

**NEHALEM CITY COUNCIL
COUNCIL MINUTES
REGULAR MEETING
October 21, 2019**

Mayor Dillard called the Regular Council Meeting to order at 6:00 p.m.

COUNCIL MEMBERS PRESENT: Bill L. Dillard Jr., Mayor
Jim Welsh, Council President
Stacy Jacobsen, Council Member
Hilary Howell, Council Member
Jeff Pfeifer, Council Member

STAFF PRESENT: Dale Shafer, City Manager
Melissa Thompson-Kiefer, Asst. City Mgr/Recorder
Don Davidson, Public Works Director
Brian Moore, Maintenance Specialist II

VISITORS: Phil Chick
Scott Morrill
Jack Thayer
Debbie Moberly
Chantelle Brown
Mary Faith Bell
Lane deMoll
Sheriff Jim Horton

Mayor Dillard led those present in the Pledge of Allegiance.

MINUTES

The Council reviewed the minutes of the September 9, 2019 Regular Council Meeting. Council President Welsh **MOVED** to approve the minutes from the September 9, 2019 Regular Council Meeting as presented. Councilor Howell **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Welsh, Howell, Pfeifer, Jacobsen; No: None).**

OLD BUSINESS

POLICE REPORT

The Council reviewed the Police Report for September 2019.

PLANNING COMMISSION PUBLIC HEARING IN DECEMBER TO CONSIDER PROHIBITING SHORT-TERM RENTALS IN ACCESSORY DWELLING UNITS (ADUs) WITHIN THE URBAN GROWTH BOUNDARY (UGB)

City Manager Shafer said the Planning Commission would be looking at prohibiting using short-term rentals as ADUs within the UGB. She explained that due to State legislation, we must also make changes to Ordinance 2019-02 to remove the stipulations on owner occupation and off-street parking. A 35-day notice was submitted to Department of Land Conservation and Development (DLCD). The Planning Commission will have a public hearing on the changes to the ordinance in December and the City Council will have a hearing in January.

DRAFT COMPREHENSIVE PLAN UPDATE

City Manager Shafer shared that the Planning Commission moved to recommend the draft updated Comprehensive Plan to the City Council for adoption. She explained that DLCD may recommend changes and the City Council can make changes when it comes before them in December.

NEW BUSINESS

JULIE CHICK REQUEST FOR PUBLIC TRAIL ON CITY PROPERTY & REQUEST THAT CITY SHARE THE COST OF A GEOTECHNICAL SURVEY

Julie Chick introduced herself, noting that she is a member of the Planning Commission but was presenting only as a Board Member of Sammy's Place. She explained she wanted to set a foundation of facts for the City Council. Ms. Chick made a PowerPoint presentation that provided a background on disability in Oregon, the inspiration and background on Sammy's Place. She presented the history of Sammy's Place's acquisition of the property on Thompson Road, their work to clean up the property and their vision of a co-housing concept. Ms. Chick explained that the Sammy's Place property shares a property line with the City Park and that there had been requests to access the park from Sammy's Place property. She shared that the public was already using the hillside for park access, but access would not be allowed while cleanup was taking place. She asked if the City would be willing to share the cost of a Geotech study to determine if the steep hillside was safe to create a more refined trail to access the City Park.

There was brief discussion regarding community plans for a different trail that would connect to the easement trail that is accessed from Tohl Road. Public Works Director Davidson said he liked the idea and discussed with Ms. Chick how the old road could be utilized. There was Councilor comment that the trail was a great idea. In response to an inquiry about cost for the survey, Ms. Chick said she had a rough estimate of \$1500 to review the property and \$3500 for a

desk report. Mayor Dillard and City Manager Shafer noted that it would probably need to wait until the next budget cycle for consideration. There was Council comment questioning whether payment for a Geotech might set a precedent for paying for Geotechs for other property owners adjacent to the City Park. City Manager Shafer mentioned that the proposal for the Transportation Plan that the City would be receiving from ODOT mentioned connecting trails, so Ms. Chick's idea might tie into that.

Debbie Moberly suggested that the Council consider delaying making a trail to a property that is not in use and questioned whether the City would consider bearing the cost for other trails. City Manager Shafer clarified that the City was gathering information and had not agreed to pay for anything.

Chantelle Brown (Thompson Road resident) spoke in favor of the trail, sharing that she had three children with disabilities and how it would benefit them. She said she was excited about the trail, that any access to nature should be encouraged and implored the Council not to delay consideration.

There was discussion regarding using volunteers to create and maintain the proposed trail. Ms. Chick shared that Trailkeepers of Oregon was one organization that was working with volunteers to develop trails in the area. There was discussion regarding the Elk Meadows Park trail that was developed by volunteers.

Ms. Chick commented that there a couple of neighbors who have promised to make it as hard as possible for Sammy's Place and to oppose anything and everything they do. She said they looked at her face and said we don't like you; we don't want you and we don't want people with disabilities. She said it has been an ugly year and she expects to hear pushback on anything she proposes. Ms. Moberly commented that she owns a neighboring property and she didn't want it to be inferred that she made that statement to Ms. Chick. She said she absolutely did not say that. She explained she felt that the County Commissioners shortchanged the rest of the community and her opportunity to purchase that property. She said she did not want anyone to think that she is a person who hates and would be happy to discuss it further with the Council or Ms. Chick.

INTRODUCTION TO SHERIFF JAMES (JIM) HORTON

Sheriff Jim Horton introduced himself and said he was appointed Sheriff in August after the retirement of Andy Long. He shared his background and explained that availability and public outreach was important to him. Mayor Dillard thanked Sheriff Horton for coming to the meeting.

CORRESPONDENCE/OTHER BUSINESS

None

STAFF REPORTS

CITY MANAGER REPORT

City Manager Shafer reported she attended a tabletop exercise for a tsunami event.

PUBLIC WORKS REPORT

Public Works Director Davidson reported that our average daily water usage for September 2019 was 116,000 gallons, turbidity averaged .08 NTU's and both Bacteriological samples were negative. There was brief discussion regarding recent rain.

BILLS

Councilor Howell **MOVED** to approve payment of the bills. Councilor Jacobsen **SECONDED** the motion. **MOTION PASSED 4-0 (Yes: Welsh, Howell, Pfeifer, Jacobsen; No: None).**

COUNCIL COMMENTS

Councilor Howell inquired about the parking issue at Wanda's Café. City Manager Shafer explained that the Planning Commission found them in violation of the parking ordinance, fines were suspended, he apologized for comments he made, and their architect will be submitting a new parking plan for approval and installation by November 15, 2019.

Councilor Pfeifer commented that the walking path that Public Works made on 9th Street from the elementary school turned out great.

PUBLIC COMMENTS

Ms. Chick announced that Keith Jones was coming to speak at the United Methodist Church in Nehalem on November 6th.

ADJOURNMENT

The next regular Council Meeting will be November 18, 2019.

There being no further business, Mayor Dillard adjourned the meeting at 6:54 p.m.

APPROVED: _____
Bill L. Dillard Jr., Mayor

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