

MINUTES

**CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
MONDAY, MARCH 10, 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 Don Flynn	X	
Council Position #3 Peter Peterson	X	
Council Position #4		
Council Position #5 David Alexander	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:

Swearing in of a new committee member (A)
Jeannine Kahl - Position # 1 - Budget Committee
(Carolyn Trigueiro, Position # 1 of the Promo Committee was not in attendance)
Mayor Popoff preformed the "swearing in" of Jeannine Kahl. Mayor and Councilors thanked her for applying and welcomed her. Ms. Trigueiro will be sworn in at a later date.

CONSENT CALENDAR:

- A. Approval of Council Minutes of 2/11, 2/15 & 2/28/08.
- B. Review of bills paid in the amount of \$83,016.86. (B)

MOTION-> Alexander moved to approve the Consent Calendar as presented, second by Peterson. Johnson, Flynn, Peterson and Alexander voted "AYE". VOTE 4 AYES

CITIZEN AND/OR AGENCY REQUESTED AGENDA ITEMS:

- A. UPSHUR PROPERTY: 94446 TOM CAT HILL (CGB 0601) (C)
Request by Planning Commission to review Administrator's position.

POPOFF->The Planning Commission has expressed concern over the City Administrator's decision regarding the enforcement of the Upshur property for use as a vacation rental verses monthly lease. The former City Administrator concluded, based on the advertisement that the property was currently only being rented by the month. On that basis the former City Administrator had informed Upshur that his service would not be disconnected. However, if there was further persuasive evidence that Upshur was actually continuing to rent by the week or by the night, in violation of the ordinance, the planning commission should bring that evidence to the attention of the Council.

Dave Pratt, Planning Director, is here and will express those concerns in more detail.

Dave Pratt-The Planning Commission, at their February 4, 2008 meeting, expressed concerns regarding the City Administrator's decision re enforcement of the Upshur property being used as a rental on a daily basis rather than a month to month tenancy, and asked me to express those concerns to you. Upshur presented an ad published on the 9th and 23rd of January that it was being rented on a month-to-month tenancy. We've had other evidence that it is being advertised as a vacation rental and testimony has been received in late February, from neighbors, that also indicate there is unusual amount traffic still going in and out. We're beginning to record that information and also ask cooperation from the neighbors to document the comings and goings and license plates and to take photographs if possible and also sign statements of verification. We'd like to gather this information and return back to you. Our recommendation to you, as staff, is that you refer this to staff; we'll report back to the Planning Commission that we are doing this investigation on behalf of the City Council. We could return to you next month with a report and a recommendation of a course of action.

Council expressed their concern that the sooner this was dealt with the better.

MELINDA MCVEY, CHAMBER PRESIDENT (D)

Several years ago, the Chamber assumed the financial responsibility of the Fourth of July Fireworks Display from the Promotion Committee.

Ms. McVey would like to make an appeal to the Council and the public for financial support for the Fourth of July Fireworks.

The cost is now approximately \$7,500. I don't think anyone could disagree that the fireworks are incredible every year. The problem is-the Chamber of Commerce kind of took it over, it was dropped in our lap as a temporary situation. After five years, it isn't temporary anymore and we're in trouble. We just can't afford to do it. Every year we have hit the businesses asking for their financial help and every year they give it, but times are changing here in Gold Beach. I'd like the Council and the citizens to be aware of a couple of things. The fireworks and the Party at the Port draw a great many visitors-I don't think there is any argument there-we have "no vacancy" signs at the motels during these two events. The RV Parks are pretty full. The restaurants are busy. The two events work beautifully together. The Chamber takes care of everything that deals with putting on the "Party at the Port. We've just got a problem doing the fireworks also.

We have 1500 voting citizens-if everyone citizen donated \$3.50, it would more than pay for the fireworks and also give us a little bit of an overlap for next year.

The Chamber's job is to promote businesses but the fireworks is really a promotion for the city, for our area. I feel the Promo Committee, they've got a quarter of a million dollars and we have \$5,000. You do the math. We don't have the money. We need, with your permission, to get the promo committee to take this back or somehow raise the money for it in their budget. We just don't have the money and I would hate to say that the fireworks would have to away. It would be blight on Gold Beach. We have people come from Ashland, Medford, etc., that tell us they come over here for the Party at the Port and the fireworks. We are strapped. We just can't do it-we can't sponsor the fireworks. It has to be done by the city and/or promo committee because it is promoting Gold Beach.

I think the restaurants, RV's, and motels need to "step up to the plate". We've got to come to a decision because it is just around the corner.

Johnson stated that a legal opinion was rendered some time ago that the promo committee could not use motel tax revenue for the fireworks or Curry Sportfishing, or other organizations. The motel tax money is strictly for advertising, and promoting, not for financially sponsoring events no matter how important they are. The City does contribute over \$2,000 towards the fireworks, some in-kind and some actual expenses.

