



**NEHALEM CITY COUNCIL
REGULAR MEETING
MONDAY, FEBRUARY 12, 2024 - 6:00 p.m.**

This meeting will be held in-person at City Hall and through Zoom video conference.

Please use the following phone number or Zoom weblink to access the meeting remotely:

Join by phone: Call (253) 215-8782 and enter Meeting ID: 839 1107 1653.

Join online: <https://us02web.zoom.us/j/83911071653>.

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
GUESTS**

APPROVAL OF MINUTES: January 8, 2024, Regular Council Meeting

POLICE REPORT

UNFINISHED BUSINESS:

1. Moratorium / North Fork Road Hydrant Update
2. 2024-2025 Prioritized Projects and Goals Approval

NEW BUSINESS:

1. 8th Street SCA Grant – NC Civil Design Engineer Service Proposal for Approval
2. EVCNB Quarterly Presentation
3. OLCC License Application Approval

CORRESPONDENCE/OTHER BUSINESS

**STAFF REPORTS
PAYMENT OF BILLS/FINANCIALS
COUNCIL COMMENTS
PUBLIC COMMENTS**

ADJOURNMENT - Next Regular Council Meeting: March 11, 2024

The meeting location is accessible to people with disabilities. If you need accommodation to access this meeting, please contact City Hall at least 48 hours prior to the meeting.

City of Nehalem • 35900 8th Street • P.O. Box 143 • Nehalem, Oregon 97131
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**NEHALEM CITY COUNCIL
COUNCIL MINUTES
REGULAR MEETING
January 8, 2024**

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
Hilary Howell, Council President
Dave Cram, Council Member
Doug Larzelier, Council Member

EXCUSED: John Coopersmith, Council Member

STAFF PRESENT: Lori Longfellow, City Manager
Yuriy Ukhach, Deputy City Recorder
Brian Moore, Public Works Director
Contract City Attorney, Carrie Richter (on Zoom)
Contract City Engineer, Kyle Ayers (on Zoom)

VISITORS: Clay Sellers
on Zoom:
Rod Murphy
Unidentified visitors

MINUTES

The Council reviewed the minutes of the December 11, 2023, Regular Council Meeting. Council President Howell noted a correction to the minutes. Council President Howell **MOVED** to approve the minutes of the December 11, 2023; Regular Council Meeting as corrected. Councilor Cram **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Cram, and Larzelier; No: None).**

POLICE REPORT

The Council reviewed the Police Report for December 2023.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

PUBLIC HEARING: ORDINANCE 2024-01: AN ORDINANCE EXTENDING AN EXISTING MORATORIUM ON NEW CONNECTIONS TO THE CITY WATER SYSTEM IN THOSE AREAS NORTH/NORTHEAST OF BOB'S CREEK FROM NORTH FORK ROAD (EXCLUDING LANDS IDENTIFIED AS RIVERVIEW MEADOWS PHASES 2 AND 3), AND EAST OF THE INTERSECTION OF NORTH FORK ROAD AND MCDONALD ROAD DUE TO LACK OF WATER SYSTEM ADEQUACY FOR A SECOND SIX MONTH EXTENSION PERIOD; AND DECLARING AN EMERGENCY

Mayor Chick opened Public Hearing at 6:03 p.m.

Contract City Attorney Carrie Richter related that in November of 2022 the Council declared the Moratorium due to a lack of adequacy with respect to water pressure and fire flows; on January 9th, 2023, the Council adopted a Resolution identifying a corrective program to address the water pressure and fire flow concerns. Richter added that in June of 2023 the city installed the pressure sustaining valve that was yet to be tested; that month the Council adopted an Ordinance extending the moratorium for an additional six months. Richter noted that based on the materials that have been provided, it is the staff's recommendation that the Council proceed with extending the Moratorium for another six months period which will last until July 9th of 2024.

