

**CITY COUNCIL MEETING
JULY 12, 2016**

CALL TO ORDER/ROLL CALL/WELCOME - 6:00 P.M.

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Mayor Peterson called the Bay City Council meeting to order at 6:00 p.m. She asked that everyone stand and join her in the Flag Salute. The following Council members were present: Robert Pollock, Kathy Baker David Olson, Kari Fleisher, Crystal Killion and Dee Harguth. Others in attendance were Attorney Lois Albright, Public Works Director Brian Bettis, Fire Chief Darrell Griffith and City Recorder Linda Downey. See the attached list of visitors.

PUBLIC HEARINGS

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A. Salmonberry Trail / Text Amendments

Mayor Peterson opened the Public Hearing on the amendments to the Bay City Comprehensive Plan and Transportation Plan that references the future development of the Salmonberry Trail. The Bay City Planning Commission have recommended approval of the amendments.

There were no public comments.

DLCD representative Patrick Wingard was present and available to answer questions.

Mayor Peterson closed the public hearing and opened discussion to the Council.

Motion by Councilor Pollock second Baker to approve the amendments to the Bay City Comprehensive Plan and the Bay City Transportation Plan as presented. Motion carried 6-0.

Motion by Councilor Baker and second by Councilor Fleisher to set the public hearing on August 9, 2016, for the ordinance to amendment to the Bay City Comprehensive Plan. Motion carried 6-0.

Attorney Albright will draft the ordinance and revise the Transportation Plan.

VISITORS' PROPOSITIONS

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Mayor Shaena Peterson briefly acknowledged agenda item 10B under the Mayor's Presentation concerning the Banking of the Rail Line. Port of Tillamook Bay Manager Michele Bradley was present. The law firm *Stewart, Wald & McCully* have contacted property owners in the area encouraging them to hire the firm to file claims for money damages against the US government. The firm says that if the Port of Tillamook Railroad abandons the rail line and allows the *Salmonberry Trail* to be developed then they feel property owners would have reversionary right to the land currently in railroad right of way. The law firm is holding public informational meetings in the area.

Michele Bradley said they are not abandoning the line just changing the use from Industrial traffic rails to tourism rails.

COMMITTEE REPORTS

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A. Administrative:

Councilor Fleisher is in the process of organizing the sale of bricks for a fundraiser for development on the Watt Family Park.

Fire Chief Darrell Griffith provided a report to the Council.
The department is very busy and he would like to have additional volunteers.

This year's Fire Department car wash was a great success and the Firefighter's Association intends to purchase the CPR practice dummies with the funds.

Open burning will end on July 15, 2016 and burning in barrels will end August 1, 2016.

City Recorder Linda Downey provided a report for the Council.

The park campground has been busy especially on the weekends.

The auditors are scheduled to complete the City's field audit July 27-29, 2016.

Recorder Downey noted the up coming election for the Mayor, and three Councilors. She noted that the County has requested a deadline to submit signed petitions by August 19, 2016. Forms are available at City Hall.

The City received asphalt grindings from the paving company that was paving Highway 101. The City plans to grade, place the grindings and compact the gravel streets within the City. Discussion was held on the disposition of excess asphalt grindings. There are regulations and specific allowed uses for the grindings. City Hall has received request for the grindings from private homeowners. Discussion was held on how placement could be regulated and the grindings hauled. The Council acknowledged that Tillamook County Road Department and The Port of Garibaldi have requested the excess grindings.

Motion by Councilor Pollock and second by Councilor Olson to give any excess grindings to Tillamook County and The Port of Garibaldi. Motion carried 6-0.

B. Community Development:

Councilor Harguth noted that the Transient Lodging Tax (TLT) Advisory Committee met on July 6, 2016. At this time there are no applications requesting TLT funds. Councilor Harguth noted that the next meeting will be held on October 5, 2016.

Attorney Albright was asked if the City could apply for the TLT tax funds. Attorney Albright will review the requirements and report back to the City.

Discussion was held on the uses eligible for the TLT funds.

- C. Public Works:
Public Works Director Brian Bettis provided a report to the Council.

The Watt Family Park restroom building has been built. Electrical and plumbing work is being scheduled.

MINUTES REVIEW

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Minutes were reviewed for the 06/13/2016 Council Workshop and 06/14/2016 Regular Council Meeting.

An error was noted in the 06/14/2016 Meeting minutes and corrections were made.

Motion by Councilor Fleisher and second by Councilor Killion, to approve the minutes for the 06/13/2016 Council Workshop as presented and 06/14/2016 Regular Council Meeting as amended. Motion carried 6-0.

