

MINUTES
WORKSHOP: 6:00 P.M.
SPECIAL SESSION MEETING
MONDAY, MARCH 29, 2010: 6:30 P.M.
CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
DRAFT MINUTES UNTIL APPROVED BY COUNCIL

WORKSHOP: INTERVIEW COUNCIL POS # 3 APPLICANT @ 6:00

Brice Gregory was interviewed for Council Position # 3.

CALLED TO ORDER 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 Doug Brand	X	
Council Position #5 Tamie Kaufman	X	
City Administrator Ellen Barnes	X	
Student Liaison Mackenna 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.

PUBLIC CONTRACTS AND PURCHASING

Contract with Pacific Legal Alternatives, Inc. for Municipal Court collection services. (A)

Barnes-The purpose of this proposed contract with Pacific Legal Alternatives, Inc. is to use their services for delinquent Municipal Court accounts. Collection agencies have been used in the past. This collection service gives the city a better rate. They charge a flat 15% for anything under \$10,000 - anything above \$10,000 would be set up in an escrow account and they would collect the interest on that. The court has about \$20,000 in outstanding fines. At this time it is believed there is an informal agreement with another company that has moved out of the area.

According to the city ordinance, this is well within the authority of the city administrator to proceed with the contract. If anyone has any concerns, questions or comments, the city administrator is very interested in hearing them.

MOTION-> Kaufman moved to support the administrator in signing the contract with Pacific Legal Alternatives, Inc., second by Crook. Crook, Brennan, Brand and Kaufman voted "AYE". VOTE 4 AYES

ORDINANCES AND RESOLUTIONS (B)

ORDINANCE 634 - AN ORDINANCE ADOPTING A REVISED GOLD BEACH COMPREHENSIVE PLAN AND LAND USE CODE AND REPEALING ORDINANCE 327 AND ANY OTHER ORDINANCES THAT MAY BE IN CONFLICT - **FIRST READING** (The full ordinance - over 100 pages is on file at the city business office)

WERNICKE read Ordinance 634 by title into the record.

BACKGROUND INFORMATION PROVIDED BY THE CITY ADMINISTRATOR-In March of 1999, the Department of Land Conservation and Development (DLCD) approved the City's Periodic Review program. Eight work tasks were approved by DLCD. Work task # 8 proposed revisions to the City's current zoning ordinance (Ordinance # 327) in order to comply with changes in statewide planning regulations as well as revisions suggested by the city. The other seven work tasks were completed between 2000-2008.

The Planning Commission has held numerous hearings and work sessions from 2000 to present in order to incorporate the statutory changes, as well as deleting and adding sections to modernize the ordinance. The current ordinance was last updated in 1994.

The final hearing before the Planning Commission was held on January 25, 2010, to review final recommendations from DLCD (two letters attached) and discuss any last minute commission changes. Following the January 25th hearing, the Planning Commission voted to approve the final draft with discussed final revisions. The Commission directed staff to present the ordinance to Council with the recommendation to approve the final revised draft.

FROM THE AUDIENCE: CANDACE PERRYMAN-GOLD BEACH-MEMBER OF THE GOLD BEACH CITY PLANNING COMISSION. Perryman stated she wanted to make it clear that although the Planning Commission

knows how she feels about this ordinance, the Commission did not give her permission to come before the council and speak for them. I'm not speaking for the Commission. I'm speaking as a citizen and as someone that has been very involved in this.

I encourage you to give your approval for the first reading as the new ordinance stands. The existing ordinance is very old and that is all we have to work with until we have something new. We can't go on using this old ordinance. Even if you don't think the new one is perfect-I guarantee it is better than what we have now and we can't keep putting off doing this. We've worked on this proposed ordinance for several years-it's not perfect-it's been a long time and things keep changing. There are probably lots of good ideas for changes and additions and we can do that after this is approved. If you approve it "as is", then we can still go back and make small changes in portions of it instead of holding the entire ordinance up. That's what has taken so long working on it as a package and it is huge. If approved, the planning commission is going to come up with a list of things that could be added or that people are interested in or that have come up during our other meetings. We also want to come up with a list of ideas for ordinances that are needed or need additional work and then we would submit that list to you for your ideas and to prioritize items and send us in the right direction. The Commission wants to follow your lead in being pro-active.

BRAND-Questioned 3.05 - page 75 - Zero Side Yard Dwelling Units. Where he previously lived Z-Zoning related to multiple units with a common shared driveway. You could have three or four using a shared driveway-it was a real "bear" for the fire department. I didn't see anything in this-does our zoning cover that?

JODI FRITTS-Planner-Where we came up with the zero side yard dwelling units was we don't really have any provision right now for town houses. If someone had one lot and wanted to build three or more units on one lot-they would have to go through a conditional use process. We wanted to say that if you met the criteria listed, it would be an outright use situation. A shared driveway would be a part of it. For instance if there was a half acre or one acre lot and there were three or four dwelling units, yes, they would have a shared driveway. Anyone coming in to get a development permit has to get signed approval from the fire department. We're

very conscious of this especially regarding emergency services response.