McVey-Could one of you (Mr. Peterson) contact the Rotary for a donation? And any other organizations you can think of. The banks have reported that their ATM's showed \$10,000 of activity during the 4th of July - a lot of that is from tourists. We were able to collect \$300 to \$500 from visitors last year just during the day of the 4th.

Mayor & Councilors asked the representative in attendance from the Reporter, to please make a large news article out of this- that would help in getting some donations.

Peterson stated he would bring it up at Rotary and if Rotary was unable to contribute as an organization, that he was sure a lot of the individuals would.

Further discussion followed.

ORDINANCES AND RESOLUTIONS:

ORDINANCE # 617 (E)

AN ORDINANCE SETTING FORTH CURRY TRANSFER AND RECYCLING (CTR) FRANCHISE FEE PAYMENTS AND AMENDING ORDINANCE # 553

Second Reading

MOTION-> Johnson moved to approve the second reading of Ordinance # 617 as read by title into the record by Mayor Popoff, second by Peterson. Johnson, Flynn, Peterson and Alexander voted "AYE". VOTE 4 AYES

RESOLUTION R0708-13 (F)

A RESOLUTION ADOPTING CITY POLICIES FOR THE CITY OF GOLD BEACH AND AMENDING RESOLUTION R0708-4

POPOFF-> The Police Department requested a couple of small changes to the current policies (replacing page 5)

MOTION-> Peterson moved to approve Resolution R0708-13, second by Alexander. Johnson, Flynn, Peterson and Alexander voted "AYE". VOTE 4 AYES

A RESOLUTION ADOPTING CITY POLICIES FOR THE CITY OF GOLD BEACH AND AMENDING RESOLUTION R0708-4 (G)

POPOFF-> Russ Merkley, our Chief of Police, has presented us with the "County's Deadly Physical Force Plan" to consider for adoption. This Council can choose to either approve it or not

approve it but there can be no amendments or changes to the Plan.

Johnson said she had read something about this in the paper and asked if this was the "final"?

Merkley-The substance remained exactly the same, there may have been a word or two changed but not the substance.

MOTION-> Johnson moved to approve Resolution R0708-18, second by Peterson. Johnson, Flynn, Peterson and Alexander voted "AYE". VOTE 4 AYES

RESOLUTION R0708-19 (H)

A RESOLUTION TO ASSESS THE COSTS OF DEMOLISHING THE DANGEROUS BUILDING LOCATED AT 29720 ELLENSBURG AVENUE AGAINST THE PROPERTY AND RESCINDING RESOLUTION R0708-14

MOTION-> Alexander moved to approve Resolution R0708-19 as read into the record by Mayor Popoff, second by Johnson. Johnson, Flynn, Peterson and Alexander voted "AYE". VOTE 4 AYES

MAYOR AND COUNCIL COMMENTS:

COUNCILORS:

Sue Johnson-New restaurant recently opened (double D's Cafe). Good food, good prices and good reviews.

David Alexander-In keeping in compliance with the City Charter and Resolution R0102-26, Rule 16, which says in part "no council member shall abstain from voting without first stating reasons in detail". I do intend to recuse myself from all interviews for the city administrator position, other than my own, as well as all consideration of applicants. I will abstain from all councilor votes pertaining to the matter because in my judgment, to do so would be a direct conflict of interest.

Challenger day-today and tomorrow-it is a program designed in part to eliminate the acceptability of teasing, bullying and all forms of violence. More information can be found on this at www.challengeday.org. If we allow a child to grow up believing it is OK to engage in abusive and violent behavior, the potential that it will continue into adult hood is very real. It is an attitude that can negatively affect not only society as a whole but the family structure as well. We have a responsibility to teach our kids, both in our homes, as well as our schools, as early as possible that there really is no

excuse for mental, emotional or physical abuse in our community.

MAYOR -Karl Popoff: On March 19, 2008, at the Ferguson Ranch in Squaw Valley (Cedar Valley) a Celebration of Life will be held for Joshua Amos, who unfortunately passed away at the age of 33. It was a tragic accident. I knew him very well and thought the world of him. He was a fine, fine young man. I would encourage everyone to attend. I don't have the exact time but I believe it is early afternoon. (1:00 p.m.) It's a real tragedy to lose someone that way and it is a real tragedy when a parent loses a child.

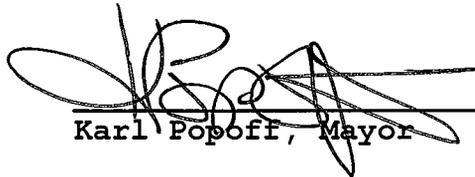
ANNOUNCEMENTS:

The next regular meeting for the Gold Beach City Council is scheduled for Monday evening, APRIL 14, 2008 in the Council Chambers of City Hall, 29592 Ellensburg Ave., at 6:30 P.M.

ADJOURNED AT 7:06 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 APRIL 14, 2008.


Karl Popoff, Mayor

ATTEST:


Shirley Walker, Recorder