

**NEHALEM CITY COUNCIL
COUNCIL MINUTES
REGULAR MEETING
July 8, 2019**

Council President Welsh called the Regular Council Meeting to order at 6:00 p.m.

COUNCIL MEMBERS PRESENT: Jim Welsh, Council President
Hilary Howell, Councilor
Jeff Pfeifer, Councilor
Stacy Jacobsen, Councilor

EXCUSED: Bill L. Dillard Jr., Mayor

STAFF PRESENT: Dale Shafer, City Manager
Melissa Thompson-Kiefer, Asst. City Mgr/Recorder
Brian Moore, Maintenance Specialist I

VISITORS: Phil Chick
Lane deMoll
Mary Jo Anderson (arrived 6:04 p.m.)

Council President Welsh led those present in the Pledge of Allegiance.

MINUTES

The Council reviewed the minutes of the June 10, 2019 Regular Council Meeting. Councilor Howell **MOVED** to approve the minutes of the June 10, 2019 Regular Council Meeting as presented. Councilor Jacobsen **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Jacobsen and Pfeifer; No: None).**

OLD BUSINESS

POLICE REPORT

The Council reviewed the Police Report for June 2019.

VACANT HOUSE AT 8TH AND TOHL

City Manager Shafer reported that application for setback variances from the property owner at 35795 8th (Front) St. was complete. The application will come before the Planning Commission in July 2019. City Manager Shafer explained that the owner intends to take down the old structure and build something new.

NEW BUSINESS

REGULATIONS FOR ACCESSORY DWELLING UNITS (ADUs) IN THE NEHALEM URBAN GROWTH BOUNDARY

City Manager Shafer explained that a new Senate bill requires that ADUs be allowed in the Urban Growth Boundary. The Council reviewed the proposed rules and regulations that were approved by the Planning Commission. City Manager Shafer said since there were no comments or proposed changes, she would prepare an ordinance and schedule a public hearing for the Council meeting in August.

CORRESPONDENCE/OTHER BUSINESS

City Manager Shafer presented the Council with a letter from the Economic Development Council (EDC). Council President Welsh explained that there were three vacancies on the EDC and Council members could nominate themselves or another Councilor.

STAFF REPORTS

CITY MANAGER REPORT

City Manager Shafer reported that the Planning Commission was working steadily on the update to the Comprehensive Plan and should have a finished product for Council review in a few months. City Manager Shafer shared that she had a conference call with FEMA to complete the Community Action Visit. City Manager Shafer reported that staff was continuing to discuss ways to improve pedestrian safety for students on 8th Street. She also reported that she will attend the Oregon City/County Manager's Association conference.

PUBLIC WORKS REPORT

Maintenance Specialist I Moore reported that our average daily water usage for June 2019 was 130,000 gallons, turbidity averaged .07 NTU's and both Bacteriological samples were negative.

BILLS

Councilor Jacobsen **MOVED** to approve payment of the bills. Councilor Howell **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Jacobsen and Pfeifer; No: None).**

COUNCIL COMMENTS

Councilor Howell inquired about the property on 10th Street with a nuisance violation. City Manager Shafer said that the owner was making progress cleaning up the property. City Manager Shafer said she was also monitoring the parking situation at Wanda's Café & Bakery. She explained that she and Public Works Director Davidson decided that the angle parking on 9th Street would not work.

PUBLIC COMMENTS

Phil Chick, volunteer for a local non-profit, read aloud a statement regarding opposition the non-profit has experienced to their vision for the property they acquired on Thompson Road, and a physical assault that occurred when a non-profit volunteer attempted to sign in to the attendee list at the June 26, 2019 Planning Commission meeting. Mr. Chick requested that the Council install security cameras in the Council chambers, lobby and entry way of City Hall. (A copy of the statement is attached to and made a part of these minutes as Attachment A.)

