

**MINUTES**  
**DRAFT UNTIL APPROVED BY THE CITY COUNCIL**  
**CITY COUNCIL CHAMBERS, CITY HALL**  
**29592 ELLENSBURG AVE**  
**GOLD BEACH OR 97444**  
**MONDAY, JUNE 8, 2009**  
**WORK SESSION: 6:15**  
**REGULAR MEETING: 6:30 P.M.**

**WORK SESSION:** The Mayor & Councilors reviewed Mayor Wernicke's "IF I WERE MAYOR" entry forms.

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

**THE PLEDGE OF ALLEGIANCE**

**ROLL CALL**

	<b><u>PRESENT</u></b>	<b><u>ABSENT</u></b>
Mayor James Wernicke	X	_____
Council Position #1 Sue Johnson	X	_____
Council Position #2 Larry Brennan	X	_____
Council Position #3 Peter Peterson	X	_____
Council Position #4 John Truesdell	X	_____
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:**

**MAYOR'S PROCLAMATION (A)**

Proclaiming July 4 through July 11, 2009 as South Coast Hunger Awareness Week

**WERNICKE**-> Read his proclamation into the record.

**APPOINTMENT OF EMERGENCY SERVICES DIRECTOR**

**WERNICKE**-> Last week the council held a work session wherein we discussed the appointment of an Emergency Services Coordinator. We went through a lot of material. With the approval of the Council, I would like to appoint Don Kendall as the City's Emergency Services Director.

**Alexander**-With this particular individual's skill and experience level-to have someone do this on a volunteer basis is extraordinary and of great value to the city.

**Johnson**-agreed. My question is-the county has a paid emergency services director and we're included as part of the county plan-are we going to be stepping on someone's toes if we start our "own thing"?

**Wernicke**-He will be coordinating with the county. We need someone here at our city that can bring our forces together to coordinate with the county and the state as a single individual so we don't have three or four different departments trying to work with the county-we will have one spokesperson.

**Johnson**-I understood that the chief of police was that person. I don't mind-I think it is a wonderful thing-I'm not arguing that we shouldn't do it. I just want to make sure we're not stepping on anyone's toes. I don't want to be excluded from another group just because we started our own.

**Wernicke**-As I understand it, right now, the functions are somewhat divided in the city. Public safety belongs to the chief of police and fire to the fire department. Other issues like keeping roads open belong to public works. Those various activities are separate departments within the city. A coordinator would bring those together in planning for an emergency. Plus he would work with the county and state and also look for funding opportunities to improve our services.

**Truesdell**-Apologized for missing the meeting where this was discussed as he was out of town, I would have like to have attended. So my questions may have already been discussed and answered. Are we first establishing this as a new position and then we are recommending a man to fill it? OR does the position exist now and all we are doing is appointing a man to fill the position?

**Wernicke**-The position was filled at one time and it's been "gone" for a while. So it is like resurrecting something that just faded away. So we're doing both. We're re-instating the position and having Don (Kendall) step into it.

**Truesdell**-Regarding the position-do we have a job description. If there is a job description, what is the authority of the position-what are the responsibilities? I've read through all of the material. Who is this position's supervisor; The chief of police, the council, the mayor, the new city administrator? Is this a permanent full time position? If so, what are the hours? Has anyone on the council done a

budget analysis? I didn't find that in here regarding benefits, travel, uniforms, radios, office supplies, secretarial services, etc. I understand that the position is a volunteer, I'm just wondering about the other costs that are associated with something like this-if it was considered.

**Wernicke**-It was considered to the extent that it is going to be up to the coordinator to provide us with that information. It is hard to tell at this point in time. I think for supervision purposes, it would probably be the city administrator with council oversight. It will be necessary for Don (Kendall) to give us occasional reports and a "heads up" on anything he may want to purchase or any place that he may want to go for funding purposes. As an overall funding aspect, No, it isn't part of the budget and it hasn't been accounted for. That is one reason we desperately need a volunteer for the position. The job description specifics will have to come from Don (Kendall). He's going to have to have a chance to be in place for awhile, to set forth what is really needed, then he can bring it to the council and we can specify, in writing, in some manner, so it is clear to everyone. The first step is to get someone in that spot and see where we are and where we have to go to do it right.

