



The City of Garibaldi is an equal opportunity employer and provider

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## REGULAR GARIBALDI CITY COUNCIL MEETING

Monday, June 30, 2020 at 6:00 P.M.

### ZOOM CONFERENCE

#### I. CALL TO ORDER

Mayor Judy Riggs called to order the public hearing and special meeting at 6:04 p.m. Present were Council members Paul Daniels, Melissa Elmore, Tim Hall, and Judy Riggs. Staff present were Assistant City Manager Lori Longfellow and Administrative Assistant 2 Laura Schmidt.

#### II. PUBLIC HEARING -- FISCAL YEAR 2020-2021 BUDGET

Mayor Riggs read aloud the following, "This is a public hearing of the City of Garibaldi's fiscal year 2020-2021 budget. This budget was reviewed and approved by the city's budget committee on June 29, 2020. Notice of this hearing has been posted around town, and a summary of the proposed budget and a notice for this hearing were published in a local newspaper of record and on the City's website, which was distributed earlier this month in conformance with state budget law. The budget officer is not suggesting any changes from what the budget from what the committee approved on June 29th. The council will hear comments on the proposed budget tonight. Those who make comments on the budget need to state their name and address for the record prior to making their comments. At this time, I would ask the budget officer if she has anything else to report regarding the proposed budget that the council will consider for adoption tonight." Hearing no changes to the budget, Mayor Riggs closed the public hearing at 6:06pm.

#### III. PUBLIC HEARING - PROPOSED USES OF STATE REVENUE SHARING MONIES

Mayor Riggs read aloud the following, "This hearing is to take public comment on the proposed use of State Revenue Sharing Funds for the 2020-2021 fiscal year. These funds are received in to the city's General Fund and Street Fund for use in departmental operations. Most of these revenues are used for Street Fund operations. At this time the council will hear comments from the public. Please state your name and address for the record." Hearing none, Mayor Riggs closed the public hearing at 6:07pm.

#### VI. CONSENT CALENDAR

Mayor Riggs asked if any Council member wanted to remove any item from the Consent Calendar to Old Business. Hearing none, Mayor Riggs asked for a motion.

##### A. Approval of Minutes June 27, 2019 Special CC Budget Meeting

**MOTION made by Cn. Elmore to approve line item A under the consent calendar. Seconded by Cn. Daniels. AYES: Daniels, Elmore, Hall, and Riggs. NAYS: None. Motion passed UNANIMOUSLY.**

B. Adopting A Resolution 2020-07 Electing to Receive State Revenue Sharing

**MOTION made by Cn. Daniels to approve line item B under the consent calendar. Seconded by Cn. Hall. AYES: Daniels, Elmore, Hall, and Riggs. NAYS: None. Motion passed UNANIMOUSLY.**

C. Adopting a Resolution 2020-08 Establishing the Advertising Reimbursement Program in the Transient Room Tax Fund

**MOTION made by Cn. Daniels to approve line item C under the consent calendar. Seconded by Cn. Elmore. AYES: Daniels, Elmore, Hall, and Riggs. NAYS: None. Motion passed UNANIMOUSLY.**

D. Adopting a Resolution 2020-09 Making Budgeted Transfer for the FY 2020-2021

**MOTION made by Cn. Elmore to approve line item D under the consent calendar. Seconded by Cn. Daniels. AYES: Daniels, Elmore, Hall, and Riggs. NAYS: None. Motion passed UNANIMOUSLY.**

E. Adopting a Resolution 2020-10 Adopting the FY 2020-2021 Budget for the City of Garibaldi, Making Appropriations, Levying and Categorizing Taxes

**MOTION made by Cn. Daniels to approve line item E under the consent calendar. Seconded by Cn. Elmore. AYES: Daniels, Elmore, and Riggs. NAYS: Hall. 3 AYES and 1 NAY; Motion passed.**

F. Adopting a Resolution 2020-11 Establishing Household Income Thresholds for the City of Garibaldi Low-Income Senior Citizens Discount Program

