

MINUTES
DRAFT MINUTES UNTIL APPROVED BY THE CITY COUNCIL
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
MONDAY, SEPTEMBER 28, 2009
SPECIAL MEETING: 6:30 P.M.

CALLED TO ORDER BY MAYOR WERNICKE AT 6:30 P.M.:

THE PLEDGE OF ALLEGIANCE:

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
Mayor James Wernicke	___X___	_____
Council Position #1 Vacant	_____	_____
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___	_____
Planning Staff Jodi Fritts	___X___	_____

SPECIAL ORDERS OF BUSINESS:

FINAL DISCUSSION AND DECISION ON CONSERVATION ZONE BOUNDARY

Mayor Wernicke opened the meeting by announcing the resignation of Councilor Sue Johnson and invited those in the audience to apply for vacant *Position #1*, if interested.

Councilor David Alexander announced that the application process information and necessary forms found on the website.

Mayor Wernicke stated the purpose of the meeting was for the discussion and final decision of the Conservation Zone line boundary. He reminded the audience that there would be no public comment heard and the record closed.

Discussion ensued concerning Councilor Larry Brennan and a previously disclosed possible conflict of interest due to a business relationship he had with a contractor, who was employed by Pacific Reef Motel. He commented that he had disclosed this at three (3) previous meetings, and felt he could be fair and impartial. After a series of questions and responses, there were no further challenges.

Mayor Wernicke said they were looking at a recommendation presented to City Council, by the City of Gold Beach Planning Commission, and were going to discuss and decide what the City would like to see in the way of the conservation zone line boundary.

DISCUSSION

Councilor Peter Peterson said when deciding to move to Gold Beach, one of the things he liked was that everything wasn't right down on the beach. He said that if he had his way, he would say that anything west of 101 already built could stay, but nothing more should be

constructed. However, based on the recommendation from the planning committee, he would vote for 100' east of the state vegetation line.

Mayor Wernicke reminded council, for the basis of any decision, to keep in mind the decision must be factually based with consideration of the 2003 and 2006 reports, factual information from site-visits and information received from the state.

Councilor Larry Brennan said that one of the purposes of the decision was to allow for equitable ability to survey the conservation line. He said the Beaches and Dunes zone, that they were trying to establish, must address Goal 18. He said that development could be allowed by the Planning Commission through the conditional use process. He said that he understood that the decision made regarding the Conservation line would define the western boundary of the commercial zone; anything west of that boundary would have to fall under a conditional use permit from the planning commission. At some point, the city or planning commission does need to have the ability to allow a conditional use, with some control of development. He continued by saying that they had addressed Goal 18 because it would allow more development than currently allowed. He read portions of letters written by Dave Perry and Laren Woolley of DLCDC, which addressed boundary lines/Goals, supported or required. Councilor Brennan said that he supported the planning commission recommendation of 100' setback from the state vegetation line as the City's Conservation Zone boundary.

Councilor John Truesdell said he was making a determination on the matter with consideration to state wide planning goals, city zoning ordinance, 2003 and 2006 technical studies, and recommendation from planning commission. In addition, he said he considered the verbal and written evidence of public testimony, citizen opinion, and the safety and impact of development-east of the state statutory vegetation line. Sharing his concerns with the letters of Dave Perry and Laren Woolley, Truesdell said the council was charged with the responsibility to be fair, impartial and equal to citizens. He said he reviewed previous determinations made by the State; one with a 50' setback, and continuing that the public's interest in restricting development of private property should be weighed against the rights of those property owners. He reported that the state's factual information showed that there was no issue with reestablishing the boundary 50' east of the state vegetation line, and felt comfortable establishing the conservation zone boundary 50' east of the state vegetation line.

Councilor David Alexander said he made his decision based on what is balanced by the best science available and state requirements. He said that they would not be able to please everyone and the recommendation a compromise. Continuing, that based on his research, and the position of the state agency, the planning commission recommendation is best; setting a line that is measurable, surveyable and conformed to statewide Goal 18. He voted his approval for the planning commission recommendation.

Mayor Wernicke called for motion.

Motion

Councilor David Alexander made a motion that the Gold Beach City Council accept and approve the recommendation of the Gold Beach Planning Commission in regards to the City's Conservation Zone boundary line.

Larry Brennan seconded the motion.

Mayor Wernicke called the vote.

Vote: Ayes – Larry Brennan, Peter Peterson, David Alexander
Nays – John Truesdell

Mayor Wernicke stated for the record that the motion passed 3 to 1 and concluded the hearing on the CON zone.

Meeting adjourned: 6:49 pm

Respectfully Submitted,
Diana DeLong, Clerk

ADJOURNED at 6:49 p.m.

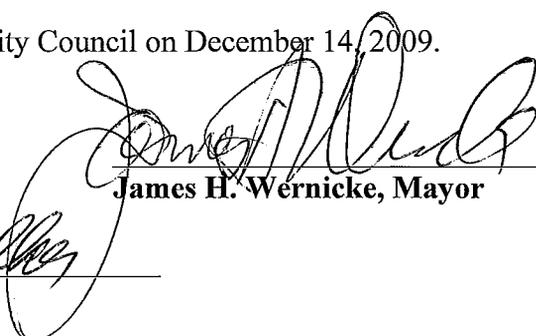
The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call (541) 247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act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

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

ATTEST:



Shirley Walker, Recorder



James H. Wernicke, Mayor