

MINUTES
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
MONDAY, OCTOBER 13, 2008
REGULAR MEETING: 6:30 P.M.

CALLED TO ORDER BY MAYOR POPOFF at 6:30 p.m.

THE PLEDGE OF ALLEGIANCE:

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
Mayor Karl Popoff	_____x_____	_____
Council Position #1 Sue Johnson	_____x_____	_____
Council Position #2 Vacant	_____	_____
Council Position #3 Peter Peterson	_____x_____	_____
Council Position #4 Vacant	_____	_____
Council Position #5 David Alexander	_____x_____	_____
City Administrator Don Flynn	_____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:

MAYOR'S PROCLAMATION (A)

Proclaiming October 25-31, 2008 as National Magic Week (A). Popoff read his proclamation proclaiming October 25-31, 2008 into the record.

MAYOR & COUNCILOR APPRECIATION AWARD

Food Bank Volunteers-Sylvia (B)

POPOFF:-> The food bank volunteers provide food services to anyone in need. It requires a lot of coordination and work to help this community. Patrick Henry is here to accept the award and I ask that any food bank volunteers present this evening to also please come forward and be recognized. This is one of my greatest pleasures-recognizing our volunteers.

CONSENT CALENDAR: (C)

Approval of Council Minutes of 9/8,9/17,9/30,10/8/08
 Review of bills paid in the amount of \$158,493.05.

MOTION-> Johnson moved to approve the Consent Calendar as presented, second by Alexander, Johnson, Peterson and Alexander voted "AYE". VOTE: 3 AYES

CITIZEN AND/OR AGENCY REQUESTED AGENDA ITEMS:

CITY POLICY ADDITION - Councilor Alexander (D)

This addition to the policy merely eliminates any possible misunderstanding regarding interviews and requirements for people applying for a job position with the City of Gold Beach.

MOTION:-> Alexander moved to add the following to the City of Gold Beach Policy Manual: if an applicant applies for a position with the City of Gold Beach and is granted an interview, the applicant shall be deemed to have met the minimum requirements for the position, second by Johnson.

Peterson-Questioned the wording "is granted an interview, the applicant shall be deemed to have met the minimum requirements for the position". It may be during the interview when you find they are not eligible for the position. Anyone can fill out an application and look like they are eligible and walk in and you interview them and they may not be.

Alexander-The series of criminal background checks and reference checks that I know are done extensively by staff, should, by all rights, eliminate those not minimally qualified and that an interview process should be to select the best applicant among those who were qualified minimally. In other words, if the applicant meets the minimum advertised requirements he/she shall be granted an interview. If he/she does not meet the minimum requirements he will not be granted an interview. The thrust of this is that an interview should be of among the top candidates to find the one candidate that is best qualified.

Peterson-I don't understand why we need to have it in a policy.

Johnson-My understanding is this means that once they've gone through everything, and we're to the point of interviewing them, that by then everything will have been checked out and they do check out or we wouldn't be wasting our time interviewing them.

Peterson-We just went through a series of interviews with quite a few people and there were several of those people that really looked good, then after we had the interview, we're going "whoa". I just don't like the way this is worded.

Johnson-David (Alexander) why don't you tell us why you wanted this in here?

Alexander-I know we had several applicants for the city administrator position that were from out of town. The checks were ran and interviews were set up and selections were made and that was fine. Among the interviewees were at least some, who on reflection, did not meet the minimum qualifications and never should have been brought down for an interview. It was an inconvenience for them and it was frankly, a drain on council time and there was nothing in the policy, systemically to prevent that from happening. If an individual does not come up to snuff-the minimal qualifications, background and reference checks-and I know they are extensive, should catch that and prevent that from happening. All this does is to codify that in the body of city policy. The optimum word here is "minimum" qualifications. If they don't meet the "minimum" qualifications as advertised or pass the background or reference checks, they should not be granted an interview. Whether they meet the optimum qualifications is a decision that is normally, in normal business practice, made during the interview process.

Johnson-I also understand what you're saying Pete (Peterson) but I do feel like we go through a lot of time and we find out a lot of things and you know that even after they are hired we sometimes find out things about them. But even in that instance, he or she was qualified. So I don't think it is a bad idea to have it in there. I think it should be understood that that is the way it would be, but it isn't, so this would make it where it was.

