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REGULAR GARIBALDI CITY COUNCIL MEETING

Monday, December 16, 2019

Council Chambers, 107 6th Street, Garibaldi, 6:30 P.M.

- I. PLEDGE OF ALLEGIANCE
- II. CALL TO ORDER

Mayor Judy Riggs called to order the regular City Council meeting at 6:30 p.m. Present were Council members Paul Daniels, Melissa Elmore, Tim Hall, Judy Riggs and Marlene Westerfield. Citizens present that identified themselves were Carolee North, Carl and Carol Kopacek, Laurie Wandell, Daisy Crawford, Norm Shattuck, Barbara Starrcvall, Paula Tucker, Cody Mann (Headlight Herald), Connye Corey, Jay Harrison, and Lois Daniel's.

- III. CONSENT CALENDAR

Mayor Riggs asked if any there were any additions or corrections to the minutes. Starr Popplewell wanted the minutes amended with regards to pg. 14, item 10., last paragraph, which reflected the City Managers response to Mark Payne's letter.

Ms. Popplewell went on to state that the City Manager handed out to Council members and administrative response to Mark Payne's letter. She also stated that the Mayor had not yet directed the City Manager to write a response to Mary Payne's letter as the letter had not been discussed by the Council and that this violated GMC 2.05.08.0 E - Public Comments/Complaints/Suggestions to the Council. Ms. Pollplewell then read the code cited. She went on to state that the last sentence of the paragraph written by the City Manager, which read "The administrative response is a snapshot and it clarifies the questions that Mr. Payne has put forth and displays that there are no violations on the previous land use application.". Ms. Popplewell went on to state that the City Manager is predetermining for the Council that Mr. Payne's findings are dismissed prior to the Council's review. She went on to say that on pg. 22. and 23. of the packet that there is a professional opinion from Sean Malone, a land use attorney which validates that Mr. Payne's findings are code violations. She then asked the Council to strike the whole last sentence (presumably the sentence written by the City Manager) from the minutes.

Ms. Popplewell went on to state that the Mayor had reported at the November meeting that she would investigate the City Managers findings and report on them at the December meeting and she would like to know why this is not under new business. City Manager Wullschlager asked for a point of order and stated that new business and old business are portions of the agenda that are reserved for matters of policy and legislative action. Councilmember Daniel's then stated that he didn't see how he, as a Council member could possibly decide until the rendition in front of the Council was checked for

authenticity. Manager Wullschlager asked for a point of order again and stated that regardless of the opinion put forth in the City Manager's statements, and regardless of whether it was approved of or disapproved of, the minutes reflect what was discussed in the meeting. Councilmember Westerfield asked if what was reported in the minutes was what was taken from the recording. Both City Manager Wullschlager and Assistant City Manager Rieger affirmed.

Mr. Mark Payne stated that what was being discussed was not provided in the packet but provided in the meeting and was discussed as "being proven that what was given to the Council was incorrect.". As such Mr. Payne stated that as it was not on the agenda, it should not be included in the minutes. Councilmember Elmore stated that what is recorded in the minutes reflect what was discussed in the meeting, not an opinion of Council. Councilmember Elmore went on to state that the Council agreed in the last meeting to review Mr. Payne's rebuttal, and to discuss this at the December meeting.

Manager Wullschlager called for a point of order and stated that the record that was being created by way of the December meeting would show that those in attendance disagreed with the City Manager's findings and will reflect what they were asking for in the first place. He went on to state that if the Council was interested, Mr. Payne's letter and the administrative response (which was included in the December packet) could be reviewed at this evenings meeting as both are under "correspondence". Ms. Popplewell went on to state that this would not provide what she was asking for as the City Manager decided on the behalf of the Council and that it was not included in last month's agenda. Councilmember Elmore stated that this was why it was included in the December meeting as this would provide and appropriate time and opportunity to review both.

Councilman Hall stated that he felt the two submissions needed to be reviewed separately and that points that were being made by the public, were clear, and that a decision was made and moved forward, when it shouldn't have been. He went on to state that it should not be stated that it was a "done deal". Councilmember Elmore stated that it was not a done deal, it was a discussion. Manager Wullschlager called for a point of order and stated that the opinion put forth by the City Manger was his opinion, not a reflection of the Council's acceptance of that opinion,, nor was it an official position of the City.