The policy of "grant approval from the council" prior to submitting grant requests will also be adhered to.

**MOTION**->Alexander moved to approve the Mayor's appointment of Don Kendall as the City's Emergency Services Director, second by Brennan. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

PISTOL RIVER GOLF COURSE PRESENTATION (B)

Leroy Blodgett & James Crook

**WERNICKE**->The Crook Family is having a 6,900-yard championship golf course built in Pistol River with a beautiful ocean view. Leroy Blodgett is here to give the council an overview of the development. Following the presentation, Mr. Blodgett and Mr. Crook will answer any questions you have.

Using the overhead screen, Mr. Blodgett gave a detailed presentation of the planned resort destination golf course at Pistol River. Grant (couldn't hear last name), a golf consultant and members of the Crook family are also in attendance.

A brief discussion followed.

ANNOUNCEMENT OF THE WINNERS OF THE "IF I WERE MAYOR" CONTEST  
( C )

**WERNICKE**->The council and I have reviewed the entries and have selected the following winners:

**ESSAYS:** Middle School - **Emily Martin**

**VIDEO/POWERPOINT PRESENTATION:**High School or College-**Kristina Welsh**

I want to thank everyone that participated. Emily Martin and Kristina Welsh will each receive a \$100 savings bond. Those bonds will be presented here at the middle of the month. We will take pictures and present them with their \$100 savings bonds. I will submit these winners to the Oregon Mayor's Association (OMA) to be eligible for the statewide competition. The judges will consider: Creativity, Clarity/Sincerity of Thought, Proper Use of Grammar and Subject Relevancy. The statewide winners and their parents will be invited to attend the Oregon Mayors' Summer Conference in Forest Grove on August 1, 2009, where they will be recognized at the annual banquet and receive their laptop computer. Statewide winners and any honorable mentions will be selected by the OMA Selection Committee consisting of the OMA Executive Board plus two mayors. Congratulations to Emily and Kristina. We will contact them to let them know when we will have the US Savings Bonds available and make the presentation.

**CONSENT CALENDAR:** (D)

- A. Approval of Council Minutes of 5/11 (workshop), 5/11 (regular) and 5/21 (special), 2009.
- B. Review of bills paid in the amount of \$328,856.51.

**MOTION**-> Johnson moved to approve the Consent Calendar as presented, second by Alexander. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

**PUBLIC HEARINGS:**

CITY OF GOLD BEACH BUDGET 09-10

**WERNICKE**-> I will open the public hearing on the City of Gold Beach Budget for 09-10 at 7:10 P.M.

Is there anyone in the audience that would like to comment to the 09-10 budget?

There were no comments.

Wernicke closed the public hearing at 7:11 p.m.

**PUBLIC CONTRACTS AND PURCHASING:**

**CHAMBERLAIN EASEMENT (E)**

**WERNICKE->** Chamberlain's request for an easement by our Wallace Water Tank was discussed at length at our last meeting. The attorney has received the minutes and exhibits that outlined our concerns and requests. At the time our packets were prepared, we had not received the paperwork from our attorney. We have two choices; we can approve the easement contingent upon receiving our attorney's approval and paperwork OR table this again until our next meeting. Mr. Chamberlain has stated that as long as he can continue on a temporary basis, pending our attorney's completion of the matters that we gave the attorney, he would be fine with tabling this.

(Brennan's motion was to allow Mr. Chamberlain temporary access)

**MOTION->-Alexander-**With the understanding that Councilor Brennan's motion from the last meeting carries over, I would move to table pending completion of our attorney's documents, second by Peterson. Brennan, Peterson, Truesdell and Alexander voted "AYE". Johnson voted "NAY". VOTE 4 AYES  
1 NAY

**BUFFINGTON PARK MAINTENANCE CONTRACT (F)**

**WERNICKE->** The City received and complied with a request to open up the bidding process for the maintenance at Buffington Park. Two bids were received:

1. Vicky's Landscape Services \$875 per month
2. Mike's Lawn Care \$950 per month

Vicky's Landscape Services currently has the contracts and we have no complaints. She does a good job. I'm open for council discussion.

