code of Ordinances, by title only. Following the 2nd reading, Mayor Smith stated the Mayor office has traditionally made the appointment and is approved by the consensus of the Council. The Mayor has very little power and by the proposed amendments the Mayor becomes a second-class participant. Councilor Well noted it was her understanding it is a joint decision. Councilor Tice asked for an open application process and an open interview process. Councilor Widdop stated she never thought of, nor intended to, cut the Mayor out of the process and would also like an open application and open interview process, where the Mayor makes a recommendation.

Council agreed. City Attorney, Bill Cannessa, questioned where Council wants it amended.

Council directed the City Attorney to amend the Planning Commission Ordinance. Ordinance dies for lack of motion.

Mayor Smith sees no need for special commissioners for streets, police, fire and water, they serve no purpose. Mayor Smith recommended doing away with these commissions.

Council agreed.

City Administrator, Dennis McNally reminded Council of the storm-damaged timber, on City owned property, on Lewis & Clark Road and asked for an ok to call for bids. ON MOTION by Councilor Widdop, 2nd by Councilor Tice, to move to advertise, MOTION was unanimously approved.

ON MOTION for Planning Commission appointment, Councilor Tice, moved to appoint Sarah Nebeker. There was no second. MOTION dies

ON MOTION by Councilor Widdop, 2nd by Councilor Well to appoint Sally Mannex to the Planning Commission, MOTION was unanimously approved.

Mayor Smith stated we have an application from Albert Carder, for the vacant Council position. ON MOTION by Councilor Widdop to appoint Al Carder for the Council position. Councilor Tice suggested to advertise for the position. Mr. Tice stated Chuck Schluter was an excellent City Council member and there is a couple of years left on his term. MOTION dies for lack of 2nd. Council directed staff to advertise for the vacant Council position.

City Administrator, Dennis McNally asked permission to hold Earth Clean-up Day April 19, 2008, where the dumpsters will be brought in Sat. 8am-noon. ON MOTION by Councilor Tice, 2nd by Councilor Widdop to approve Earth Day Clean-up, MOTION was unanimously approved.

Mayor Smith introduced student representative Hannah Sigler to the audience and explained, Hannah's position gives her exposure to local community government, and she can use that knowledge for school and community projects.

Student Representative, Hannah Sigler asked to have the Tennis Courts cleaned up and have new nets installed, to make it look nicer. Mr. McNally agreed.

Councilor Well thanked the full audience for coming to the meeting.

Councilor Widdop thanked Tom Thies for his well-written letter.

ON MOTION by Councilor Widdop, 2nd by Councilor Well to adjourn, MOTION was unanimously approved. Mayor Smith adjourned the meeting at 7:57 p.m.

Mayor Kent Smith

Dennis McNally, City Administrator