**MOTION made by Cn. Elmore to approve line item F under the consent calendar. Seconded by Cn. Hall. AYES: Daniels, Elmore, Hall, and Riggs. NAYS: None. Motion passed UNANIMOUSLY.**

V. CORRESPONDENCE - NONE

VI. COMMUNITY REPORT - NONE

VII. NEW BUSINESS - NONE

VIII. STAFF REPORTS - NONE

XII. COUNCIL REPORTS -NONE

XIII. PUBLIC COMMENT

Tim Thomas - 204 Cypress Avenue

“It's troubling to me that a small group of people in Garibaldi would have such hatred for a project like an apartment building, that they would go to such great extent to damage

an individual's reputation and a business by not only attempting to label him as a shady individual, but to also try to remove him from the city council by initiating a flawed recall petition. I understand opposition to the apartments and debate is good, debate is healthy, but people lying and spreading that lie to damage anybody's reputation is not who we are. Just because you don't like him, you don't like his goals doesn't justify this behavior. Last meeting, I used the word bigotry. By definition, this witch hunt smells of bigotry. The definition of bigotry is a person who is intolerant towards those holding a different opinion. An individual came to my house with a recall petition for Paul Daniels. This individual falsely stated that Daniels was not paying his SDC taxes on his current apartments. I did not sign the petition. The truth revealed itself this past city hall meeting on June 15. Daniel, in fact, was paying his fees eight months in advance. Is this recall about SDC taxes? Or is it about opposition to another set of apartments? It doesn't really matter; it was a lie and I would like to request that that petition to recall Daniels be revoked under false pretense. To add further concern, following the meeting on June 15, city councilor Tim Hall went to the Tillamook Bay Seafoods and spoke with Jeremy Coon, owner of Tillamook Bay Seafoods regarding the SDC discussion from the June 15 meeting. During this conversation, Hall indicated his problem was not with Tillamook Bay Seafoods it was with Paul Daniels."

Cn. Hall interrupts and states "that's not true".

Mayor Riggs interjects a point of order and states that "Tim Thomas has the floor".

Tim Thomas continues on "Yet he mentioned Tillamook Bay Seafood seven times in his June 15 City meeting. He also indicated the Daniel's did and continues to execute shady deals with the city of Garibaldi. So now you have a city councilor bashing another city councilor to a business owner at the Port of Garibaldi, who until this meeting...Jeremy never even knew who Tim Hall was. Neither did I until recently, and he lives right across the street. I had no idea who he was. This has to be some kind of an ethics violation, and if it's not, it should be. This is not reflective behavior for a city councilor, and in my time in Garibaldi have never encountered such behavior. In fact, at the June 15th meeting, Hall requested that the Mayor 'remind city employees that they represent the city and when they are in public places, they do not chastise a resident in front of people. It speaks poorly of the city of Garibaldi. Even if somebody comes with a concern they should not be criticized'. Does that mean it's okay for a city councilor or just not an employee? I request the city attorney along with the Mayor address this immediately, and I request that Tim Hall step down as city councilor for this behavior. Thank you".

Cn. Hall asks the Mayor if he could respond. Maighread Thomas responds that he may want to wait until he hears what she has to say. Mayor Riggs gave Mrs. Thomas the floor.

Maighread goes on with her public comment as follows "My apologies to Paul Daniels for signing a petition recalling him as city councilor due to non-payment of SDC fees. I was informed by several people and actually asked by several people to please sign it because he didn't pay SDC fees. I believed it, I signed it, lesson learned. My sincerest apologies, Paul, I didn't know if this was going on. Since January 2020, I have been acting as a consultant to Tillamook Bay Seafoods. My work involves working with NOAA, Oregon Department of Agriculture and the FDA for Tillamook Bay Seafoods to be approved for an unloading station of albacore tuna with the intent to shift not just domestically but internationally. We have been successful. The facility is now federally approved as an unloading station, and we are now awaiting international export

