

## **JULY 6, 2011**

The regular meeting of the Gearhart City Council was called to order on Wednesday July 6, 2011 at 7:00 p.m. by Mayor Kent Smith. All Council members were present except Councilor Well. The City Administrator and City Treasurer were also present.

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

ON MOTION by Councilor Widdop, 2<sup>nd</sup> by Councilor Carder to approve the minutes for the Gearhart City Council meeting June 2, 2011, the minutes were approved as presented 4-0, 1 absent.

Planning Commission President Matt Brown reported a public hearing was held and approved the application, 3-2, for McMenamin's Sand Trap to convert 2<sup>nd</sup> & 3<sup>rd</sup> floor office space, above the restaurant, into hotel rooms and allow one parking space per guest room. (see attached) Mr. Brown questioned if the Council would have a public hearing. City Administrator Chad Sweet advised he would look into it. Mr. Brown reported to Council, the planning commission would like to work on the zoning ordinances, comp. plan, parks master plan and also any ideas the council might have. Mayor Kent Smith suggested putting together a list, and then we will schedule a work session.

On behalf of Neal Maine and North Coast Land Conservancy's 25<sup>th</sup> year, Sara Nebeker presented The City of Gearhart with a picture of Neacoxie Forrest; land preserved at the Reserve and asked that it be hung in City Hall.

Shannon Smith 774 Pacific Way stated she has the barn and requested to have Friday night movie night from 9p.m.-11 p.m., where she would project movies on the

side of the barn. City Administrator Chad Sweet advised he would look into the variance and get back to her.

Shannon Smith had questions for the council about the hiring process for the City Manager, although it is awkward with the new city manager here, she asked council for permission to ask questions here tonight. Councilor Widdop reminded her everything the City has done has been through the City Attorney and it is done and over and is a moot point. Mayor Smith stated we hired the League of Oregon Cities to keep us on track and if we were off base they would have said something. Shannon Smith questioned if it was regular procedures used. Ms. Smith questioned the opportunity for the public to comment about the profile and the hiring process. Councilor Carder commented that League of Oregon Cities representative advised the City that by going through the hiring process we did, that we did not have to have public hearings. Mr. Carder also stated the hiring of the City Administrator is at the pleasure of the City Council. Mayor Smith reminded Ms. Smith that we are elected officials and we represent the people and they trust us to do the right thing, within the limits of the law and use our best judgment in hiring somebody. Shannon Smith also stated she read the articles in the newspaper and talked with 6 or 7 people who have concerns and would like to resolve those concerns. Councilor Widdop told Ms. Smith the articles in the paper reflect only one (1) City Councilor, which is her opinion, and she is entitled to it. Councilor Widdop advised let the people come to us, I work in town at the Great Shop and have heard nothing but praise. Ms. Smith had concerns with the profile, the skill set, the cost and public meetings. Al Carder reported there were 69 applications and in an executive session narrowed it down to 9, several dropped out for various reasons, such as, offered another

job, did not want to move, or Gearhart was too small and we interviewed 2 applicants in person, offered the job to one and he turned us down then we offered the job to Chad Sweet. Ms. Smith argued I want you to answer my questions which continued on another 15 mins. Mayor Smith stopped her you've taken up a lot of time already and not even on the agenda. Ms. Smith stated she called City Hall and asked to be on the agenda. Mr. Sweet agreed she did, but as a visitor and the City Charter states visitors may have 5 mins. Ms. Smith asked if she could be on the August council agenda and ask questions and have them published in the paper. Mayor Smith and council said yes. Mayor Kent Smith stated we made a good choice. Chad Sweet is on the job, doing an excellent job and it's over, the vote was 4-1.

Councilor Carder suggested a work session as a forum instead of a council meeting. Sarah Nebeker commented if I was a citizen and met with this resistance I would not want to come to speak. Mayor Smith suggested what Shannon Smith is doing is making us defend our decision and we have over 50 years combined council experience here with this council, and we made a good choice. After 50 minutes of discussion Mayor Smith advised we are going to move on, he put the gavel down at 8:20 p.m. and at asked for a 5 min. recess.

City Administrator Chad Sweet advised council that there will be a 5% pass along water rate increase from the City of Warrenton and you will see an ordinance at the August council meeting that will amend our current H2O ordinance #852.

City Administrator Chad Sweet also noted Dennis has been working on a grant, with Steven Blaisley, who is a Health Promotions Specialist with Clatsop County and he gave us six signs, designed by an Astoria 2<sup>nd</sup> grader. Mr. Sweet advised these are

voluntary compliance signs for tobacco free areas, primarily used in parks and Dennis has some ideas for placement of the signs.

Mayor Smith mentioned the article about Chad Sweet in the Seaside Signal. (see attached)

ON MOTION by Councilor Widdop, 2<sup>nd</sup> by Councilor Carder to read ordinance #857, an ordinance amending ordinance #854 twice by title only, MOTION was approved 4-0, 1 absent. Following the 2<sup>nd</sup> reading A MOTION by Councilor Widdop, 2<sup>nd</sup> by Councilor Carder to approve ordinance #857, an ordinance amending ordinance #854, MOTION was approved 4-0, 1 absent.

Councilor Carder mentioned the Dennis Conner audit engagement letter has a lot of verbage, however the price is a bargain. ON MOTION by Councilor Carder, 2<sup>nd</sup> by Councilor Widdop to approve the audit engagement letter, MOTION was approved 4-0, 1 absent.

Councilor Widdop publicly thanked Jay Young for the cake donated to the Fire Dept. and suggested a letter of thanks be sent to her.

Councilor Sigler had lingering concerns about legal issues and asked to talk to the City Attorney. Mayor Smith advised the protocol is for the City Administrator, Mayor or both to call for legal advice and suggested writing the City Attorney a letter. Ms. Sigler stated my concerns, at this point, have not been addressed properly. Mayor Smith stated we won't allow any council member to pick up the phone and call the City Attorney. Mayor Smith suggested come in and bring your concerns to the City Administrator and he may decide to call and talk with the City Attorney.

Mayor Smith had concerns that the 4<sup>th</sup> of July used to have the Astoria Marching Band and would like some patriotic music. Councilor Sigler advised she would talk with them.

ON MOTION by Councilor Carder, 2<sup>nd</sup> by Councilor Sigler to adjourn the meeting, MOTION was approved 4-0, 1 absent. Mayor Smith adjourned the meeting at 8:50 p.m.

*Kent Smith*

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Mayor Kent Smith

*Chad Sweet*

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Chad Sweet, City Administrator