

MINUTES
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
MONDAY, FEBRUARY 8, 2010
REGULAR MEETING: 6:30 P.M.
DRAFT MINUTES UNTIL APPROVED BY THE COUNCIL

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 Jeff Crook	x	_____
Council Position #2 Larry Brennan	x	_____
Council Position #3 Vacant	_____	_____
Council Position #4 Vacant	_____	_____
Council Position #5 Vacant	_____	_____
City Administrator Ellen Barnes	x	_____
Student Liaison - Mckenna Marstall	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:

PROCLAMATION OF FEBRUARY AS DATING VIOLENCE AWARENESS MONTH

The Mayor read his proclamation (A) into the record.

PROCESS FOR APPOINTING REPLACEMENT COUNCIL MEMBERS

BARNES-Stated there were several different procedures for appointing replacement council members so she asked for direction from the council as to how they wish her to proceed.

Crook suggested appointing one, then let that one sit in on the next interview, then appoint then have four councilors sit in on the final interview.

Tuesday, February 16, 2010 at 6:30 P.M. was set for interviewing applicants for council positions.

PROCESS FOR APPOINTING REPLACEMENTS TO THE PROMOTION COMMITTEE

BARNES-There will be two vacant positions on the promo committee-Virginia McKinney was reappointed for 60 days beyond the time a new director was hired and the revisions to

Ordinance # 597. Jeff Ferguson held the other position. This will be added to the February 16 meeting.

CITIZEN COMMENTS FROM THE AUDIENCE:

Wernicke-Brad Wood, President of the Gold Beach Skate Park has asked me to read a letter (B) from him into the record. Wernicke read his letter into the record but stated he was going to editorialize some parts of it.

CONSENT CALENDAR:

Council Minutes: Special-12/8/09: 1/8/10: 1/13/10:
1/13/10: 1/25/10. Regular-12/14/09: 1/11/10

MOTION->Brennan moved to approve the consent calendar as presented. Crook stated he had a correction to the 1/11/10 minutes-change SILK to SILT page 6 and 7. (Done)

Brennan moved to approve the consent calendar with the changes as presented, second by Crook. Crook and Brennan voted "AYE".
VOTE 2 AYES 3 VACANT

ORDINANCES AND RESOLUTIONS:

ORDINANCE # 632 (C)

AN ORDINANCE ADOPTING A REVISED GOLD BEACH NUISANCE AND OFFENSE CODE AND REPEALING ORDINANCE # 560 AND ANY OTHER ORDINANCES THAT MAY BE IN CONFLICT

A brief discussion ensued regarding the best process to follow in adopting the ordinances.

Barnes-It is however council wishes to proceed. My personal recommendation, and this is just from where the City of Gold Beach seems to be at with regards to the ordinances, it makes more sense to me to adopt the code structure because it does make it easier for people to find the laws of the city. Then we come back through and make revisions to the code. From my perspective it makes it easier for people to access the laws. That would be the only reason I would recommend doing it that way.

I recommend we table it and look through this particular one, start making notes of any changes you would like and bring it back to council.

MOTION->Crook moved to table Ordinance # 632 at this time, second by Brennan. Crook and Brennan voted "AYE". VOTE 2 AYES 3 VACANT

RESOLUTION R0910-17 (D)

A RESOLUTION ACCEPTING GRANT FUNDING FROM ODOT TRAFFIC SAFETY DIVISION TO PURCHASE SPEED ENFORCEMENT RADAR EQUIPMENT

The Gold Beach Police Department received an ODOT grant award of \$3,500 which is \$375 over the maximum amount normally awarded through this grant program. \$3,500 to purchase 2 Kustom Raptor - RPI radars \$2,185 and a Kustom Signal Pro-Lyte Lidar unit for \$1,315. Both are radar units - one uses laser. It is a cost re-imbusement Grant.

Crook had a question he will ask Chief Janik when he returns.

MOTION-> Brennan moved to approve Resolution R0910-17 A RESOLUTION ACCEPTING GRANT FUNDING FROM ODOT TRAFFIC SAFETY DIVISION TO PURCHASE SPEED ENFORCEMENT RADAR EQUIPMENT, second by Crook. Crook and Brennan voted "AYE". VOTE 2 AYES 3 VACANT

RESOLUTION R0910-18 (E)

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ISSUE A REQUEST FOR PROPOSAL FOR MUNICIPAL AUDIT SERVICES

BARNES-It is good physical health for cities to change their auditing firms periodically. We have had the same auditing firm since around 2001.

MOTION-> Crook moved to accept Resolution R0910-18 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ISSUE A REQUEST FOR PROPOSAL FOR MUNICIPAL AUDIT SERVICES, second by Brennan. Crook and Brennan voted "AYE". VOTE 2 AYES 3 VACANT

RESOLUTION R0910-19 (F)

A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO CONTRACT FOR INTERIM CITY ATTORNEY SERVICES AND ISSUE RFP FOR GOLD BEACH CITY ATTORNEY SERVICES

BARNES-Our city attorney has been promoted to a judge. She will no longer be able to serve as our city attorney. Unfortunately the remaining attorney in the firm does not have any municipal experience. Our attorney advised that we need to go for an interim appointment to give us the protection and legal advice we can turn to while we actually do a more thorough search for long-term services.

Barnes has the authority, under city ordinance to actually hire an attorney.

Barnes-We have three firms. One local, one out of Bandon and one out of Eugene that is being recommended to us by our attorney. There is another firm in Portland that does nothing but municipal work for small communities.

