

MINUTES
DRAFT MINUTES UNTIL APPROVED BY THE COUNCIL
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
MONDAY, OCTOBER 19, 2009
SPECIAL MEETING: 8:45 A.M.

CALLED TO ORDER BY MAYOR WERNICKE AT 8:45 A.M.:

THE PLEDGE OF ALLEGIANCE:

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
Mayor James Wernicke	_____X_____	_____
Council Position #1 VACANT	_____	_____
(Crook was appointed and was present following roll call)		
Council Position #2 Larry Brennan	_____X_____	_____
Council Position #3 Peter Peterson	_____X_____	_____
Council Position #4 John Truesdell	_____X_____	_____
Council Position #5 David Alexander	_____X_____	_____
City Administrator Ellen Barnes	_____X_____	_____

****NOTE:** If anyone wishes to address this Governing Body, please present a completed "Business from the Audience" request to the Mayor at this time. Your request will be added under the CITIZEN COMMENTS section of our agenda. Comments and participation from the audience shall be limited to 5 minutes without redundancy.

SPECIAL ORDERS OF BUSINESS:

INTERVIEW APPLICANTS FOR COUNCIL POSITION # 1 (A)

8:45 A.M. Susan Brown
 9:00 A.M. Jeff Crook
 9:30 A.M. Ted Whitmore
 9:45 A.M. Pete Peters

The Council interviewed four applicants for Council Position # 1.

A brief discussion ensued. Wernicke stated he would like to appoint Jeff Crook to Council Position # 1.

MOTION:->Alexander moved that the Council affirm the Mayor's appointment of Jeff Crook for Gold Beach City Council Position # 1, for the balance of the remaining term of office, second by Brennan. VOTE: Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 4 AYES The Mayor, with unanimous approval of the council, appointed Jeff Crook to Council Position # 1.

RESOLUTION R0910-6 (B)

A RESOLUTION ACCEPTING A CLEAN WATER STATE REVOLVING FUND LOAN
AWARD

Postponed per Barnes

Truesdell - Comment regarding R0910-6. The first "WHEREAS" indicates this is a free loan, it is not a free loan. I think it would be appropriate to just make a comment, after it says zero percent interest-like with an annual administrative cost of .05 percent of the outstanding balance. At least that is full disclosure in that first "WHEREAS". So that anyone looking at it does understand that there is a charge. (All agreed that would be a good idea)

PROMOTION COMMITTEE MEMBERSHIP AND REAPPOINTMENT

Barnes-You have been given the background on Virginia McKinney. She has exceeded the eight consecutive years allowed by the Charter. There have been a number of changes on the Promotion Committee recently. The most noteworthy is that Elizabeth Kuljis has resigned her position and we will need to replace that position. We have instability because of that. As result, I am asking the council to reconsider McKinney's position and her appointment to the Promo Committee and extend that beyond the eight consecutive years. We can set that to a date certain, to allow her to go beyond, for six months, to give us the opportunity to replace Elizabeth and to give us the opportunity to make the ordinance changes that are necessary and then begin to recruit and replace the position.

Wernicke-To avoid any problem with a "date certain", we should make that date certain conditional upon those two events. The replacement of Elizabeth, plus the revision of the ordinance. In order to extend this, according to the charter, we have to make a finding of vital interest.

Peterson-We have to be very careful and plain in our wording. We don't want to have another committee coming to us and saying "well you did it for Promo, why can't you do it for us". We have to be very plain stating it is of vital interest and state why.

Alexander-Obviously the loss of the director is severe. To also lose an individual with Ms. McKinney's experience would be a serious detriment to the functioning of the Promo Committee. Because of that, it is in the city's vital interest to extend the membership on the Promo Committee as well as the fact that the city will require time to carefully review and make appropriate changes to ordinance # 597, which

is pretty much out of date and an additional vital interest exists to allow continuity to the promo committee during that review and the changes that might be made to the ordinance.

Truesdell-I didn't fully understand your comment regarding the timing of how long that would be extended, so basically, there is no date of the extension, it would just be that upon hiring a new full time position and solving the ordinance issues, then this sunsets upon that date?

Wernicke-Within a reasonable time thereafter.

Brennan-Can it be stated that it would be extended for six months under the condition that the ordinance is revised. Can you say six months with the provision that the ordinance is completed? Or not?

Brief discussion followed.

Truesdell-As we're dealing with a time specific conflict between the ordinance and the charter, my thought is, I do appreciate what you're saying, but I feel it should have a specific date set at the end of those two conditions being satisfied - the hiring of a new executive director and adoption of the new ordinance, within 30-60-90 days of that. It could be argumentative with a person or people, what a reasonable period of time is. I'm agreeing with the Mayor but I still think we should put a 30 or 60-day clause at the end of that. (Barnes stated she thought 60 days would be more than adequate) That way everything is solved, we have a specific date that is non-argumentative and we've solved the ordinance and the hiring.

Alexander-If we give ourselves a specific amount of time, then we have locked ourselves into that. If we use a more amorphous term, like reasonable period, that gives us more flexibility.

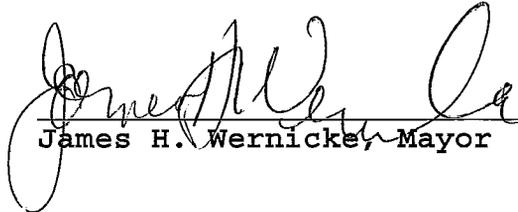
Peterson-As long as you have it locked in time after this has been accomplished, it doesn't make any difference.

MOTION:-> Alexander moved that the city council declaring it is in the vital interest of the city to extend the promotion committee membership of Virginia McKinney, does extend that membership until such time as a new director for the promotion has been hired and the necessary revisions to ordinance # 597 have been accomplished and up to and including 60-days

thereafter, second by Truesdell. Crook, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

ADJOURNED AT 10:19 A.M.

Passed by the Gold Beach City Council on December 14, 2009.


James H. Wernicke, Mayor

ATTEST:


Shirley Walker, Recorder

The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call (541) 247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of Discrimination should be sent to: USDA, Director, Office of Civil Rights, Washington, D.C. 20250-9419