**Truesdell-**I received a copy of the contract today and was looking at it as well as the bids that were based on that contract-I received that in my packet. Regarding the bids-it doesn't appear to me that Vicky's Landscape is the lowest bid. Mike's Lawn Care could be the

better bidder by almost 28%. I'm confused by that and would appreciate clarification on that. I found some items in the contract that could use attention in terms of what we're asking these state unlicensed contractors to do for us. I just want to make sure that what we are asking them to do is proper because there appears to be some conflicts with what we're asking them to do and what the state says they can do if they are not licensed.

**Wernicke**-That should be resolved before we approve any bids. I suspect the decision would have to be made by July 1<sup>st</sup>-the beginning of the new fiscal year. If we are going to review these matters, we should review them at your earliest opportunity, then we will call a meeting to make a decision on this.

**MOTION**->Johnson moved to table, second by Alexander. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

Truesdell stated that within the next day or so, he would share the information with the council that he came up with.

**ORDINANCES AND RESOLUTIONS:**

ORDINANCE 620 (G)

AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

Second Reading

**WERNICKE**-> The first reading of Ordinance 620 was May 17, 2009. Since this is such a short ordinance I will read it in full.

**MOTION**-> Alexander moved to approve the second reading of Ordinance # 620, as read into the record by Mayor Wernicke, second by Truesdell. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

RESOLUTION R0809-14 (H)

A RESOLUTION ADOPTING BUDGET, MAKING APPROPRIATIONS, IMPOSING AND CATEGORIZING THE TAX

**WERNICKE**->This resolution adopts our 09-10 budget, approves the appropriations, imposes and categorizes the tax for a total amount of \$14,413,373

**MOTION->** Truesdell moved to approve Resolution R0809-14 with the total appropriations in the amount of \$11,511,765, and a total unappropriated amount of \$2,901,608 for a grand total of \$14,413,373, second by Alexander.

**Truesdell** stated he would like to go on record: This is my first time through this process in a municipality, I'd like to give my sincere thanks to the budget committee made up of five lay people and five of us for tolerating my endless questions. I don't believe any of us got everything we wanted but the bottom line is the city got a very well put together budget. I was very frustrated with the process and very pleased with the result.

**VOTE ON THE MOTION->** Johnson, Brennan, Truesdell and Alexander voted "AYE", Peterson Abstained. VOTE 4 AYES 1 ABSTAIN

Peterson stated he abstained because his wife is employed by the city.

RESOLUTION R0809-15 (I)

A RESOLUTION EXTENDING THE CITY OF GOLD BEACH'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF GOLD BEACH

**WERNICKE->** This resolution was tabled at our last meeting so we could get additional information. That information has been provided.

**Alexander** stated he would like to see the Emergency Services Director's assumed wage at \$2,500 per month, the same as the fire chief, just for consistency sake.

**Johnson**-I don't know if you are aware these rates were set based on the risk involved in your volunteerism - we're rated very low but the firemen and police are rated higher because of their risky jobs. I don't think the position of emergency services coordinator or director is going to be a dangerous position and the higher you put the assumed wage, the more it cost the city.

**Alexander**-I agree and understand. My only thought was should the emergency services coordinator be responding to emergency situations in the field that might put that individual at greater risk than if he or she was working out of an office.

A brief discussion followed.

**MOTION->** Peterson moved to approve Resolution R0809-15, second by Johnson. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

RESOLUTION R0809-12 (J)

A RESOLUTION SETTING A FEE SCHEDULE FOR CITY SERVICES, AND RESCINDING R0607-19

**WERNICKE->** This resolution was also tabled at our last meeting so we could get additional information. That information has been provided.

**Truesdell-**The "red flag notice of delinquency charge" has 3 proposed amounts. The existing was \$10, we had a proposal for \$50, then two others for \$20 and \$30. We need to clarify that before we move to approve the resolution.

