

**NEHALEM CITY COUNCIL  
COUNCIL MINUTES  
REGULAR MEETING  
November 13, 2023**

**REGULAR SESSION**

Mayor Chick called the Regular Council Meeting to order at 6:00 p.m. and led those present in the Pledge of Allegiance. The meeting was held in-person and by Zoom video conference.

**COUNCIL MEMBERS PRESENT:** Phil Chick, Mayor  
Dave Cram, Council Member  
Doug Larzelier, Council Member  
John Coopersmith, Council Member

**EXCUSED:** Hilary Howell, Council President

**STAFF PRESENT:** Lori Longfellow, City Manager  
Yuriy Ukhach, Deputy City Recorder  
Brian Moore, Public Works Director

**VISITORS:** None in person  
**on Zoom:**  
Margaret Ryan, CIS Risk Management Consultant  
Juliet Hyams  
Mrs. O'Connor  
Rod Murphy  
Unidentified visitors

**MINUTES**

The Council reviewed the minutes of the October 9, 2023, Regular Council Meeting and of the April 27, 2023, Special Council Meeting. Councilor Larzelier **MOVED** to approve the minutes of the October 9, 2023, Regular Council Meeting and of the April 27, 2023, Special Council Meeting as presented. Councilor Cram **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Cram, Larzelier and Coopersmith; No: None).**

## **POLICE REPORT**

The Council reviewed the Police Report for October 2023.

## **NEW BUSINESS:**

### **OREGON RECREATIONAL IMMUNITY**

City Manager Lori Longfellow talked about the CIS's real-time risk article titled "Oregon's Higher Courts End Recreational Immunity for Improved Trails" that was part of the agenda packet of the meeting. She related how the city-owned recreational places may be affected. CIS Risk Management Consultant Margaret Ryan spoke about the legislative changes regarding recreational trails and how, currently, it is the intent of the user that matters. She provided some additional information and recommendations on evaluating the city's trails that may help with discretionary immunity. Margaret answered questions from the Council and the City Manager. She offered to come to Nehalem and review the recreational sites. The offer was welcomed by the Council. Public Works Director Brian Moore commented on the maintenance of the city's trails and park. There was some discussion on possible signage that could be posted at such locations to try to release the city from excess liability. The Council did not favor the idea of closing the city's recreational sites. The Council had a consensus on using appropriate signage.

## **CORRESPONDENCE/OTHER BUSINESS**

The City Manager Lori Longfellow briefly reviewed the correspondence from the Tides of Change, EVCNB and on the Defensible Space Program that were part of the agenda packet.

## **STAFF REPORTS**

### **CITY MANAGER REPORT**

City Manager Longfellow summarized the written staff report for October 2023. She expressed appreciation to the former City Manager Melissa Thompson-Kiefer for securing a grant for consultant services related to the Senate Bill 406.

### **PUBLIC WORKS DIRECTOR REPORT**

Public Works Director Moore summarized the written staff report for October 2023. He added that the fire hydrant testing results are expected to be available by the December Council

meeting. Moore provided an update on the water plant Yardney prefilters replacement project. Mayor Chick encouraged to have this project completed before the next summer.

**PAYMENT OF BILLS/FINANCIALS**

The Council reviewed the bills and the financial reports. Councilor Coopersmith **MOVED** to approve the financials and payment of the bills. Councilor Cram **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Cram, Larzelier and Coopersmith; No: None).**

**COUNCIL COMMENTS**

Councilor Cram had a question about the water rates review. City Manager Longfellow noted that she was in touch with Tim Tice from OAWU (Oregon Association of Water Utilities) who completed the 2022 water rate study for the city. She provided an update on the review process.

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

The next regular Council meeting will be December 11<sup>th</sup>, 2023.

There being no further business, Mayor Chick adjourned the meeting at 6:37 p.m.

APPROVED: \_\_\_\_\_

Phil Chick, Mayor

ATTEST: \_\_\_\_\_

Yuriy Ukhach, Deputy City Recorder