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REGULAR GARIBALDI CITY COUNCIL MEETING MINUTES

Monday, September 21, 2020

Zoom Conference at 6:30 P.M.

I. PLEDGE OF ALLEGIANCE

II. CONVENING OF MEETING

Mayor Judy Riggs called to order the Regular City Council meeting at 6:30 p.m. Present were Council members Melissa Elmore, Tim Hall, Amanda Cavitt, Whitey Forsman and Judy Riggs. City staff present were Assistant City Manager Lori Longfellow and Administrative Assistant 2 Laura Schmidt. Citizens present: Katie Findling, Carl Kopacek, Carolee North, Linda Bade, Judith Parker; other unknown citizens were present electronically.

III. PUBLIC HEARING: NONE

IV. CONSENT CALENDAR:

- A. Meeting Minutes June 30th, 2020
- B. Meeting Minutes July 21st, 2020
- C. Meeting Minutes August 17, 2020
- D. Meeting Minutes August 24, 2020
- E. July 2020 Financials - emailed 8/20/20 @10:51 a.m.
- F. August 2020 Financials - emailed 9/16/20 @ 4:50 p.m.

Discussion was had regarding the July 21 and August 17 meeting minutes and potential discrepancies. Assistant City Manager Longfellow suggested that council, in order to not get behind on minutes, move forward and approve the consent calendar as amended and staff would make amendments and send to council for final review.

Cn. Forsman made a MOTION to approve the consent calendar as amended. Cn. Hall seconded. AYES: Elmore, Riggs, Hall, Cavitt, Forsman; NAYS: None. MOTION PASSED UNANIMOUSLY 5-0.

V. PUBLIC COMMENT:

Carl Kopacek asked about the email sent to Mayor Riggs and Cn. Elmore on August 31 regarding a dangerous situation. Cn. Elmore states that a discussion cannot be had with anything that has an ongoing investigation at this time. Cn. Hall states he would like to

hear what Mr. Kopacek has to say, but notes it is the Mayor decision. Mayor Riggs confirms that there is an ongoing investigation and it cannot be discussed. She asked Mr. Kopacek if he wanted to know something other than information regarding the investigation. Mr. Kopacek stated it's a dangerous situation and he would have hoped it was resolved already. Mayor Riggs responded she felt the same and noted specifically to him that threatening people with bodily harm is also a dangerous situation and Mr. Kopacek responded that he certainly understood.

Cn. Hall stated he had a public comment and wanted to respond to a letter written by Lois Daniels. He reminded her and others that he was elected not appointed to serve the residents and businesses of Garibaldi, meaning he has an obligation to review documents, ask questions, and make decisions that will be in the best interest of the majority of Garibaldi residents. He states he takes this responsibility seriously.

Mayor Riggs interjects a point of order and Cn. Hall requests to finish his public comment and she allows it.

Cn. Hall goes on to explain his background and experience working on construction and development projects. He notes he know the tricks and shortcuts used by developers to get a project permit, for example, choosing data that does not reflect true conditions. He also expressed concern regarding the impact that more than 200 showers, faucets and toilets will have on our aging water and sewer system. He states his opinion regarding the Daniels project in that he feels it will come back to haunt Garibaldi. He also expressed disappointment regarding errors in the printed versions of the Planning Commission final report and receiving a July 21 letter from Mr. Kopacek late. In conclusion, he stated that "Paul Daniels and those who look the other way on this project, I think should be ashamed and I want this on the public record".

Maighread Thomas' public comment included a suggestion to use the apartment that is in the fire department building that city hall owns as a means to create funds for the fire department as she mentioned being involved in the pre-budget and budget meetings where Chief Muragg brought up concerns regarding financials. She also mentioned her idea of having a zoom debate meeting/get to know your candidate for those running in the election.

Carolee North had her hand raised but was unable to unmute herself to speak at this time.

Katie Findling asked about the whole meeting packet being available online stating there was only the agenda pages available. Administrative Assistant Schmidt stated that council packets are posted and available under the government tab/city council packets. Mrs. Findling also expressed a big thank you to our fire department for protecting our community and noted that Judith Parker was trying to raise her hand as well but didn't know how to from the phone.

Administrative Assistant Schmidt unmuted all the phone users and explained that they may have to press *6 on their end to unmute themselves.