Contract City Engineer Kyle Ayers related that the city has undergone a few different revisions since the last time the water Moratorium was passed; the city installed the pressure check valve that was connected at the intersection of North Fork and Riverview Meadows Road, on the six-inch line going up to Riverview Meadows. He explained that anytime the high water-flow was introduced on the lower sections in the North Fork Road area, the water pressure at Riverview Meadows was dropping below the state required 20 psi and that is why the pressure check valve was installed to alleviate this issue. Ayers related that the valve was installed in summer of 2023 by Bob McEwan, and since then the city ran a few different pressure tests; the staff duplicated the fire flow that would be seen during the fire event on the North Fork; the test was performed on the fire hydrant at the corner of North Fork Road and Vern Scovel's Road and the fire flow reached 1057 gallons per minute where originally the flows were at 718 gallons per minute; during the test the check valve was operating as intended and it kept the pressure at Riverview Meadows sustained at 28-30 psi and it did not drop below 20 psi; the check valve test was

successful and the city is now meeting the drinking water standards requirements set forth by the Oregon Health Authority. He added that the city continued to do additional tests and found out that there is still a fire flow issue at McDonald Road and on Highway 53; the check valve was never meant to solve the fire hydrant flow problems but to keep pressure from dropping below that 20 psi mark at Riverview Meadows. Ayers noted that the original fire flow tests on McDonald Road showed 529 gpm and now we are getting 907 gpm which is a substantial increase; on Highway 53 it went from 362 gpm to 376 gpm which was not much of an increase at all. He stated that this showed that the city needs to extend the water Moratorium for another 6 months, to be able to continue to work on the system and to make more improvements. He noted that there are a few options for fixing the problem overall; one of the things that the city was waiting for was for Riverview Meadows Phase 2 & 3 development to begin construction and install their water reservoir and booster pump station that has the possibility of increasing flow; and another possibility is a reservoir at the Fire Department substation on Highway 53 although the Fire Department has not currently committed to this idea. Ayers noted that another idea was to have a water line coming from Tideland Road that would create a looped system; and also, the development of the Coal Creek by installing a micro-treatment plant at the Coal Creek intake. He added that the city needs to continue testing, validating the information and coordinating with all the different parties that have been working on this so far. Ayers stated that the Moratorium should be extended for another 6 months.

Council President Howell noted that the city just keeps pushing it off and asked at what point should the city try to either work out something with the Fire Department or look into doing another water line as opposed to just doing Moratoriums.

City Manager Lori Longfellow stated that after this extension, this will be the staff's next step to work with different departments and explore the possible options.

Mayor Chick related that the city solved one big problem by installing the check valve and since there was a drought, the city was behind on testing the hydrants. He added that since the testing is now completed, the city can move on and work on solving this issue.

Councilor Cram stated that originally the Council was told that after the valve was installed, there was a possibility of having a few more connections to the line. He asked how many connections the city expects in the next six months, and he added that it was unlikely that there would be a great influx of water connection applications. Councilor Cram added that the Moratorium is a serious thing and that originally the Council was told that the city would possibly allow 10 connections on McDonald Road or in that area with possible restrictions. He asked if it would be better if the city allowed one or two connections with restrictions rather than continue with the Moratorium. Councilor Cram expressed his desire to keep this issue moving.

Mayor Chick noted that he did not see an equitable way of doing it on that evening. He stated that he would like to have an agenda item on this issue every month from now on showing what progress was made, where we are and sharing it with people; and having the City Engineer present to provide more information if needed. Mayor Chick explained that he did not think that the Council would be able to make the water connections decisions that night.

Council President Howell asked if the city could allow the connections with restrictions even with this Moratorium extension.

Attorney Richter explained that if the Council were to decide to allow connections in one area or allow a certain number of connections, the Moratorium would be modified with the boundary to exclude properties like the ones on the North Fork that might meet the fire flow requirements right now. She added that under the State law, this Moratorium can only stay for a total of another year only, which means, the city can do only one more extension after July 9th till January 9th of 2025. Richter explained that the city will have to reach the solution in the near-term. She expressed hope that Riverview Meadows Development will be part of this conversation; she recalled that there were conversations with the property owners about the LID (Local Improvement District) option. Attorney Richter added that the city has a check valve installed now and the tests have been done, therefore, it is time for the city to meet with the stakeholders and come up with a solution.

Councilor Larzelier stated that it did not seem that there was a solid plan for moving forward. He noted that he would not be inclined to keep putting this Moratorium in place without having some kind of direction or goal.