VOTE: Johnson and Alexander voted "AYE", Peterson voted "NAY".
VOTE: 2 AYES 1 NAY

PUBLIC CONTRACTS AND PURCHASING:

PROJECT GRANT ADMINISTRATION PROPOSAL FROM CCD (E)

POPOFF:-One Bid was received from CCD Business Development Corporation for Wastewater Improvement Project in the amount of \$70,000. CCD generally charges 2% of the project; however, CCD proposes an amount comparable to (Community Development Block Grant) CDBG administration. CCD proposed an amount of \$70,000 for the duration of the project. It is understood that the funds for grant administration must come from the grants that are obtained and the schedule of payment will coincide with the grant requirements.

CCD comes highly recommended and has an impeccable reputation. They have been a tremendous help in this project from the beginning.

MOTION:-> Alexander moved to accept and award the proposal from CCD for the Project Grant Administration for the Wastewater Improvement Project, contingent upon approval of the city attorney, in the amount of \$70,000, second by Johnson, Johnson, Peterson and Alexander voted "AYE". VOTE: 3 AYES

ORDINANCES AND RESOLUTIONS:

RESOLUTION R0809-4 (F)

A RESOLUTION AUTHORIZING A LOAN FROM THE WATER FUND BY ENTERING INTO A LOAN CONTRACT WITH THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT (OECDD)

POPOFF->This resolution authorizes up to a \$1,533,308 dollar loan from OECDD for the Wastewater Treatment Plant. As previously conveyed to the city, it is the intention of the Department to make a grant award of up to \$500,000 that can replace up to \$500,000 of available loan funds, subject to meeting certain conditions as follows:

- Approval by the OECDD Commission as required by current department policy.
- Commitment of funding for completion of Phase 4 of this project.
- Demonstration that user rates required to service all debt, once all funding sources for this project have been committed, will exceed the \$37.50 per EDU/month threshold.
- The loan award available for the disbursement is to be reduced by the amount of any grant award that may be approved by the OECDD Commission.

MOTION-> Peterson moved to approve Resolution R0809-4, contingent upon contract approval by our city attorney, second by Alexander, Johnson, Peterson and Alexander voted "AYE". VOTE: 3 AYES

RESOLUTION R0809-5 (G)

A RESOLUTION CREATING AN IDENTITY THEFT PROTECTION POLICY

POPOFF->This resolution outlines safeguards, policies and procedures to protect personal information and comply with the Oregon Identity Theft Protection ACT (OITPA)

MOTION-> Johnson moved to approve Resolution R0809-5, second by Peterson, Johnson, Peterson and Alexander voted "AYE".
VOTE 3 AYES

CITY ADMINISTRATOR'S REPORT:

FLYNN-> We are seeking applicants for the Budget Committee and the Promotion Committee. (G)

Positions # 1, #4 and #5 on the City Budget Committee.

Applicants must be electors of the City and shall not be officers, agents or employees of the City of Gold Beach.

Positions # 1, #2 and #4 on the Promotions Committee.

Position #1 will be filled by a "member of the Chamber of Commerce".

Position #2 will be filled by "a member at large" (a person that is directly involved with the tourist industry.

Position #4 will be filled by a "member of the "motel" industry.

Applicants will be accepted until sufficient applications have been received-the positions will remain open until filled.

Flynn gave a brief summation of the past incident that occurred at the Paul Bunyan restaurant. This was a very intense and volatile incident on both sides. I found nothing to indicate our officers violated any laws or policies. There were possibly a couple of incidents or situations that could have been handled a little bit differently in an attempt to lower the hostility-separate the parties a little bit further-that is primarily what I was looking at.

A lot of attention was brought to our officers by some comments made to the owner. I understand why they were made. A deputy sheriff in fact made those comments. I'm not slamming the deputy-I've been in these type of situations and they do get intense. I will commend the deputy-he was being distracted as well as the other officers-he made some comments, that taken at face value, were not very good. Having looked at the situation, all the reports, witnesses,

etc., I can understand than. After the situation did cool down, the deputy went back to the owner and apologized-I commend the deputy for that.