City Manager Shafer stated that she arranged to have a police officer present at future Planning Commission meetings. She said everyone should have the right to attend and feel safe at public meetings. City Manager Shafer said she planned to make an announcement at the next meeting explaining why the police officer is present, and that no one should be touched without their permission, and no one is to touch the sign in sheet except to sign in.

There was public comment from a Planning Commissioner who said she mentioned to the person who reported the assault that it was not a good idea to sign into a meeting as it was closing. She stated she did not see or hear anything. There was public comment in response stating that was blaming the victim. City Manager Shafer noted that it was the responsibility of herself and Assistant City Manager/Recorder Thompson-Kiefer to monitor and record meeting attendees and no one else should interfere. There was additional public comment from someone present at the meeting who said it was a heated situation.

There was Council and staff discussion in support of researching the cost and installing security cameras.

There were Council comments in support of the work the non-profit is doing.

ADJOURNMENT

Council President Welsh said the next Council Meeting will be August 12, 2019.

There being no further business, Council President Welsh adjourned the meeting at 6:15 p.m.

APPROVED: _____
Jim Welsh, Council President

ATTEST: _____
Melissa K. Thompson-Kiefer, Assistant City Manager/Recorder

July 8, 2018

Public Comment by Phil Chick, to be included in the meeting record from City Council Meeting 7/8/19

My name is Phil Chick, I live at 12935 J Street in Nehalem.

I am a volunteer for a local non-profit, focused on empowering those living with disability alongside their non-disabled peers. We currently have a remarkable opportunity here in Nehalem for the creation of an *environmentally centered* living community focused on the interdependence of nature. By interdependence – I'm talking about the shared respect and beauty that blossoms when the abled and disabled communities connect through inclusion – and go about life as intended.

Each one of us in this room is of the age that when we went to school, we most likely did not see the special needs kids. They were "Over there" out of site. It's not like that today any more. It's not like that in our schools, and it's not like that in our communities.

In the summer of 2018, 3 acres we're acquired on Thompson Rd in Nehalem to fulfill this vision. This was a great day, but was immediately met by the aggressive opposition of several residents of the community who made it their mission to completely stamp out and obstruct the notion of disabled people having the free choice to live in, work in, and enjoy this magnificent area of Tillamook County. For the past 10 months the members of this non-profit, have received a multitude of frivolous, fabricated accusations, complaints to the Oregon Department of Justice, and personal character attacks from this small sect of people.... I purposefully use the word "sect", as they are a minute handful of residents who have chosen to make things as hard for us as they can. Disability Work has always been hard work. I can accept that.

However, I cannot accept where this has headed. Most recently, this opposition escalated to a physical assault which occurred at the June 26th City of Nehalem Planning Commission Meeting where a volunteer member of our project was physically assaulted by a local resident upon her attempting to sign in to the attendee list at the meeting.

I have lived here for 20 years and have kept in relative tune with the pulse of the City. I have seen contentious and divisive tooth-and-nail knock-down, drag-out politicking in this City and in North County, but I have never seen or heard of differences in convictions coming to physicality in a Public Forum. The assault that took place on June 26th can only be attributed to the fear aggression and mind set of which in the Housing arena is termed "NiMBY" -- or "Not in My back Yard" -- which our organization has endured from a small sect of neighboring residents since legally and lawfully acquiring the property in the fall of 2018.

America has a problem with bullies. Unfortunately, the current age of bullies, bigotry, and fear-aggression has infiltrated its way even into our coastal community.

For this reason, and for the safety of the City Council and the members of the participating public I am asking the Council to install security cameras in the council chambers, lobby, and entry way of the Nehalem City Hall.

Our City's public process is no place for criminal activity to intimidate people, and in this particular case.... no place for the ulterior motives of a *small* group of local people who feel they have license to determine where the disabled community can and cannot live. This is not the place for that type of hatred to be spread. I know that the City is fully concerned with the safety of its residents, and I thank you for your consideration of my request.

Phil Chick

Phil Chick