Mayor Chick asked the city engineer Ayers if the increased fire flows were because of the check valve or were there any pipe upsizing between 2015 and 2023.

City Engineer Ayers explained that between 2015 and 2023 there was the installation of the North Fork water main that bypassed the slide; the city was able to upsize it to an 8-inch HDPE (High density polyethylene piping) and that eliminated a large bottleneck that has been there for quite a few years. He added that another improvement was the ability to open the fire hydrant fully knowing that it was not going to harm anything at Riverview Meadows, which was not possible before since the pressure could be falling very low and creating a danger of harming the water system and its user's equipment there. Ayers noted that anyone who was operating the fire hydrants for the last several years had to keep in mind to be careful and to open these hydrants only as much as necessary; with the new check valve, they can open the hydrants more fully and leave the flow for a longer period of time and the city would be able to do better testing of the system in that area.

Councilor Cram asked if the city was able to allow water connection in the areas that met or exceeded the required pressure of 20 psi.

Mayor Chick noted that the issue is the fire flow since the pressure is adequate. He added that the fire flow level is really close on McDonald Road and on Highway 53 things need to be explored further with the Fire Department's involvement. Mayor Chick proposed to the Council that the city staff and the Nehalem Bay Fire Department, the city engineer, and the city attorney meet together as soon as possible and talked about any properties that can be excluded from the Moratorium. He expressed doubt that this could be decided at this Council meeting.

Councilor Larzelier asked about the duration of the current Moratorium.

City Manager Lori Longfellow explained that it would expire on January 9th and that was the reason for an emergency extension.

Mayor Chick invited public comments.

Clay Sellars stated that he owns a lot at Twin Lakes. He noted that it was premature to push the Moratorium again for another 6 months; 6 months ago, the city was weeks away from testing. Sellars stated that he would like to see more thought put into the Moratorium rather than pushing it off again. He added that on January 11, 2022, city engineer Ayers stated that the city can allow 10 more connections and things have only improved since then. Sellars noted that he could not see why a need was there to wait any longer since things are taken care of and there will not be any pressure loss at the Riverview Meadows. He asked if his water connection could be done legally and safely as he believed it could. Sellars brought up the issue of the easement and the water line that was put through his property. He stated that the easement was granted to the City of Nehalem for a connection to the water line and that is why he felt his situation was unique; he added that if the city were to provide water to his property it would not mean that the city would have to provide water to everyone. Sellars stated that several connections have been allowed recently that do not have a fire flow of 1000 gpm; there were at least five that he had information about and some of them had fire flow of only 235 gmp, and they were allowed to connect to the system. He noted that his property gets a fire flow of around 360 gpm. Sellars asked for the Moratorium not to be extended until his property was considered for water connection.

Mayor Chick closed the Public Hearing at 6:23 p.m.

Council President Howell asked if the city engineer had any ideas about the two connections at the Riverview Meadows with fire flow at 230 and plus gpm range in comparison to Sellars at 376 gmp. She asked if the city was able to do it at Riverview Meadows, was there a way to do it for Sellars especially since he has been waiting for over a year.

City Engineer Ayers stated that he was not aware of any connections at Riverview Meadows with such a fire flow; he added that when the city sends out the water availability letters, he does not get a copy. Ayers asked when those connections were approved by the city.

Sellars noted that those connections were approved on February 5th, 2021, on February 16th, 2022, on May 9th, 2022, and on November 1, 2022, with certain hydrants that were way below 1000 gpm.

City Engineer Ayers stated that those connections were made before the Moratorium and since it was put in place to keep the situation under control and to provide the safest possible water service. He added that since then the city made small steps in the right direction. Ayers agreed that there are some possible solutions to this issue. He noted that the Moratorium is not done just to waste time; he felt that the Nehalem Bay Fire and Rescue Department involvement is critical and the city is at the point where it needs a hard decision about their participation; he added that the Fire Department has the land, the funds and the ability to start an LID to help pay for the solution; all the city would need was the small reservoir and the booster pump that would be much less expensive than the expected figure of around half a million dollars; if it was divided

between the different property owners who are looking to build, that would not be too big of a number. He felt the city needs to earnestly request the Fire Department's involvement.