Mayor Riggs asked the Council to come back to a consideration of what was in front of them and stated that the minutes of November could be taken off the consent calendar until next month. She also stated that Ms. Popplewell indicated that she had some information that was a rebuttal, and that instead of debating this during the December meeting would she be okay making all this information available for the next packet as her response. Mayor Riggs asked Ms. Popplewell if this would be acceptable to which she replied that it would. Councilman Daniel's asked if Ms. Popplewell's response was on record with the City, to which City Manager said that it was not.

Mayor Riggs determined that the minutes would be taken off the consent calendar and that she would investigate the concerns surrounding them for the next meeting. Councilmember Westerfield stated that the minutes reflect what was said, and that the City should be mindful to not delete the record, as it did take place. Ms. Popplewell stated that Manager Wullschlager submitted and opinion that was presented as fact and this

was with the intention to sway people into believing it was in case, fact. Councilmember Daniel's stated that this was in turn Ms. Popplewell's opinion. The consent calendar regarding the November minutes was tabled and will be picked up again at the January meeting.

A. Approval of Minutes – November 19, 2019 Regular City Council Meeting
TABLED

IV. PUBLIC COMMENT

Ms. Paula Tucker – 103 Nelson Ln.:

Mr. Tucker inquired as to the City's progress on hiring a new firing chief. She stated that the tax levy money that was being assessed for the fire chief position was not currently being spent on a chief and therefore she wanted to know when the City was going to address this. City Manager Wullschlager stated that the funds from the levy go into a line item where they are earmarked for expenditure in the fire department for personnel services. He went on to state that they can only be spent in this fashion. He also commented that the City was working with the current volunteer chief to reach a solution for the chief role and district formation.

Mark Payne – PO Box 852:

Mr. Payne offered his rebuttal to the administrative response as provided in the December packet. Starr Popplewell spoke as well and reiterated that she wanted the previous sections cited in review of the minutes stricken from the record.

Carolee North 503 E. Garibaldi Ave.:

Ms. North wanted to know why the City did not recognize Kylie Poklikuha's last day of employment with the City and stated that Ms. Poklikuha was a five-year employee who was valued by the community. Manager Wullschlager stated that the staff was under the impression by way of Ms. Poklikuha's resignation letter that she planned on making Tuesday November 26th her last day, and that it was the City's intention to take her to lunch on that date to say thank you. He went on to state that Ms. Poklikuha left on Monday November 25th and did not return the following day. Assistant City Manager Rieger reported that it was her understanding as well that Ms. Poklikuha was going to work through the 26th. Manager Wullschlager reported that when the City realized that Ms. Poklikuha was not returning, the City sent a floral arrangement and vase to her at her new job with a card thanking her for her years of service.

Ms. North then approached the dais and thanked Councilmember Hall for his work with the Community and for making himself available to constituents.

Laurie Wandell – PO Box 871:

Ms. Wandell brought up the recurring discussion regarding Garibaldi and the City's practice of financing SDC's for large development projects. She inquired as to whether other cities used this approach. City Manager Wullschlager stated that he had queried all the other City's in the County and that currently both Bay City and Tillamook also performed this service for applicants. He also reported that Wheeler did not respond.

V. PRESENTATIONS

[NONE]

VI. CORRESPONDENCE

A. Mr. Mark Payne (11/14/19)

I. Ministerial Response

Mayor Riggs addressed this, and it was determined that all the attached documents needed to be reviewed by the Council before any further assessment or discussion took place.

B. Anna Rzuczek & Jennifer Thiele - Letter of Interest Garibaldi Tourism Commission - Museum/Historical Society (Tillamook County)

City Manager Wullschlager mentioned that this would be discussed under new business.

C. John Luquette & Valerie Folkema - Letter of Interest Garibaldi Tourism Commission - Port District (Tillamook County)

City Manager Wullschlager mentioned that this would be discussed under new business.

VII. COMMUNITY REPORT

A. Planning Commission - Planning Commission - November 25, 2019 Planning Commission Workshop:

Manager Wullschlager reported on the workshop from November in which the County Community Development Director and Housing Director presented the County Housing Analysis that was recently performed. Wullschlager stated that the presentation focused on the establishing the needs of the community over a proscribed longitudinal timeline of the next twenty years.

