



REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, February 16, 2021
Zoom Conference at 6:30 P.M.

I. PLEDGE OF ALLEGIANCE

II. CALL MEETING TO ORDER

Mayor Hall called to order the Regular City Council meeting at 6:30 p.m. Present were Council members Tim Hall, Whitey Forsman, Judy Riggs and Katie Findling. City staff present were Assistant City Manager (“ACM”) Lori Longfellow, Administrative Assistant 2 Laura Schmidt and Fire Chief Jay Marugg. City Attorney Christy Monson was present. Citizen Nathan Findling was present and other unknown citizens were present electronically.

III. PUBLIC HEARING: NONE

IV. CONSENT CALENDAR:

A. Meeting Minutes February 16, 2021

Cn. Forsman made a MOTION to approve the consent calendar as presented. Cn. Findling seconded. AYES: Hall, Forsman, Findling; NAYS: Riggs. MOTION PASSED 3-1.

V. PUBLIC COMMENT:

Nathan Findling – 208 Second Street

Mr. Findling stated he had three comments to make. The first comment was to confirm that he was present during an impromptu conversation between Blake Lettenmaier and Mayor (Councilor at the time) Hall last October regarding employee qualifications. The second comment was to confirm that he was in attendance with Mayor Hall at the Port of Garibaldi’s Board of Commissioner’s meeting where he overheard a conversation that Paul Daniels was having with Judy Riggs during a break in that meeting. The third comment was to note that the Planning Commission has a Press Release coming to announce the formation of the CAC and expressed the importance of its creation.

He then informed City staff that he had his statement written down, so not to worry about transcribing it. His full statement is available at City Hall upon request.

No other public comment was made.

VI. PRESENTATIONS: NONE

VII. CORRESPONDENCE:

- A. Letter of Support for Bud Shattuck – Jim Moran
- B. Letter of Support for Bud Shattuck – Jessica Camp
- C. Letter of Support for Bud Shattuck – Ric Newman
- D. Letter of Support for Bud Shattuck – Carl Kopacek
- E. Letter of Support for Bud Shattuck – Tom and Carolee North
- F. Letter of Support for Bud Shattuck – Barbara Starreveld
- G. DEQ Letter – Coastal Housing Solutions, LLC

Mayor Hall read the letters of support for Bud Shattuck out loud. He did not read the DEQ letter but summarized it instead and stated that if there were any questions, they should be presented in writing to the city council.

VIII. COMMUNITY REPORT: NONE

IX. OLD BUSINESS

- A. Fireworks Contract

ACM Longfellow gave an update on the fireworks contract and the options available to the City. Council discussed the options. It was decided to go ahead and approve the payment necessary to lock in the contract.

Cn. Riggs made a MOTION to pay the deposit for the firework contract. Cn. Findling seconded. AYES: Riggs, Hall, Forsman and Findling; NAYS: None. Motion PASSED unanimously.

- B. Resolution 2021-02: a Resolution Amending Low-Income Senior Citizen Sewer Discount Program to Low-Income Citizen Program.

Mayor Hall made a MOTION to adopt A Resolution Amending Resolution 2011-01, a Resolution Re-Establishing a Low-Income Senior Citizen Sewer Discount Program, and Resolution 2020-11, a Resolution Establishing Household Income Thresholds for the City of Garibaldi Low-Income Senior Citizen Sewer Discount Program. Cn. Riggs seconded. AYES: Riggs, Hall, Forsman and Findling; NAYS: None. Motion PASSED unanimously.

X. NEW BUSINESS

- A. Letter of Interest – Cheryl Gierga Hamilton
- B. Letter of Interest – Norm “Bud” Shattuck
- C. Letter of Interest – Joseph “Toby” Taylor
- D. Oath of Office (if necessary)

Councilman Forsman requested that each of the interested parties address the council with their purpose and why they want to be on the council. Each of the parties interested had the opportunity to speak.