MOTION-Kaufman moved to read Ordinance # 634 by title only, AN ORDINANCE APPROVING REVISIONS TO THE CITY OF GOLD BEACH ZONING ORDINANCE AND ADOPTION OF THE CITY OF GOLD BEACH ZONING CODE AND REPEALING ORDINANCE NUMBER 327 AND ANY OTHER ORDINANCES THAT MAY BE IN CONFLICT, second by Brennan. Crook, Brennan, Brand and Kaufman voted "AYE". VOTE 4 AYES

Discussion ensued regarding the process for adopting ordinances by title.

Previous motion was rescinded.

MOTION-Brennan moved to read Ordinance # 634 by title only, second by Crook. Crook, Brennan, Brand and Kaufman voted "AYE". VOTE 4 AYES

BARNES-Title is: AN ORDINANCE APPROVING REVISIONS TO THE CITY OF GOLD BEACH ZONING ORDINANCE AND ADOPTION OF THE CITY OF GOLD BEACH ZONING CODE AND REPEALING ORDINANCE NUMBER 327 AND ANY OTHER ORDINANCES THAT MAY BE IN CONFLICT

ORDINANCE 635 - AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A SIX PERCENT TRANSIENT ROOM TAX AND PROVIDING ADMINISTRATIVE PROCEDURES FOR COLLECTION AND DISBURSEMENT OF SAME, PROVIDING PENALTIES AND APPEALS PROCEDURES, AND REPEALING ORDINANCE 597 AND ANY OTHER ORDINANCES THAT MAY BE IN CONFLICT - **FIRST READING**

KAUFMAN-stated she had a conflict of interest and would not be participating in this agenda item.

BARNES-cautioned the council that any discussion must precede the motion.

The current Agreement with Jots expires in 2012. Barnes has been working with Gaddis from Jot's and they will be drafting a letter basically saying "we agree to the process before making other changes to the ordinance"

MOTION-Crook moved that we have the first reading of Ordinance 635 by title only, second by Brand. Crook, Brennan, Brand voted "AYE". Kaufman abstained. VOTE 3 AYES 1 ABSTAIN

BARNES-Title is: AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A SIX PERCENT TRANSIENT ROOM TAX AND PROVIDING

ADMINISTRATIVE PROCEDURES FOR COLLECTION AND DISBURSEMENT OF SAME, PROVIDING PENALTIES AND APPEALS PROCEDURES, AND REPEALING ORDINANCE 597 AND ANY OTHER ORDINANCES THAT MAY BE IN CONFLICT

RESOLUTION R0910-25 - A RESOLUTION AMENDING RESOLUTION R0910-20 CONFIRMING APPOINTMENTS TO THE TRANSIENT LODGING TAX REVIEW AND PROMOTIONAL EXPENDITURE COMMITTEE (D)

Kaufman recused herself from participating in discussion or voting of Resolution R0910-25 due to a conflict of interest.

Barnes-Clarification-earlier the council had approved a resolution confirming these appointments. However the term dates on that resolution were incorrect. It would be in conflict with the ordinance. What this is is coming back to you with a correction. What was incorrect was the position terms. Instead of starting in June they will be starting in January. We have to make some adjustments to bring in the new ordinance. One of those is in the terms. We're adjusting the start date from a start date in June to a start date in January. This resolution corrects the term dates. It also extends the terms of those individuals by one-half year. The other alternative would be to shorten the terms and that doesn't seem appropriate. The recommendation was to lengthen them by half a year and that would be only for this one time, then it would return back to a four-year cycle. The terms will have a January start date.

MOTION-Brennan moved to approve Resolution R0910-25, A RESOLUTION AMENDING RESOLUTION R0910-20 CONFIRMING APPOINTMENTS TO THE TRANSIENT LODGING TAX REVIEW AND PROMOTIONAL EXPENDITURE COMMITTEE, second by Brand. Crook, Brennan, Brand voted "AYE". Kaufman abstained. VOTE 3 AYES
1 ABSTAIN

MISCELLANEOUS ITEMS (including policy discussions and determinations)

BARNES-Discussion of Value Engineering Study Report (the report is 146 pages long and is available in the city business office) and Dyer's Response (to the Study). The summary of the Report was given to council upon the exit interview. The Value Engineering Team had recommended approximately 1.5 million in savings they thought they could see by making adjustments to the project. Dyer has reviewed the Study to see what they believe is feasible and realistic and what isn't feasible or realistic. Their report shows a savings of

\$312,870 they think is realistic based upon their understanding of the project.

WILL NEWDALL, PUBLIC WORKS SUPT.

When we got into the meat and potatoes of engineering, to look at some of the options the Value Engineering Team presented, some of them could not be implemented. One of the more radical ones was to raise the elevation of the plant and eliminate having a pump station to feed the drain field structure. What that would rely upon would be for us to build up enough head level and then pump for it to drain and provide constant head pressure out there to surge out and feed those drain fields.