Councilor Cram stated that it seems like the city made small steps but did not help the citizens to get water which stops all the growth and building in that area. He expressed that he had a hard time with the city moving at this rate.

Councilor Larzelier noted that it would be easier to make a decision if the Council had some concrete markers like the check valve but there was no next point to move to.

Councilor Cram noted that the Council was hoping that the check valve was going to solve more problems than it did.

City Engineer Ayers stated that the city accomplished one thing with the check valve, but there are no fire hydrants that are beyond McDonald Road so the city cannot test the area north of McDonald. He added that the city Public Works installed a 6-inch fire hydrant recently at Quarry Road on the 12-inch main line and there is no reason to believe that a 1000 gpm is not available at that end. Ayers related that once the concrete was settled, the city would be able to test that hydrant and that would give us an answer whether the city can remove a portion of the properties from the Moratorium. Ayers noted that, unfortunately, the city could not push it and get it done for this meeting, since there was not enough time, but this would be done within several weeks which would be essentially anyone adjacent to that North Fork main line. He stated that the second piece was the Riverview Meadows infrastructure; he did not put a lot of information on it in his memo since he did not know their schedule, but once that gets installed it would open up numerous options for the city; the reservoir and the pump station are being designed to the minimum standards for their phase 2 and phase 3 however once they install those facilities and test them, they would be turned over to the city and it would provide city the opportunity to tie-in and increase the system capacity. Ayers related that the fire flow at McDonald Road is at 907 gmp which is only 93 points away from meeting the standards and that can be reached if there was an additional source. He concluded that there were several different options available right there and that were in place already that would change the dynamics of that line within the next year.

Councilor Cram asked about the connections that the city made at the beginning of the Moratorium.

Mayor Chick explained that there were two connections that were allowed but only because they already had building permits issued for their properties.

Councilor Cram asked if the city could allow special connections like those with the current water pressure and fire flow conditions within the Moratorium.

City Engineer Ayers felt it would be a legal issue that the city attorney would need to weigh in. He noted that he could provide the numbers, but he would leave the making of the decision up to the Council.

Mayor Chick thanked Ayers for his comments. He added that all the Council wishes this process was moving faster but he felt that it would be hasty to make a decision on removing any properties tonight; the city may be able to lift certain sections after conducting further discussions with the staff and city's consultants.

Councilor Larzelier asked if the city was waiting for a Fire Department to work with the city, or on the Riverview Meadows development to install the Water Reservoir.

City Manager Longfellow explained the Riverview Meadows Water Reservoir installation will increase the city's water system. She added that now that the city has a full staff again, the extension of the moratorium will provide an opportunity to have discussions with the Fire Department in hopes that they would jump on board. Longfellow noted that the moratorium is a sensitive subject and that the staff will be working on this issue as a number one priority and involve the city engineer and the city attorney.

Council President Howell expressed appreciation to the City Manager for taking the initiative to reach out to the Fire Department as in the past the stakeholders were encouraged to reach out to the Fire Department on their own. She added that she did not think that the city should be waiting for Riverview Meadows Water Reservoir installation as it is hard to predict when it is going to be completed.

City Manager Longfellow agreed and added that she was planning on holding discussions with the staff and the consultants to compile a list of all viable options and present them with all the other monthly updates.

Mayor Chick had a question for attorney Richter on the process if the city were to lift any portion of the moratorium in the future, would that require a new Ordinance.

Attorney Richter explained that it would be a new Ordinance and it can be passed in one night as an emergency just like the staff requesting to adopt the moratorium extension Ordinance tonight.

Council President Howell **MOVED** to perform the first and second reading of Ordinance 2024-01 by title only. Councilor Larzelier **SECONDED** the motion. **MOTION PASSED 2-1 (Yes: Howell, and Larzelier; No: Cram).**

City Manager Longfellow performed the first and second reading of Ordinance 2024-01.