**Peterson-**Since the bottom is \$10 and the top is \$50, why don't we meet in the middle at \$25? Maintenance agreements were discussed at the last meeting. Shirley (Walker) and I discussed this several times. She has worked it out so instead of billing once every six months, she would like to change that to a once a month billing. New rates would be added to accommodate maintenance rates. It would actually save the wastewater maintenance customers \$36 a month over what they are currently paying. This would eliminate a lot of staff time. Basically we still have the maintenance, it is just a change in the billing time frames. I would appreciate it if we could approve this requested change.

**Alexander-**I totally agree with Peterson. It will save the city time and money and will also be a cost reduction to the customer.

(First motion by Peterson and seconded by Alexander was withdrawn because the wrong Resolution # was cited)

**MOTION->** Peterson moved, that with the changes discussed, to approve, Resolution R0809-12, second by Alexander. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

RESOLUTION R0809-18 (K)

A RESOLUTION ADOPTING RULES OF THE CITY COUNCIL AS PROVIDED IN THE GOLD BEACH CITY CHARTER, CHAPTER IV, SECTION 13 AND RESCINDING RESOLUTION R0809-9

**WERNICKE**-> There are only two proposed changes - Council Rules # 11 - the word appointed has been taken out in two places. It now reads "No elected (or appointed-removed) official shall be eligible to receive appointment as City Administrator during the term for which that official is elected (or appointed-removed).

**MOTION**-> Johnson moved to approve Resolution R0809-18, second by Brennan. Johnson, Brennan, Peterson, Truesdell and Alexander voted "AYE". VOTE 5 AYES

**MAYOR AND COUNCIL COMMENTS:**

**MAYOR - JAMES WERNICKE:** Updated reports on the status of our Wastewater Treatment Plant are available on the table in the back for those that are interested. They are also posted on our bulletin board each month and on our web site.

I wanted to bring this up publicly so there would be no misunderstanding about it. I am making a request that on your cityofgoldbeach.com web site that you put, in bold print at the top that it is not the official city's website. We've had people contact you asking for information, under the belief, that you're the city's official website. I've received correspondence from one of them myself. I'm merely asking that you put that up in bold letters at the top so people can see that it is not the official web site. It shouldn't cause you any problem just to avoid that confusion. If you would also like to help, you might even direct them to where the official website is located. We would very much appreciate it if you could do that. It does create some confusion and it may create some problems in the future.

Another issue I would like to bring up tonight is we have a vacancy on the planning commission. Right now the city is in a position where a lot of things are going to happen in the planning area. The planning department is going to be extremely active and will play a major role in what happens in this community in the next few years, and for a long time in the future. We need that position filled so we have a full planning commission again to review these upcoming projects. It is very important to the city.

**COUNCILORS:**

**Truesdell**-One of the local clubs in town would like to purchase the stand and the bags that hold doggie do. They would like to purchase one or two of these if we will install

them at Buffington Park. They will pay for the containers-commercial grade like you will find in a park and the plastic bags that go in them. I think it is a wonderful idea-I couldn't find anything negative about it. I'm not bringing it as a formal request at this meeting, I just wanted to introduce it. It's not going to cost a lot to dig a posthole and put an inch and a half galvanized pipe in it.

**Peterson**-FYI. We've offered to pay for that and we have been turned down by our city. Rotary would pay for everything but we were stonewalled immediately.

**Wernicke**-Who picks up the bags and refills the bags?

**Truesdell**-The bags would be put in the dumpster by the "user". The park maintenance person could keep the bags refilled.

**Alexander**-Great idea, it should be pursued.

**Johnson**-My comment would be I would want to know why we objected, then I'll make up my mind.

**Peterson**-The objection was no one wants to be involved with the "picking it up". We said just put it in the garbage and they said "no, we can't do that". I didn't know why. And the present people that are working at Buffington Park have no desire to be involved in any of it.

**Alexander**-Attended the Solid Waste & Recycling quarterly meeting-very productive. Mostly we talked about what would be happening at the fair. They will be having a booth at the fair. They hand out free recycling bags.