TREASURER'S REPORT

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With no questions or corrections Mayor Peterson asked the report be filled for audit.

BILLS AGAINST THE CITY

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Councilor Pollock reviewed the bills with Public Works Director Brian Bettis, Fire Chief Darrell Griffith and City Recorder Linda Downey.

Motion by Councilor Baker and second by Councilor Fleisher to approve payment of the bills against the City in the amount of \$104,929.08. Motion carried 6-0.

UNFINISHED BUSINESS

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A. Resolution No. 16-09 HEAL "Healthy Eating Active Living" Community

Mayor Peterson reviewed the resolution for being an "active community."
By adoption of this resolution the City is eligible for some additional grants that would provide and encourage the community to be more physically active.

Motion by Councilor Pollock and second by Councilor Baker to approve Resolution No. 16-09 as presented. Motion carried 6-0.

NEW BUSINESS

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A. Weber Sewer Connection

Public Works Director Brian Bettis has been in contact with Mr. Weber and he has begun to prepare the area for the connection. He expects to complete the connection in the near future.

This item will remain on the agenda.

- B. ORD No. 670 Abandon Vehicles
Discussion was held on the draft Abandon Vehicles Ordinance.

Due the abandoned vehicles being stored at the Public Works facility the Council approved an emergency clause in the ordinance. Attorney Albright will make revisions to the ordinance for the emergency clause.

Motion by Councilor Pollock and second by Councilor Baker to set Ordinance No. 670 for public hearing at the August 9, 2016, Council Meeting. Motion carried 6-0.

- C. SHN Contract / Slide Repair
Discussion was held on the SHN contract for engineering on the Portland Avenue and the 9th Street slides.

Motion by Councilor Olson and second by Councilor Fleisher to approve the SHN contract for the slide repair on Portland Avenue and 9th Street as presented. Motion carried 6-0.

- D. Port of Garibaldi / Pacific Oyster
The City has been working with the Port of Garibaldi and Pacific Oyster to make improvements to the Pacific Oyster business site area. Brush needs to be cleared and the area cleaned up. Pacific Oyster has moved their pipe storage so that there is less impact on the view of the bay.

- E. Kilchis Regional Water District / Project Funding
Mayor Peterson noted that the first quarterly Kilchis Regional Water District meeting will be held at 5:30 tomorrow, July 13, 2016.

Funding for the third well will need to be discussed.

- F. Non-Remonstrance Agreement for Annexation / UGB Inclusion
Attorney Albright explained the changes to the Non-Remonstrance Agreement for Annexation / UGB Inclusion and the Outside Water User Agreement. These documents would be needed for new water users outside of the City limits.

Motion by Councilor Baker and second by Councilor Fleisher to approve the Non-Remonstrance Agreement for Annexation / UGB Inclusion as presented. Motion carried 6-0.

- G. Outside Water User Agreement
Motion by Councilor Pollock and second by Councilor Olson to approve the Outside Water User Agreement as presented. Motion carried 6-0.

- H. Resolution No. 16-10 Well Pump Resolution.
Attorney Albright explained the concerns with the well pump and the need to replace the pump as soon as possible. The City Engineer has contacted several distributors for the pump. The pump with the desired specifications for the well is a difficult one to locate. There is only one distributor available to obtain the pump. The resolution will exempt the purchase of the pump from complete bid.

Motion by Councilor Olson and second by Councilor Baker to approve Resolution No.16-10 as presented. Motion carried 6-0.

MAYOR'S PRESENTATION

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- A. Pearl Festival / Bay City Business Tent
The Pearl Festival Committee will be sending letters to Bay City business owners. During the Festival a business tent will be provided to advertise the businesses in Bay City. Mayor Peterson requested all the Councilors take turns working at the tent during the festival.

- B. Banking of Rail Line
Discussion was held on the letters received from a law firm *Stewart Wald & McCulley* concerning the Port of Tillamook Bay and the change of use on the rail line. The firm focuses on cases typically referred to as "Rails to Trails" and are contacting property owners asking for interested parties to contact them about pursuing a potential claim against the United States Government for money damages.

Attorney Albright will review the letters sent and report back to the Council.

CITY COUNCIL PRESENTATION

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None

ATTORNEY PRESENTATION

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None

ADJOURNMENT

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Motion by Councilor Olson and second by Councilor Baker to adjourn the meeting at 7:11 p.m. Motion carried 6-0.

Shaena E Peterson
Shaena E. Peterson, Mayor

Linda S Downey

Linda S. Downey, City Recorder