Council President Howell **MOVED** to approve the first and second reading of Ordinance 2024-01. Councilor Larzelier **SECONDED** the motion. **MOTION PASSED 2-1 (Yes: Howell, and Larzelier; No: Cram).**

Council President Howell **MOVED** to adopt Ordinance 2024-01: An Ordinance Extending An Existing Moratorium On New Connections To The City Water System In Those Areas North/Northeast Of Bob's Creek From North Fork Road (Excluding Lands Identified As Riverview Meadows Phases 2 And 3), And East Of The Intersection Of North Fork Road And McDonald Road Due To Lack Of Water System Adequacy For A Second Six Month Extension

Period; and Declaring An Emergency. Councilor Larzelier **SECONDED** the motion. **MOTION PASSED 2-1 (Yes: Howell, and Larzelier; No: Cram).**

Mayor Chick asked attorney Richter about when the Ordinance adopted by two to one vote can go into effect.

Attorney Richter referred the question to the Deputy City Recorder Ukhach.

Deputy City Recorder Ukhach stated that, according to the City Charter, for the Ordinance to be adopted as an emergency it has to be done by a unanimous vote.

City Attorney Richter asked Mayor Chick if he could poll the Council to see if they were willing to have a unanimous support for a moratorium extension for a shorter period.

Mayor Chick invited the Council to discuss a possibility to support a moratorium extension for a shorter period.

Councilor Cram expressed his agreement.

Councilor Larzelier expressed his agreement also.

City Manager Longfellow asked attorney Richter if in the future the staff was ready to amend the moratorium boundaries, whether this would be adopted by another ordinance.

Attorney Richter explained that it would have to be adopted by an Ordinance that would show the altered moratorium boundaries.

City Manager Longfellow explained that if the Council adopted an Ordinance with the shorter extension period, it would not give staff much time to work on the solution. She added that if staff started working on this issue right away and were able to make progress, there would be an opportunity to amend the moratorium before the next six-month period expires.

City attorney Richter noted that it was much easier to remove the moratorium than to put one in place. She asked if the Council was not comfortable with the six-month moratorium extension if they were comfortable with the four-month extension. Richter added that the effect would be that the overall amount of time that the Council can extend a moratorium would be cut from 12 months to 10 months total. She explained that if the Council did not extend the moratorium tonight, it would expire the next day on January 9th.

Deputy City Recorder Ukhach read from the city Charter (Chapter VIII – Ordinances) where it says that “the Council may adopt an ordinance at a single meeting by the express unanimous votes of all Council members present”.

Mayor Chick expressed that there was a need to protect the city and its water system.

Councilor Cram stated that the people that have been waiting should be able to make a connection to the city's water system.

Mayor Chick expressed agreement with Councilor Cram and added that he did not think the Council could allow connections at that meeting.

Councilor Cram added that extending the moratorium for six months would be pushing people out, but he would support extending it for a shorter period.

Council President Howell noted that the shorter time would be great and that is what we all want but that it would put a lot of stress on the city staff to get everything done. She added that she would prefer the six months moratorium extension period and lift it if the staff gets it done in three, four or five months.

Councilor Larzelier asked if the Fire Department seem to be delaying the issue.

City Manager Longfellow stated that she had not had discussions with the Fire Department on this issue yet. She added that she was not aware of any discussions by the previous City Manager in the last six months since she was busy with other urgent matters related to hiring and the transition process. Longfellow related that this could be why the city is behind on the issue since there was no staff to work on this matter. She noted that the staff is fully committed to work on this matter as a top priority and would recommend the six-month extension with the ability to lift it sooner when the city is able to do so. Longfellow explained that if the city should need more time, it can only do two more six-months extensions.

Councilor Cram noted that he made a promise to the constituents that he would not kick this can down the road. He stated that he was aware of the transition period last year, but he felt like this matter was pushed.

Public Works Director Moore asked to take into consideration that the construction of the new water tank would have to be completed and the flows had to meet the requirements before the city could allow connection to the system. He questioned if the tank could be installed in the six-months period.

City Manager Longfellow stated that it would at least show which direction the city is going and then it would continue moving from there.

Councilor Cram stated that the Council was told that there was a possibility of future connections but at this point we are again saying that no connections are allowed for another six-month period. He added that he did not think that the city would be in this situation for such a long time. He asked if there was any possibility of future connections and when it could happen.

Mayor Chick noted that the city may need more than two weeks to find out about the future connections. He added that the city solved one big problem with installation of the check valve. He added that last summer the city experienced staff turnover and drought when the staff could not test the hydrants. Mayor Chick stated that it perhaps was a time to look at the city's Water

Master Plan to review the flow requirements, but the Council would not be able to do it at this meeting.