approval from the Port of Garibaldi. This is a very exciting time for Garibaldi as a whole. Tillamook Bay Seafoods partnered with AAFA (American Albacore Fishing Association), the single largest buyer of albacore tuna on the West coast, huge accomplishments. I was concerned at the last meeting to hear Councilor Hall mention Tillamook Bay Seafoods seven times related to SDC fees during a city hall meeting. Not in a positive way or in an endearing way, but in a way indicating SDC fees negotiated by Tillamook Bay Seafoods were shady and done behind closed doors. Comments by Hall such as 'Tillamook Bay Seafoods got a 2% financing agreement on SDC, we need to be very careful on how this is being done'... inferring Tillamook Bay Seafoods were part of a shady deal. I continue to work with FDA, the Federal Development Authority and NOAA and this type of discussion about this business by a city councilor is far from ethical and could create concern with these organizations and in actual fact legal ramifications for the city of Garibaldi and Tillamook Bay Seafoods our partner also. For Hall to blatantly bring up Tillamook Bay Seafoods with no sensitivity to their business and success is irresponsible. Tillamook Bay Seafoods does not (*emphasized NOT a second time*), Mr. Hall have an agreement with the city of Garibaldi. They lease their property from the Port of Garibaldi/does business with the Port of Garibaldi. You should know this, your frustration and attacks re: SDC fees should be towards the Port of Garibaldi. The Coon family are well respected fishermen, run an honest business and do not deserve the tantrums of City Hall and the scare tactics. The Coon family are fourth generation and perhaps Mr. Hall you don't know who they are, maybe you should get to. In closing, I would like to draw your attention to the comments made by Hall to Jeremy Coon: I am not after you, it's Paul Daniels. But by the way, you sure were lucky to get 2% when Bay City charges 14%, kind of like a bully. Hall's last statement at council meeting, 'Mayor, I spent a lot of time researching the SDC argument, and as I said it, it kind of raises concerns on how things are being done in Garibaldi and at 2%, it's an unbelievable interest rate, and I am hopeful and looking forward to hearing from the City attorney recourse the City has if these agreements were reached without authorization'. So, which is it Counselor Hall, should Tillamook Bay Seafoods be worried, or not? Are you after them too or did you lie to Jeremy? I request the city take the situation/reckless behavior seriously. This is not reflective of a councilor's behavior, and it's not representative of Garibaldi. I request a response to the steps moving forward".

Cn. Hall asks the Mayor if he could respond.

Mayor Riggs asks Cn. Hall if he went to Tillamook Bay Seafoods and had a discussion with Jeremy Coon.

Cn. Hall responds by saying "I went down there because there was a rumor that I was going to impose a tax on Tillamook Bay Seafoods and that was not true". After being interrupted, he goes on to say "...apparently there's a lot of misinformation. First of all, I did go and talk to Jeremy Coons, we had a very good conversation. He basically told me that he had complained to the person who approached him about the SDC water and wastewater fees...and he said that it was very high, but he was told by that person that he could make him a deal at 2%...he did not want to name the person who told him about coming to him and telling them this misinformation that I reportedly said. I have not said anything against Paul Daniels. I've been very, very clear about not naming a fellow councilor in any discussions. I told Mr. Coons that I support businesses. I was glad to see his business there and that I saw no reason to rescind a deal that the city of Garibaldi made. My problem with this whole issue is that the 2% was granted to Tillamook Bay Seafoods without a resolution. I requested from the city manager the documents that

would outline who gave Tillamook Bay Seafoods the 2% interest. I have mentioned this as an issue before the council, that things were being done without the city council's knowledge. There's no shady deal. That's not true. And I'm really disappointed in both Tim Thomas and Maighread saying things that I have not said...these things are not true. Mayor Riggs re-states that Mr. Hall has the floor.