VIII. OLD BUSINESS

A. Local 2734-2, AFSCME Local Council No. 75 AFL-CIO Collective Bargaining Agreement (Final Draft)

City Manager presented the Council with the updated CBA and explained that while this was already approved by the Council, changes had been made to the CBA by the union, and it would need to be approved again. Councilwoman Elmore made a motion to ratify, Councilman Daniels seconded. Motion passed 5 aye's, 0 nays.

IX. NEW BUSINESS

A. Habitat for Humanity Request (Consideration)

Ms. Cami Aufdermauer presented on behalf of Habitat for Humanity and their request for the City of Garibaldi to potentially waive SDC's for and Habitat projects within Garibaldi City limits. Ms. Aufdermauer stated that they currently have an agreement in place for this with the City of Tillamook. Ms. Aufdermauer asked the Council to consider

the request and to let Habitat know if they come to a decision.

B. Consideration - Citizens Advisory Committee - Resolution 2019-14

Manager Wullschlager presented the Council with a resolution based on the discussion in the November meeting regarding the formation of a Citizens Advisory Committee.

MOTION made by Cn Elmore to pass Resolution 2019-04. Seconded by Cn Daniels. AYES: Daniels, Elmore, Hall, Riggs and Westerfield. NAYS: None. Motion passed.

C. Applications for Tourism Commission

The Council reviewed the letters as submitted under correspondence.

MOTION made by Cn Hall to appoint applicants to the Tourism Commission. Seconded by Cn Daniels. AYES: Daniels, Elmore, Hall, and Westerfield. NAYS: None. Motion passed.

X. STAFF REPORTS

Public Works Report. Report provided in packet

Public Safety Report. Deputy Reeves reported that he has continued his school walkthroughs and he has taken to eating lunch with the students generally once a week. He also reported that he has been working with the principal to get the A.L.I.C.E. training in place for students which address active shooter situations.

Deputy Reeves also reported that he has been paying attention to crosswalks and drivers that endanger pedestrians. He stated that he has been contacting drivers that fail to yield pedestrians and has issued some citations.

Deputy Reeve's has also been addressing the abandoned 5th wheel/ motor home concerns throughout the City and has contacted owners informing them that they need to move to an approved facility with hookups within City limits. He has also made attempts to contact the RV currently parked outside of Merrill's

Deputy Reeve issued 33 citations, 43 warnings, 1 no action taken, 4 citizens assist, 1 DUII arrest, and 82 total traffic stops for November.

Fire Department. Fire Chief Marugg along with Manager Wullschlager reported that the Department will be needing to consider the cost and replacement of the SCBA units over the next two years, in addition to the possible replacement of engine 31-12.

Legal. None.

City Engineer. Report provided in packet.

Planning/Admin Department (oral report). Manager Wullschlager reported on recruitment efforts for the replacement of administrative positions in the office and stated that four finalists had been identified. He went on to state that there are currently no planning applications submitted for public hearing to the City, and that the apartment building on 3rd and Acacia is currently being reviewed for compliance with the zoning code.

Wullschlager also reported on the state of public works and the work that has commenced on updating and making repairs to several items at the Waste water treatment plant.

XI. COUNCIL REPORTS

Councilman Daniel's: Noting to report

Councilwoman Westerfield: Nothing to report

Councilman Hall: Discussed that the 150th anniversary of Garibaldi is coming up this summer and would like this to be an element of the Garibaldi Days celebration.

Mayor Rigg's: Nothing to report.

Councilwoman Elmore: Thanked everyone in attendance for coming to the meeting.

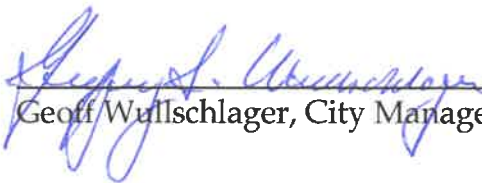
XII. ADJOURNMENT

Mayor Riggs adjourned the meeting at 8:12 p.m.



Judy Riggs, Mayor

ATTEST:



Geoff Wullschlager, City Manager

Transcriber: G. Wullschlager