Judith Parker was able to unmute herself and commented regarding the August 24th meeting minutes. She stated that it was not the whole picture of what she was trying to

present and would like when the council revisits the other minutes that her statement be amended to include everything that she said.

Another attempt to get Carolee North to unmute herself to speak at this time was unsuccessful.

As there were no others waiting to make public comment, Mayor Riggs moved on to old business and began discussion regarding the open council president position.

VI. PRESENTATIONS: NONE

VII. CORRESPONDENCE:

- A. Lois Daniels letter
- B. Carolee North
- C. Linda Bade

VIII. COMMUNITY REPORT: NONE

IX. OLD BUSINESS

A. COUNCIL PRESIDENT - DISCUSSION AND CONSIDERATION

Cn. Hall made a MOTION to appoint Cn. Elmore as the Council President. Cn. Cavitt seconded. AYES: Riggs, Hall, Cavitt, Forsman; NAYS: None; ABSENT: Elmore; MOTION PASSED 4-0-1.

Cn. Hall made a MOTION to appoint Cn. Cavitt as the Council Vice President. Cn. Forsman seconded. AYES: Riggs, Hall, Cavitt, Forsman; NAYS: None. ABSENT: Elmore; MOTION PASSED 4-0-1.

After the vote is complete, Carolee North was finally unmuted and ready to give her public comment. Mayor Riggs allowed her to speak. Ms. North expressed her concern regarding Paul Daniels and questions why he has the right to apply to the Planning Commission or run for City Council even though he was recalled. Mayor Riggs explained that he wasn't banned from running for public office. Mayor Riggs closed public comments and moved onto new business.

Assistant City Manager states that Ordinance 331 regarding the noise ordinance needed to be added to Old Business and read in its entirety and then by title only. Mayor Riggs notes this is the second reading and polled the council regarding reading Ordinance 331 by title only and then read it by title.

Cn. Hall made a MOTION to adopt Ordinance 331. Cn. Cavitt seconded. AYES: Riggs, Hall, Cavitt, Forsman; NAYS: None. ABSENT: Elmore; MOTION PASSED 4-0-1.

X. NEW BUSINESS

Planning Commission Application

Cn. Hall nominated Carolee North to the Planning Commission but noted that Cn. Elmore was not on the call and that he would like to have the full council involved in the selection.

Cn. Forsman asks the candidates what is their goal? And what is their vision for the future of Garibaldi.

Ms. North responded that she had been participating in many workshops over the years and that her vision for Garibaldi was that she did not want it to be an apartment city, but noted that if they follow the rules, she cannot stop them. She stated she was passionate about the identity of Garibaldi and the fishing village that it is. She expressed that she did not feel the community was being heard. She explained that she had been through every visionary seminar which have been centered around the community, the fishing village, and expanding the commercial area at the port but there had never been any indication of 100 apartments. She also expressed the lack of development on the commercial lots off Highway 101 needs to be addressed by the City Council because we need to draw tourists into our community.

Ms. Linda Bade stated she had not gotten as far as having a personal vision for Garibaldi. She mentioned she read the role of the commissioner online earlier in the day. She explained her interest in the commission is more that she brings objectivity and the ability to make a comparison between an application and the laws, the rules, and regulations, and she has the ability to clearly see if they match or don't match. She also mentioned she had personal experience with development happening on an adjacent property and unique experiences that went along with that. She state that she thought the Planning Commission was initiated by the state of Oregon in order to facilitate a better development process. She feels this opportunity would help her expand her knowledge base.

Mayor Riggs asked if Jeff Walters was on the call as he had also submitted a letter of interest in the Planning Commission. There was no response. Mayor Riggs reminded council that Cn. Hall's motion was still on the floor. She asked if council wanted to wait until all members were present to vote or proceed with the vote. Cn. Cavitt expressed her desire to have all council members present to vote. Cn. Hall stated he agreed. Mayor Riggs asked if he would like to withdraw his motion and he stated that he would withdraw his motion on the basis of having a full complement of the council to decide on this key position on the city's Planning Commission.

Mayor Riggs tabled this topic until the October meeting.

IGA - Garibaldi Rural Fire Protection District

Mayor Riggs begins discussion of the IGA. Cn. Hall interjected a point of order and asked if the fire chief had reviewed the agreement and if he was in support of it. Fire

Chief Murrage noted that he had not seen the copy of the contract but that it has always been just a standard contract between the City and the Garibaldi Rural Fire District to collect all the tax collections that they collect for fire protection.