Cn. Hall continues again and states, "I'm going to be very clear. I support business and I have asked ... the city manager to provide documents related to the Tillamook Bay Seafoods' 2% interest SDC fee, and also Arborview homes SDC 2% fee. I have not received those documents. My point is, Maighread, that I'm looking into how the city of Garibaldi has conducted business without the knowledge and approval of the city council. Jeremy is a great guy. In fact, we talked about scuba diving, and we had a lot of common interests. So, he was telling me that he started as a fisherman and then he started his business. I applauded him for doing so and in fact, I said that, you know, I would, I would have hoped that the city could have worked out some negotiated deal related to not just SDC...but the fees that he had to pay, because he said that he was paying higher fees than others. I had no knowledge. I couldn't speculate on whether or not that was true, but I said that it was something that I'd be happy to look into. So Mr. Coons, I'm sure if you sat in a room, he would tell you that he and I had a very cordial, nice conversation, that I was very clear that this was not about his business, but it was about getting to the bottom of a city managers, whether current or previous, that were making deals without the knowledge of the city council. And I want to be very clear, I have taken no position on the Paul Daniels recall. I'm not part of this twenty or whatever, seven or whatever people are trying to do. It kind of bothers me that I keep hearing rumors, false rumors, about things that I have alleged to said and done. And unless those people want to get those folks in the same room with me, and then repeat those comments, I don't think they're going to be true. So, for Tim Thomas and Maighread to say these things, I'm very, very disappointed. And Tim, you are one of the first people I met when I moved into my house...I'm sitting here right now and I'm so angry, because I continue to be facing discrimination and lies about me from people who don't know what they're talking about.

Mayor Riggs begins to speak and Cn. Hall interrupts by saying he still has the floor, and the she reminds him that he only has 3 minutes and his time is almost up.

Cn. Hall continues, "I'm just disappointed in this ramrod to try to get me off the city council, because I'm exposing things that should not be occurring. You know, I don't care if Paul Daniels got the 2% he probably got the same deal that was offered to Jeremy Coons and offered to Arbor homes. I don't know how those deals were made. All I know is that they were made. With the exception of Paul, yes...the council signed off on it, but I don't think that they knew what they were signing off on. Because had the city manager at that time, John O'Leary, done his job, then he would have offered him at 5.75%. So the issue before the council, as far as I'm concerned is, as I told the mayor in my letter, I making sure that the city council makes sure that they actually review documents and that they understand that there are resolutions in the city's books that we should follow. And I see a lot of times that we don't, there's things where people pick and choose what rules they want to follow and do so. And that's disappointing, city council should not operate that way".

Mayor Riggs responds by saying, "Mr. Hall, we will have an investigation regarding your conversation at Tillamook Bay Seafoods and I will investigate this because that's a pretty serious charge if you went down there representing the council without council

authority”.

Cn. Hall interjects that he was representing himself as he had a question because he got word of a rumor that somebody was pointing false information against him and it wasn't the first time.

Cn. Elmore requests a point of order, followed by Mayor Riggs requesting the same. Cn. Hall asks who has the floor. Cn. Elmore states that Madam Mayor did.


Mayor Riggs states, “Councilman Hall we will be doing an investigation to find out what happened that day. I will get a statement from you and I will get a statement from Jeremy Coon. She then asked if there were any public comments.

Maighread Thomas states she has a statement from Jeremy Coon in front of her. Mayor Riggs responded by saying she could not accept third party information and would make an appointment with Jeremy Coon to get his statement.

Maighread Thomas asks Mayor Riggs if they could respond to Cn. Hall and she stated they could not and that they were done but restated that she would be conducting an investigation, because she wanted to get to the bottom of this. Both Cn. Hall and Maighread Thomas state that they appreciated that. With no further public comment, Mayor Riggs adjourned the meeting.

IX. ADJOURNMENT

Mayor Riggs adjourned the meeting at 6:37 pm.

  
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Judy Riggs, Mayor

ATTEST:

  
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Geoff Wullschlager, City Manager

Transcription: Laura Schmidt