Councilor Larzelier stated that he wanted to make sure the city is doing everything it can to resolve this issue.

City Manager Longfellow expressed hope that the conversation with the Fire Department will go well. She added that nobody could work on this matter for the last six months and today's discussion is an eye opener for staff. Longfellow felt hopeful that the staff can start working on this issue and with everyone that the city can reach out to, the city can get some results with this extension in place. She stated that the staff understands the need to take care of this issue as soon as possible.

Councilor Larzelier noted that the Water Master Plan needs to be reviewed.

City Manager Longfellow stated that the Water Master Plan will be brought up at the upcoming goal setting work session.

City Engineer Ayers noted that when this issue first started, the city hall had standing room only at all the Council meetings and the stakeholders' meetings; there were numerous parties involved in discussions; and currently there is only one person, Mr. Sellars, from the public giving testimony tonight. He added that there were a lot of promises made to work together to try to find a common goal and to do their due diligence as developers but so far, except for the city, nobody else has done anything. Ayers explained that the staff spent a lot of time on this issue, and it's only been the city's money that had been spent on this. He noted that the Twin Lakes representatives had not done a single thing of engineering, they have not sized anything, nor had they done any estimates or brought an engineer. Ayers stated that it was important to keep having the stakeholders' meetings and keeping those who wanted to be a part of the solution involved as well. He did not feel that the Fire Department would commit anything unless they are forced to it; he added that everyone needed to take responsibility as to why there is a water line there that could not supply water to begin with. Ayers expressed that whatever happened in the past, the city needed to move on and find a way to get the resolution. He talked about the potential fire department water reservoir and the need to have everyone interested involved in this.

Councilor Cram noted that he was not singling out Twin Lakes but that the city would do its due diligence to allow connection to the areas that may now meet the requirements after the check valve was installed. He added that if the city could get it done in five months, he would be ok with that.

City Manager Longfellow explained that even with the six months moratorium extension, if this was done sooner, it could be amended or lifted any time. She added that the city only gets a certain number of extensions.

Council President Howell asked city engineer Ayers if the newly installed hydrant at highway 53 was set and tested, would the city be able to lift the moratorium on North Fork Road; she asked how soon the hydrant could be tested.

City engineer Ayers explained that the fire hydrant could be tested very soon and that as soon as the city has the positive flow test results, he would be able to amend the moratorium map to remove the North Fork Road area and to allow water connection there. He added that if anyone is planning to get a connection along the North Fork Road, he would encourage them to apply and that would show the city if there was any urgency there. Ayers noted that it would be better to wait a few weeks to have the fire hydrant properly set before testing.

Councilor Cram asked if the water flow test results would be ready by the next Council meeting.

City engineer Ayers confirmed that results would be available by then.

Public Works Director Moore explained that he was hoping to let the hydrant set for at least a month, but he was ready to shorten it by a week or so to get the results by the next Council meeting.

Council President Howell asked if knowing that some properties along the North Fork may be excluded from the moratorium in relatively short time, would Councilor Cram be willing to reconsider.

Councilor Cram explained his concern for the residents who have been waiting for a long time and he would like to do whatever he could to move it along and stay on this task.

Mayor Chick asked Deputy City Recorder on the process of taking another vote on the amended or the same Ordinance.

Deputy City Recorder Ukhach noted that the Council would go through the same process of performing the first and second reading by title only, of approving those readings and of adopting the amended or the same Ordinance.

Councilor Larzelier noted that having a six-month period would give more time for the staff to work on the solution and to put together a good solid plan.

City Manager Longfellow reiterated that when the first moratorium extension was put in place, there were no staff who could work on it, and the city could not do the testing due to drought. She added that going forward the staff would be aware of what an important and sensitive subject this was, and it would be a top priority for the staff. Longfellow stated that the staff needed time to hold the necessary meetings, to set the list of goals and options, and to get it fixed efficiently and correctly. She noted that the staff recommendation would be to keep it at six months, knowing that the staff would provide weekly updates and listen to the Councilors feedback. She added that the six months is not set in stone, and the Council would be able to amend or lift it. Longfellow repeated that the city only gets two extensions, and the staff may need that time to work on this issue.