Assistant City Manager Longfellow pointed out for the record that it was the same exact contract just a different date because it had not been updated in several years. Cn. Hall noted under the terms of the agreement (on page 33) it read this Agreement shall begin on July 1. Chief Murrage agreed it was expired, but it was the same contract that had been in place for year and just needed to be updated.

Cn. Hall made a MOTION to approve the IGA between Garibaldi and the Garibaldi Rural Fire District. Cn. Forsman seconded. AYES: Riggs, Hall, Cavitt, Forsman; NAYS: None. ABSENT: Elmore; MOTION PASSED 4-0-1.

Ordinance 155 -Amendment Discussion

A brief discussion was had regarding the amendments. Cn. Hall read the title of Ordinance 155 and Mayor Riggs states that it is under Section 14.

Cn. Hall made a MOTION to Amend Ordinance 155. Cn. Cavitt seconded. AYES: Riggs, Hall, Cavitt, Forsman; NAYS: None. ABSENT: Elmore; MOTION PASSED 4-0-1.

Cn. Hall expressed that he would like the record to show that it was very wise of Cn. Elmore to point out the need to update this Ordinance. He also stated that he appreciated updating documents, such as ordinances and resolutions, to be consistent with the state's rules.

XI. STAFF REPORTS

Chief Murrage commented for clarification regarding the apartment above the fire hall. That apartment was built by the firefighters years ago and it's been maintained by the Firefighters Association for years. He also stated that there's been an agreement in place with the council that the apartment be used to house volunteers to make it a better and quicker response. It is currently occupied by two of our firefighters. He goes on to discuss the Pike Road Fire and the training officer position and stated the Mayor knows where he stands with regard to the City Manager. He also discussed the plans for informal talks regarding the future of fire protection services in our area and asked that the council and management stay tuned for more information.

Cn. Forsman thank him for all the great work done by the department and asked about collaboration with local cities to build a better fire department. Chief Murrage expressed they have been trying to do that for 30 years and in fact a few years ago he had formed a steering committee and they were really close but it fell through at the last minute.

Cn. Hall expressed thanks to the Chief and firefighters for their service and stated that he agreed with the Chief's suggestion for the council and management to stand by for more info regarding the informal discussion referenced earlier.

Cn. Cavitt echoed the sentiments of gratitude.

Mayor Riggs expressed her thanks as well and was happy to hear that equipment was running well.

Assistant City Manager Longfellow gave a brief supplemental manager's report making note of the public works comments about Renita catching everything with a blower down at Public Works, also that Kelly, the City's water operator, had received his certificate and a contractor would no longer be needed which saves the city about \$450 a month. Longfellow also gave an update regarding the auditors and noted that they were on the last audit and everything would be caught up.

XII. COUNCIL REPORTS

Cn. Hall reported that he participated in a call with the League of Oregon Cities and he shared the updates he received regarding the Covid-19 Response and the fires. He noted of importance the GoFundMe scams to supposedly support firefighters and people should be careful where they donate their money. He also expressed thanks to community members who came together as a team and helped their neighbor(s) clear trees and debris that had fallen throughout the city after the windstorm.

Cn. Cavitt reported that the Tourism Commission would be meeting in October to discuss new grant opportunities.

Cn. Forman had nothing to report.

Mayor Riggs reported that the City had a dumpster delivered on 11th street to help residents with the piles of debris from the windstorm. She noted that typically that it is the responsibility of the homeowner, but the City had funds from a clean-up day that was scheduled earlier in the year that didn't happen. She also noted that will need to be investigated for future disaster situations so the City would have provisions to get that help for residents. She explained a situation about a resident that currently lives off Highway 101 that does not have a driveway receiving nasty notes telling the homeowner to move their car parked out in front of their residence. City code states that two parking spaces are allowed and he previously had a parking pass but it was from the 90's. Mayor Riggs stated the City would be issuing the resident a new parking pass.

XIII. EXECUTIVE SESSION: NONE

XIV. ADJOURNMENT

Mayor Riggs adjourned the regular council meeting at 8:07 p.m.



Judy Riggs, Mayor

ATTEST:



Lori Longfellow, Assistant City Manager