The Oasis Domestic Violence Shelter will be having a food booth at the fair. The theme this year is "Pioneering Fun For Everyone". They could use some assistance from the public. Primarily what they are looking for and what their needs are paper products, deodorant, cleaning supplies, sponges, etc., and postage stamps. OR if you would care to make a cash donation, that could be specifically designated to the area of your choice. All donations are tax deductible. The phone number is 541-247-0607.

**Wernicke**-Where are we in the process in developing a document library?

**Alexander**-We are in the last stages of doing the research. I know you have made arrangements for a "fax-scanner" that is the critical piece of hardware we need to get moving on this. Thursday I will be calling the coordinator at Oregon State.

**Johnson**-We had a welcoming session for our new police chief that was well attended. I think he is doing a very good job and I expect it will get even better. For those that don't know him, you need to meet him, he is a very nice man.

**Brennan**-June 2<sup>nd</sup> I attended the Law Enforcement Blue Ribbon Committee meeting and also the town hall meeting that was hosted by the sheriff and held at city hall. They have formed a political action committee, they have a chair but they need a treasurer. If there is someone in the viewing audience that would be interested in serving as treasurer, please give me a call at city hall and leave your name and I will contact you and forward your name to the sheriff's office.

**Wernicke**-A group of kids were going to Mexico to build houses but due to the political climate, that trip has been cancelled. Instead, they may be coming here June 22, 23 & 24<sup>th</sup> to do some things for the city-getting the weeds down on the streets painting the inside of city hall and whatever jobs we can come up with. This would be great for the city.

#### **CITIZEN COMMENTS:**

**Margie Roberts**-lives outside the city. I want to thank you for mentioning about the City of Gold Beach web site. We have relatives visiting from out of town and they looked up cityofgoldbeach.com to see what was going on here and different things to do. They were kind of taken back by the negative comments that were on there. During dinner tonight I said I was going to the city council meeting and they brought it up that they had looked at this web site and that there were a lot of negative comments they had read on YOUR web site. I explained to them it was not the official city site, so thank you for asking them to put on their web site that the official one is a different address.

**Ted Whitmore**-lives inside the city. There was a disclaimer at the very top of the banner before I was told to bow out because my wife's job was in jeopardy. You (Wernicke) and I had a discussion after my wife's job was threatened.

**Wernicke**-No, you've never told me that anyone threatened your wife's job. Of course I wouldn't have believed it anyway but

if anyone had, I'm sure I would have known about it. I don't know of anyone that has threatened your wife's job, in fact this council and I have been very supportive of your wife and so has this city. Correct me if I'm wrong but didn't your wife just get another ¼ working time added to her hours? Instead of ¾ time she is now full time? I'm simply asking for a disclaimer at the top of the web site whether it is you Ted Jr., or your dad Ted Sr. Just a disclaimer at the top of the web site so people understand that it is not the city's official web site. It's very simple. Unless you want to be confused with the official site, and I wouldn't think you would want to be, it would be very helpful to put that up in bold letters at the top of page one of the website. Either you or your dad, one of the Teds, and I don't care which one.

Further discussion followed.

**Whitmore**-Stated he didn't see anything negative about their web site.

**Peterson**-The city is asking-they can't tell you what to do. It's your right to say yes or no. If there is a problem, which I don't see it, then we need to work together to resolve it. At this time I think most of the problems are perceived.

**Alexander**-This is the first I've heard of this. When you use the expression "you guys" inclusively, I just want to make it clear I haven't heard any of this before.

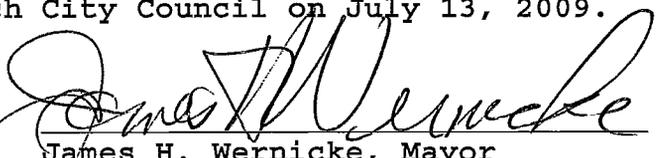
**ANNOUNCEMENTS**

The next regular meeting for the Gold Beach City Council is scheduled for Monday evening, JULY 13, 2009 in the Council Chambers of City Hall, 29592 Ellensburg Ave., at 6:30 P.M.

**ADJOURNED AT 7:54 p.m.**

Passed by the Gold Beach City Council on July 13, 2009.

ATTEST:

  
James H. Wernicke, Mayor

  
Shirley Walker, Recorder