The problem is we had two essential crossings to make that are grade related. One being Riley Creek where the pipe would have to cross the creek and the other being Fifth Place right outside the public works shop where that pipe would literally have to go down and back up again. Sewage being what it is, it still contains solids after treatment. In order to put sewage in what we call the "shoo fly" underneath the road, we felt there would be large maintenance concerns as the solids build up over time. We would have no control over dosing to the drain fields. That's just one of the items that would not be feasible - there were several items that were feasible at a considerable cost savings. Eliminating one pump drain station is an example. Newdall listed some other items as well.

Wernicke asked why the large difference in price between the Value Engineering Team (cost savings of \$610,000) and Dyer's revised cost (\$160,000) regarding the steel digesters in TS-11-the new steel digesters.

Newdall-Value Engineering proposed replacement with one-two hundred thousand gallon digester tank. What they were taking away from the whole process was approximately 370,000 gallons storage by eliminating a circular clarifier underneath. They were giving us about one half of the solid volume in their savings. As we calculated it out, over time what our plant, our SBR that we're going to build would produce - having just one 200,000 gallon digester would not be enough solid storage to provide longevity over the 20 year design life period. We need two-there is also a "slosh" factor built in for earthquake protection which means you can only get about 180,000 gallons in those tanks, so the yield is about 360,000 gallons. There is still a savings going to a steel tank and not rehabilitating but it costs about \$1.00 per gallon to do a

glass-fused tank. That's where another \$200,000 switched in the cost savings. We'll have two brand new tanks. A glass-fused tank will last about 50 years. In a lot of cases, what we found is going through O&M and taking the cost of operations over 20 years, we arrived at much more realistic figures.

A brief question, answer and comment period regarding the Value Engineering Report vs. the Dyer's response followed between the council and Newdall. Newdall is comfortable with how the Project is coming along.

Newdall will ask Dyer for a quote on what it would cost to present the council with a verbal report regarding their comments on the Value Engineering Report and to answer questions.

Discussion about scheduling next Town Hall meeting.

Schedule for some time during the week of June 14th. Actual date will be announced at the April 12th council meeting.

Update on citizen advisory committees for a Parks and Recreation District and Urban Renewal District.

WERNICKE-Both committees have been formed. Jeff Davis is the chair of the Parks and Recreation District Committee. Some of their committee members have been on vacation but they will be having their first meeting in the very near future.

The Urban Renewal Committee has been formed and they have had their first meeting.

BRENNAN-Had a great meeting on Friday, March 26th. Very positive, great ideas came out. Right now we are trying to establish what has to happen next as far as an ordinance by the council that would establish an agency. Once that process takes place, we will research ORS 457 which is the statute that establishes the rules for Renewal Districts. More maps are needed so we will be coming up with a plan. The ideas will go into a plan, then a budget has to be established to determine how those ideas will be implemented.

Our next meeting is scheduled for April 9th. We have a four member committee with a secretary, plus myself.

CITY ADMINISTRATOR'S REPORT

Discuss Financial Statements for February (F)

BARNES-Nothing overly disturbing. We're running very similar to what we've been running in previous years. The expenditures are about where we should be. They are running about 57%-60% which is what you would expect at this time of year. The revenues are running at 78%, which is normal compared to previous years. Intergovernmental revenue is down. Some grants were budgeted for but didn't come in but those expenditures aren't going out as well. Revenue from interest rates are considerably lower than expected due to the economy. Interest rates were projected at around 4%. Due to the economy we are only receiving about .5%.

MAYOR AND COUNCIL COMMENTS

MAYOR - JAMES WERNICKE

Reiterated that the Urban Renewal District Committee and the Parks and Recreation District Committee are formed and moving forward.

Following a brief discussion, an executive session was scheduled for April 6th at 6:30 P.M. for the purpose of discussing a pay raise and a contract for our city administrator. A Special Session will be held immediately following the executive session. At the Special Session it will also be discussed if the council is ready to make an appointment and who their choice may be for position # 3 of the council.

COUNCILORS

Jeff Crook-Additional info on Community Supported Agriculture (CSA). I've spoken to management of the Crook Timber Lands and we have some property that will suit us nicely. There has been a lot of interest shown. A small committee of people are going to start this. We will soon have information on costs, insurance, etc. We're moving forward and hopefully have some good vegetables this summer.

Larry Brennan-Very pleased with the progress we made at our first Urban Renewal District Committee meeting. It is going to work out well. We think we can establish this on our own, with some guidance, without paying someone from the state to come down and assist us.

Doug Brand-After being here for two months, I'm excited to be a part of this and getting what we've done so far accomplished.

Wernicke-The first reading of all of our codes will be scheduled for the April 12th meeting.

ANNOUNCEMENTS:

The next regular meeting for the Gold Beach City Council is scheduled for Monday evening, April 12, 2010 in the Council Chambers of City Hall, 29592 Ellensburg Ave., at 6:30 P.M. An Executive Session will be held on April 6th at 6:30 P.M., followed by a Special Session.

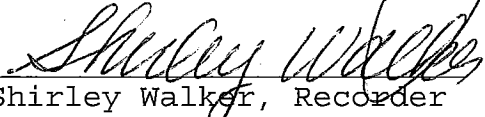
ADJOURNED at 7:35 P.M.

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 12, 2010


James H. Wernicke, Mayor

ATTEST:


Shirley Walker, Recorder