Cn. Findling made a MOTION to appoint “Bud” Shattuck to the Garibaldi City Council. Mayor Hall seconded. AYES: Hall and Findling; NAYS: Riggs and Forsman. MOTION FAILED 2-2.

Cn. Whitey made a MOTION to appoint Toby Taylor to the Garibaldi City Council. Cn. Riggs seconded. AYES: Riggs and Forsman; NAYS: Hall and Findling. MOTION FAILED 2-2.

Cn. Findling made a MOTION to appoint Cheryl Gierga-Hamilton to the Garibaldi City Council. Mayor Hall seconded. AYES: Hall and Findling; NAYS: Riggs and Forsman. MOTION FAILED 2-2.

Mayor Hall stated that they were at a standstill in terms of being able to appoint someone and stated that because of the issues that the City will be facing over the next two years, it was going to be necessary to have folks who can actually present new ideas, not old ideas, and also folks who actually are being connected with what's going on in local government. He stated that council could request for subsequent candidates or consider a special election, but that he would like to avoid that at all costs because of the cost.

City Attorney Monson commented that she noted Mayor Hall mentioned his consideration of a special election and informed council that there is no provision in the City’s charter or ordinances for a special election. She noted that it is up to the majority of the council to come to a consensus and select a counselor.

Mayor Hall thanked City Attorney Monson for her insight. He stated that because the council could not come to an agreement or consensus on the three candidates interested, that they would have to request more interest within the community.

The council discussed the three interested parties again.

Cn. Findling made a MOTION to table the council appointment discussion until the March meeting. Mayor Hall seconded. AYES: Hall, Riggs, Forsman, and Findling; NAYS: None. Motion PASSED unanimously.

E. Appoint Council President and Council Vice President

Mayor Hall stated the council would not appoint a Council President and Council Vice President until they had a full Council.

Councilor Riggs directed a question to City Attorney Monson and stated that the City charter, and code, says "you shall appoint a council president and vice president in the month of January".

City Attorney Monson recommended that council should appoint those positions during the meeting, if possible.

Mayor Hall made a MOTION to appoint Katie Findling as the President of the Garibaldi City Council. Cn. Findling seconded. AYES: Hall and Findling; NAYS: Riggs and Forsman. MOTION FAILED 2-2.

Cn. Riggs made a MOTION to appoint Whitey Forsman as the President of the Garibaldi City Council. Mayor Hall seconded. AYES: Hall, Riggs, Findling and Forsman; NAYS: None. Motion PASSED unanimously.

Cn. Forsman made a MOTION to appoint Judy Riggs as the Vice-President of the Garibaldi City Council. MOTION FAILED for a lack of a second.

Mayor Hall made a MOTION to appoint Katie Findling as the Vice-President of the Garibaldi City Council. Cn. Findling seconded. AYES: Hall, Forsman and Findling; NAYS: Riggs. MOTION PASSED 3-1.

F. Set Goal Setting Workshop

Mayor Hall noted that he would like to postpone the goal setting workshop until the City has a city manager hired.

Cn. Riggs stated she had a point of order. She expressed that there were two items that were not included on the agenda. One was regarding the City Manager job opening that closed on March 5 and noted that there was not a plan in place or timeline on how to select this person. Mayor Hall noted that he was waiting to hear from ACM Longfellow during staff reports to provide an update on recruitment and number of applications received.

ACM Longfellow gave an update and noted there were 16 applications received but of that only about a third of them are actual applications. Mayor Hall asked the council if they wanted to wait until the deadline to review the applications or start reviewing them as they came in. Cn. Forsman stated he felt they should start looking at the current ones now and then as they come in. Cn. Findling and Cn. Riggs agreed. Mayor Hall requested that ACM Longfellow send copies of the current applications and covers letters to council.

