



# CITY OF NEHALEM

35900 8TH STREET • P.O. BOX 143

NEHALEM, OREGON 97131

PH (503) 368-5627

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## NEHALEM CITY COUNCIL

### REGULAR MEETING

MONDAY, November 18, 2019 - 6:00 p.m.

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**GUESTS:**

**APPROVAL OF MINUTES:** [October 21, 2019 Regular Council Meeting](#)

### OLD BUSINESS:

1. [Police Report](#)
2. ADU's not allowed as short term rentals, Public Hearing at December Planning Commission meeting 12/19/2019
3. Draft Comprehensive Plan update
4. Proposed Trail to City Park

### NEW BUSINESS:

1. Kevin Shonkwiler, ODOT regarding the Regional Transportation Plan.
2. Declare a Planning Commission Vacancy, must live in city limits

### CORRESPONDENCE/OTHER BUSINESS

Letter from Steve Van Dyke  
Letter from Julie Chick  
Letter from Chantelle Brown  
Letters from Tides of Change

**STAFF REPORTS**

**PAYMENT OF BILLS**

**COUNCIL COMMENTS**

**PUBLIC COMMENTS**

**ADJOURNMENT - Next Regular Council Meeting: December 9, 2019**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. Please contact City Hall at 503-368-5627 to make a request for an interpreter or other accommodations for persons with disabilities.

**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 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 9<sup>th</sup> 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 6<sup>th</sup>.

## **ADJOURNMENT**

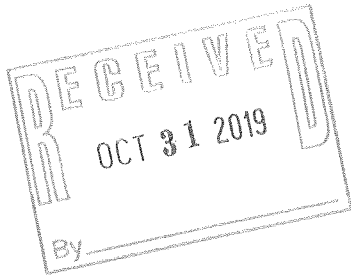
The next regular Council Meeting will be November 18, 2019.

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





**Van Dyke Plumbing Inc.**

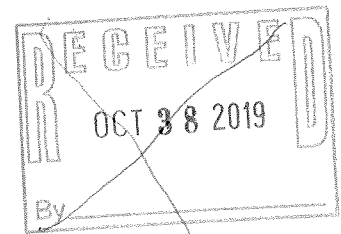
**PO Box 9**

**Nehalem OR 97131**

**503-368-5387**

**CCB #60417**

**CCCS# 4892**



**10-31-19**

**To the City of Nehalem;**

**This letter is to inform you of my termination of the contract signed 5-13-09 for the duties of Cross Connection Control Specialist. As per contract 30 days is given effective today.**

**Last annual payment by City was paid 5-8-19, for the year 2019. A reimbursement fee will be made by Van Dyke Plumbing Inc. for the remaining year @ 7 months @ \$41.60 per month. A total of \$291.20.**

**It has been a pleasure and a privilege to have worked the past years with the City and appreciate our relationship. Thank you.**

**Sincerely,  
Steve Van Dyke  
Van Dyke Plumbing Inc.**

City of Nehalem  
35900 8<sup>th</sup> St.  
Nehalem, OR 97131

October 30, 2019

Subject: City Park Trail and shared Geo-tech Survey

Dear Mayor Dillard and City Council Members:

Sammy's Place is an Oregon non-profit that is working to create community choices for everyone to be included. We see an opportunity, on our Thompson Road property, to offer inclusion as open space and access to the City Park. As we clean, clear, and revitalize the 3-acre parcel on Thompson Road within the Nehalem City Urban Growth Boundary, we are discussing ways that can involve the neighborhood and supporters; yet has minimal impact and embraces the beautiful natural setting.

A trail up to our beloved City Park is a natural fit. As we discussed, people currently randomly use this hillside. Our intent is to request a simple trail that is obvious and in turn keeps people safe and "on track". We have been approached by locals who walk the neighborhood asking for a 'loop' up to the park. We are happy to support this, in partnership, if we reasonably know the hillside is stable enough to sustain this. We do not believe this will increase foot traffic within the neighborhood, only add a route through the City Park. A successful local model is the Elk Meadows Park in the Bayside Gardens neighborhood, within the Manzanita UGB, for local residents and wildlife.

Our mission incorporates activities that are inspired by the bounty of nature that surrounds us and we whole-heartedly want to share this with others. We believe that access to outdoor physical activity helps educate users; it creates ownership; and nature can be a powerful healing antidote to a sometimes-heavy world.

We ask for your partnership and support to help minimally and non-invasively create this inclusive neighborhood opportunity of a short access trail within our City Park.

Thank you and sincerely,

Sammy's Place Board of Directors  
Julie Chick, President  
[chickj@charter.net](mailto:chickj@charter.net)  
[www.sammysplace.info](http://www.sammysplace.info)



October 30, 2019

Dale Shafer

City Manager

City of Nehalem

Dear Dale Shafer,

I would like to express my support for the proposed trail from our city park to the Sammy's Place property on Thompson Rd. I am a resident on Thompson Rd, and I think that it would be a wonderful way for people with developmental disabilities as well as those without to be able to explore in nature.

We are very blessed to live in a region that has many hiking trails close by, but none as close as our own street! My family and I are looking forward to enjoying this neighborhood trail and hope that it will provide even more opportunities for us to interact with our neighbors as we enjoy a beautiful nature hike within our own little community.

I look forward to supporting and watching the progress of Sammy's Place and feel proud to have them as a neighbor.

Sincerely,

Chantelle Brown

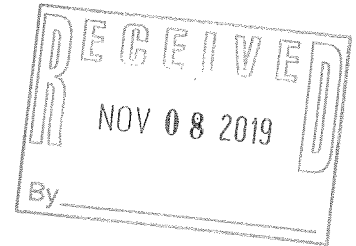
13565 Thompson Rd

Nehalem, OR 97131

Chantellebrown1@comcast.net

*hope. safety. support.*  
**TIDES OF CHANGE**

November 4, 2019  
City of Nehalem  
PO Box 143  
Nehalem, OR 97131



Dear Friends,

Thank you for your generous donation of \$1500.00 that you made to Tides of Change on 11/4/2019.

We are writing on behalf of all of us associated with Tides of change to express our deep gratitude for your support of our work to end domestic and sexual violence in Tillamook County.

The support of our community and private foundations are critical to our ability to fulfill our mission to provide hope, safety and support to those impacted by gender based violence and shift cultural norms through advocacy, education, and community collaboration. Your support allows us to meet the unique needs of survivors in our community and continue to provide essential services and resources for survivors to seek safety.

Again, we thank you for making the work we do possible and for helping Tillamook County a healthier, and safer, place to live.

With gratitude,

A handwritten signature in black ink, appearing to read "Valerie Bundy".

Valerie Bundy, MA LPC NCC

Executive Director

A handwritten signature in black ink, appearing to read "Jean C. Scholtz".

Jean Scholtz

Board of Directors Chair