MOTION-Brennan moved to approve Resolution R0910-19, A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO CONTRACT FOR INTERIM CITY ATTORNEY SERVICES AND ISSUE A RFP FOR GOLD BEACH CITY ATTORNEY SERVICES, second by Crook. Crook and Brennan voted "AYE". VOTE 2 AYES 3 VACANT

Barnes-Stated it would be a good idea to also select an interim attorney that had construction experience.

CITY ADMINISTRATOR'S REPORT: (G)

Barnes gave a detailed comprehensive report regarding Public Services, Promotion and Visitor's Center, Emergency Management, Planning, Public Works and Administration and Finance. Details are attached as Exhibit G

Police Services-Chief Janik has received his Basic Police Certification, Intermediate and Advanced Police Certification and, through a waiver process, Supervisor and Management Certifications through the Oregon Department of Public Safety. Janik's challenge for the Executive Certification was approved and will be awarded in February.

Received a 2005 Ford Police Interceptor Crown Victoria equipped with new radio, light bar, traffic directional bar and prisoner protection windows.

Financial-Barnes also handed out a detailed report on the city's revenues and expenses by fund to the budget, as of the third quarter. For the most part, we are running expenditures between 39-53% so that looks acceptable. Our revenues are running at 84%. Additional revenue from taxes will continue as people make their payments.

Insurance-CIS is giving the city a \$28K credit toward insurance premiums next year. Members of CIS will all benefit from some good years CIS had in the past several years.

Visitor Center-Promo Jeff Ferguson regularly gives Barnes detailed updates. He breaks his workload into two different

sides, the promotions aspect and the visitor center aspect. He is doing a fantastic job that encompasses a number of activities, advertising, contact bonding, etc.

Emergency Services -Don Kendall, our Emergency Management Director is doing an outstanding job. He has followed up on several items of concern and has attended several local trainings.

Planning-A special hearing will need to be scheduled to discuss the acceptance of Ruby's Way and Emerson Circle-the city could accept the roadway with the homeowners association responsible for maintenance. It has been platted and developed to city standards. The LUBA Remand Council made the decision to remove condition 7 regarding a sign. The appeal of that decision was taken to LUBA and they have remanded it back to council. The council needs to make their decision of removing condition 7 more defensible-tighten it up-provide more findings as to how and why we came to that conclusion. They acknowledge that we get it. A meeting was held with the attorney of the property owner last week. He understands we are short councilors at this time and would prefer waiting until March (probably the end of March) or so when we have a full council. March 29, 2010 was scheduled for the hearing.

Public Works-Some minor utility relocations will be necessary for the County's Rogue River Bikeway (Jerry's Flat Road) Project.

WWTP: USDA Funding Status Update-should receive the final award package in March.

Value Engineering (VE) contract is completed: VE scheduled for February 23-26 - report completed in March.

DEQ approval in April: Advertise bids in May: Open bids in June: begin construction July/August: Project presentation to school board February 10th.

OPS Building: New building complete, except for punch list items-staff has moved in.

Old building has been torn down and excavation and foundation for new lab building in progress.
Current completion date is around March 17th.
City is negotiating with Woodburn on change orders and liquidated damages.

Will Newdall, our Public Works Superintendent, has been doing an excellent job in keeping the change orders at a minimum. The majority of the change orders have no substance to them.

Administration and Finance:

Small Cities Region 4 Meeting, Friday 11:00 am to 1:00 p.m. About 13 individuals have signed up and Barnes encouraged the Mayor and Councilors to attend.

Border Coast Airport Authority Agreement Update:

Barnes sent back a list of concerns with regard to the agreement and no response has been received from them as of this date. They were going to have their attorney look at the city's concerns and questions.

MAYOR AND COUNCIL COMMENTS:

MAYOR - JAMES WERNICKE:

February 17th @ 6:30 - meeting with the budget committee for the purpose of a mid year analysis on our current budget.
February 25th @ 6:30 in the multi purpose room of the high school - the city is hosting a Town Hall Meeting. Spread the word around, come to the meeting and express your views and what you want to see for the future of our community. We will be setting goals and making plans but we want to hear from our citizens prior to our goal setting.

There is a 2010 report of goals that was prepared several years ago. Copies are on-line and are available in the business office if you want to review them prior to the Town Hall Meeting on the 25th.

February 23rd in Albany there is a budget class given by the Oregon Department of Revenue.

COUNCILORS:

Jeff Crook-We're looking for city councilors. If you live in the city limits, pick up an application and apply.

Larry Brennan-Thanked the City Administrator for the extensive report and commended her for the outstanding job she is doing for the city.

Thanked Jeff Ferguson-that is the first report I have ever seen from the visitors center-promo committee. He is doing an amazing job.

Mckenna Marstall-Student Liaison-Gave an update on dates for the basketball games. Dog show at Riley Creek on Friday February 12th from 5-7. It will be adoptable dogs from the animal shelter. Admission fee is a can of dog food or ??? There will also be a raffle. Our cheerleaders won first place last weekend in their first competition. Another competition is coming up on February 27th.

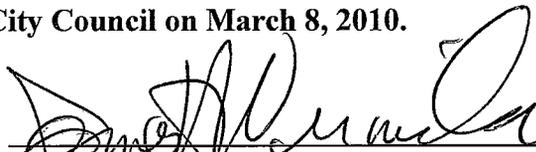
ANNOUNCEMENTS

The next regular meeting for the Gold Beach City Council is scheduled for Monday evening, March 8, 2010 in the Council Chambers of City Hall, 29592 Ellensburg Ave., at 6:30 P.M.

ADJOURNED at 7:36 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 March 8, 2010.



James H. Wernicke, Mayor

ATTEST:



Shirley Walker, Recorder

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