I know the officers feel, to a certain degree, that they are "under a microscope right now"-I am asking the citizens if they observe the officers doing something really well hey, let us know. I want to get that side of the picture out there too. We've got some good troops, let's give them credit where credit is due.

The Dyer Partnership (Engineering firm for the Sewer Treatment Plant Project) has recommended that Jan Kerbo be retained as our Project Facilitator. She has been with Dyer through the planning period of the Project and has first hand knowledge of the system and needs. There is a need for a Project Facilitator to deal with the requirements of the regulatory and funding agencies and to work closely with the engineering firm and various contractors that will be hired. Ms. Kerbo has started her own engineering business. Funds are in the budget for this position-it will not be a grant or loan funded position. As all of you know, we are very fortunate to have Jan (Kerbo) on our team and she will be keeping us informed during the progress of the Project.

The Riley Creek Culvert Project, near the city shops is in progress.

Jeff Denney and I are discussing ways of making Third Street safer for those walking to and from the library. He is looking at possible assistance from the library group for help with the sidewalk improvement and safety plans and funding.

MAYOR AND COUNCIL COMMENTS:

MAYOR - Karl Popoff:

I attended the annual League of Oregon Cities Conference in Salem. For a new elected official coming on board, the numerous seminars and training sessions offered are invaluable and great learning tools. Over the years I have attended many of these seminars and training sessions, so basically what I have done for the past few years is "network" with other cities and state officials that can help us. It has proven quite well for us. I would urge whoever is elected to keep that tradition going because when they know your face and they see you and know who you are and you are friends with them, it makes it much easier to deal with them. Unfortunately us out here in the hinter lands, a lot of times will get overlooked

and past over. This is a way to make sure that Gold Beach stays before their face.

I would also like to encourage everyone to "get out and vote". However you vote is up to you, I don't care about that, I just want to encourage everyone to vote. I've spent 14 years in a uniform for this nation, I know how important a vote is. Your vote counts-it matters.

I also want to thank all of you for taking the time to attend our meeting tonight.

COUNCILORS:

PETERSON:-> I AM UNABLE TO ATTEND THE league of Oregon Cities yearly conference this year so I will make the following motion:

MOTION:-> Peterson moved to authorize staff to allocate \$200 of the water fund budget # 22633 for Council Position # 3 travel to Karl Popoff, Mayor, who will be attending the conference, second by Alexander.

Johnson-I am going to vote for this because I know I'm outvoted and this is certainly no reflection on you (the mayor). I don't think that we as a council have any business moving funds around that have been placed in certain budget line items by a 10-member budget committee, and passed unanimously. There is mayor travel money in that budget in a determined amount that those 10 people said were to be allocated. I don't think we should be doing that.

Alexander-I know that I am also going to vote for this. I know how expensive travel is. Sue (Johnson) is right, this is probably something the budget committee should address to set a general principle, once again, my thinking is systemic. However, in this instance, I wish to commend Councilor Peterson for the idea and for being willing to share funds that would go towards his travel, should he decide to travel on behalf of the city.

VOTE: - Johnson, Peterson and Alexander voted "AYE". VOTE 3 AYES

Alexander-I would like to commend Administrator Flynn for the selection of Jan Kerbo. She has gained the city funds through various agencies by the quality of the presentations she has

made. She has actually got agencies that have money, that were dragging their feet, to really get seriously behind our sewer project and understand how critical it is to our community. I cannot think of a better choice to be the Project Facilitator for this effort that we are all making. We all pay our water and sewer fees. She has already got funding commitments for us, she has saved us money and as Project Facilitator she will save us and get us even more money.

Domestic violence continues to be a serious issue in our community. As we move into the winter months, the statistics fall but what is critical to understand is the pain that a single person feels is very real. Please get on board with this there is never an excuse for domestic violence in our community.

ANNOUNCEMENTS:

The next regular meeting for the Gold Beach City Council is scheduled for Monday evening, 11/17/08 in the Council Chambers of City Hall, 29592 Ellensburg Ave., at 6:30 P.M.

ADJOURNED at 7:05 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 November 17, 2008.


Karl Popoff, Mayor

ATTEST:


Shirley Walker, Recorder