Cn. Forsman asked for a point of clarification regarding the selection of applicant and the hiring process. Mayor Hall stated that in the past he had a panel of folks, in this case it would be the council, to review the cover letters and the applications and choose the top few they feel are most qualified. Then they come together with each of their choices and sit down and look at those

together. Then, he would, as mayor, pull together a panel that will include a council member, the fire chief, a member of the port, and a citizen member to review the finalist applications and then hold in person or zoom interviews. He stated he was open to hearing other processes.

ACM Longfellow stated that it was her understanding from when they had spoken with City Attorney Monson and council the previous week that it had to be a council consensus on how the actual interview process is going to go and that it was not just one specific decision.

Mayor Hall stated that was what he recommended previously, and he had not heard any pushback. ACM Longfellow stated that it needed to go to a vote. City Attorney Monson stated there were two questions that the council was deciding, the was first question was, how do you determine your final selection of the city administrator? She responded by stating that it was by a council majority vote. The second question was, "How do you whittle it down? How do you consider who to consider?" She responded by stating they have a little leeway in that and the council decides on this together by a majority vote also.

Mayor Hall questioned City Attorney Monson regarding the processes of whittling it down, and asked how she would recommend that happening. He asked if that was that something where the council would sit down at a workshop and go over the applications.

City Attorney Monson stated she wanted to be clear that his question was not a legal question and responded that the council is free to determine this process in the way they see fit. She noted that she has worked with councils before in doing this and suggested that the council needed to have a workshop, to have a full discussion and consensus, if not a majority, on your process. She went on to state that usually, you've got a recruiter helping you or staff member helping you. She also stated that she had seen from your existing staff, a recommended process and timeline, but did not know if that satisfied the counselors.

Mayor Hall stated that he thought the that the process was too slow and that's why he was trying to speed it up so that they can make a decision to get this person on board as soon as possible.

Cn. Forsman stated he believed that they needed to have as much staff, fire department and police involved with the process as possible, to let them have their recommendation and then the council will make the final decision.

Mayor Hall stated he agreed. He suggested the council look at the candidates and come to a consensus about four or five that they think will be a good fit with the city of Garibaldi.

ACM Longfellow stated she would create a packet to send out to council that would include all the current applications and from then on would send them individually as they came in.

Cn. Riggs mentioned that there was an item not listed on the agenda regarding the Tourism Commission. She stated she understood that Mayor Hall had decided that there would not be a Tourism Commission anymore and took it upon himself to contact certain individuals on the committee and thank them for their service and let them know he make get a hold of them at a later date. Cn. Riggs questioned how he as a single member of the council was able to do that when the Tourism Commission was established by an ordinance and the code states under Section 2.55030 that the council may suspend all meeting schedules.

Mayor Hall responded by reminding Cn. Rigg's that the previous Mayor, Sue McCarthy, had solely disband the Tourism Commission in 2016 because it had failed to be setup as it was organized under the ordinance and he was doing something similar to what she did. Mayor Hall stated he did not want to waste time debating this topic as it was not on the agenda, but he would welcome the discussion at another time.

XI. STAFF REPORTS

- A. Engineer's Report
- B. Public Works Report
- C. Fire Chief's Report – Supplement Handout

Discussion was had regarding the updates to the City's website for the Fire Department. Cn. Findling offered to help with editing photos in Photoshop, if needed.

- D. Sheriff Department's Report – Supplemental Handout

Cn. Riggs brought up a concern regarding multiple citizen's complains about trespassing on school property, as well, drinking and smoking. Mayor Hall stated the new deputy would be made aware of these concerns about illegal activities on school grounds.

XII. COUNCIL REPORTS

Cn. Riggs noted the clean-up projects currently being coordinated and explained that Laura Schmidt at the City was in contact with SOLVE for an event. She also stated that Laura had been working with her to coordinate a city-wide clean-up day for the citizens on April 22 in conjunction with Earth Day. Cn. Riggs noted she had spoken with City Sanitary and David McCall and was able to get the dump fees waived for the event for all the yard and lawn debris.

Also, another item Cn. Riggs mentioned was a conversation she had talked with Mayor Stan Pulliam from Sandy, Oregon who she said was instrumental in getting the Main Street program going in the city of Sandy, and informed that you need to have a Tourism Commission or a Chamber to make that happen. So that's something the council will need to keep in mind if that's a program they want to get involved with. She also mentioned he was able to get grant program going for local businesses and she would look into that more.

Lastly, she mentioned that the City needs to organize a game plan for disaster preparedness. She also briefly mentioned that the fire department bond would be going away soon and that would need to be looked at too.

Cn. Findling stated she has spoken with R. Sanitary regarding extra garbage bins and the possibility of having one put in at Second Street and that she would follow-up with them on that. She also mentioned the covered playground at the school was coming along nicely and she was excited to see it come through.

Mayor Hall stated he had been participating on the weekly phone meetings with government leaders of the community, meeting with the county commissioners, the

statewide League of Oregon cities meeting and the National League of Cities meeting. He mentioned funding would be tight, especially with tourism related dollars. And that nationwide, most don't expect tourism to return to normal until next year 2022 and he agreed. He stated he thinks we can use this time to do some serious planning on how the City is going to address tourism going into the future.

Mayor Hall congratulated the Port on the bike pods that they were able to get a grant for and setup over at the at the Port and that he would like to get that information out over our website to encourage people to come and bike in Garibaldi.

Mayor Hall went on to say that he had a good conversation with Bruce Carden with the Oregon Coast Scenic Railroad and that he agrees that we need to kind of pull together as a city to get some things done to encourage tourism and especially with the pandemic hopefully over next year, and that we'll be able to get money to help fund a train station. Mayor Hall stated that one of the priorities he listed when he ran for office was helping the City and the Port and the Railroad to come together to get that train station built.

Mayor Hall mentioned he had received an email from John Serra with Kurt Schrader's office letting him know that while he is no longer on the congressman's staff he has passed along their support for Garibaldi being granted the Coast Guard City designation. Due to the pandemic, Mayor Hall stated he had not been able to meet with groups necessary to sign on to our application, but he is hopeful it will happen in Garibaldi by 2022.

He stated that starting the next council meeting, that when a council member states a particular code, state or municipal, that they must clearly state how it pertains to the discussions.

Mayor Hall stated that he felt for the last two years, a large part of city administration's resources and staff time were spent trying to change the city's zoning code. He directed that until we have an updated comprehensive plan, unless there is a need supported by the full council, that city staff should not work on the effort of changing any zoning codes. He stated that our residents need to be secure that our city will not secretly change to accommodate one group or one individual.

Mayor Hall stated he had hoped the ugliness that was associated with the election was over, but as Mr. Findling pointed out earlier in the meeting during public comment regarding the conversation overheard between Cn. Riggs and Mr. Daniels during a Port meeting, that it is not over and it's disappointing. He also mentioned being disappointed he was blocked from a community Facebook page.

Cn. Riggs request a point of order, but Mayor Hall asked to finish his statement above. She then stated for the record that his recollection of the conversation didn't happen the way explained. Mayor Hall asked if she was denying that he made a specific comment and she stated she did not remember him making that comment.

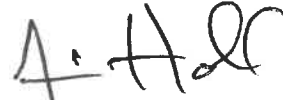
Finally, he stated he wanted to end with two special notes of thanks. He explained that the Kopacek's made an extremely generous donation to the fire department. He also thanked Deputy Sheriff Mike Reeves and noted he would be transferring to a different

location next month. He stated he would like the council to send a letter to the new Sheriff Josh Brown expressing our thanks and appreciation for Deputy Reeves.

XIII. EXECUTIVE SESSION: NONE

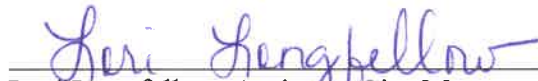
XIV. ADJOURNMENT

Mayor Hall adjourned the regular council meeting at 8:06 p.m.



Tim Hall, Mayor

ATTEST:



Lori Longfellow, Assistant City Manager