Councilor Cram stated that he would agree to six months knowing that the city could amend some of the moratorium area soon. He added that the goal was to allow the connections safely.

City Manager Longfellow stated that the staff may be able to schedule the testing so that the moratorium maps could possibly be amended by the following month.

Councilor Cram noted that the city was the only one who paid to do anything and so the longer we push this issue it is inevitable that the city will keep paying more; however, the more action the city takes, the better we can feel about spending money. He added that if the city could remove certain properties from the moratorium and allow connection, it would be the money well-spent, and the city would have some results. Councilor Cram stated that after this discussion he would support the six months moratorium extension in the hope that the city is moving in the right direction.

Mayor Chick reopened the vote on Ordinance 2024-01: An Ordinance Extending An Existing Moratorium On New Connections To The City Water System In Those Areas North/Northeast Of Bob's Creek From North Fork Road (Excluding Lands Identified As Riverview Meadows Phases 2 And 3), And East Of The Intersection Of North Fork Road And McDonald Road Due To Lack Of Water System Adequacy For A Second Six Month Extension Period; and Declaring An Emergency.

Councilor Larzelier **MOVED** to perform the first and second reading of Ordinance 2024-01 by title only. Council President Howell **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Cram and Larzelier; No: None).**

City Manager Longfellow performed the first and second reading of Ordinance 2024-01.

Council President Howell **MOVED** to approve the first and second reading of Ordinance 2024-01. Councilor Cram **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Cram and Larzelier; No: None).**

Council President Howell **MOVED** to adopt Ordinance 2024-01: An Ordinance Extending An Existing Moratorium On New Connections To The City Water System In Those Areas North/Northeast Of Bob's Creek From North Fork Road (Excluding Lands Identified As Riverview Meadows Phases 2 And 3), And East Of The Intersection Of North Fork Road And McDonald Road Due To Lack Of Water System Adequacy For A Second Six Month Extension Period; and Declaring An Emergency. Councilor Cram **SECONDED** the motion. **MOTION PASSED 3-0 (Yes: Howell, Cram and Larzelier; No: None).**

PLANNING A GOAL-SETTING WORK SESSION

City Manager Lori Longfellow related that at the previous Council meeting Mayor Chick proposed holding a work session to review the goals and priorities that were set by the Council last year, to discuss current priorities and to perhaps set some new goal for the next years. She

recommended to include the Water Master Plan and the SDC fees in that discussion. Longfellow suggested choosing a date that would work well for all the Councilors.

After a brief discussion the Council had a consensus to hold a goal-setting work session on February 5th, 2023, at 6 p.m. There was some discussion on the format of the work session.

CORRESPONDENCE/OTHER BUSINESS

Mayor Chick briefly reviewed the correspondence from the Tides of Change that was part of the agenda packet.

STAFF REPORTS

CITY MANAGER REPORT

City Manager Longfellow summarized the written staff report for December 2023. She answered some questions from the Council.

PUBLIC WORKS DIRECTOR REPORT

Public Works Maintenance Specialist Mumm summarized the written staff report for December 2023. He provided some additional information about the newly installed fire hydrant.

PAYMENT OF BILLS/FINANCIALS

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

COUNCIL COMMENTS

Council President Howell asked if the city needed to be prepared for the forecast freeze and snow at the end of that week.

Public Works Director Moore stated that the city had a plow ready and was prepared for it.

Mayor Chick stated that the local community experiences quite a bit of grief in the past three weeks and he recognized the local clergy of Nehalem Bay United Methodist Church and Christy Kay of Rising Hearts Studio in Nehalem and thanked them for what they had done.

PUBLIC COMMENTS

None

ADJOURNMENT

The next regular Council meeting will be February 12th, 2024.

There being no further business, Mayor Chick adjourned the meeting at 7:38 p.m.

APPROVED: _____
Phil Chick, Mayor

ATTEST: _____
Yuriy Ukhach, Deputy City Recorder

MANZANITA POLICE DEPARTMENT

January 2024 REPORT

PERSON CRIMES	Manz		Neh		Whe	
	Mon	Year	Mon	Year	Mon	Year
Homicide						
Kidnap						
Sexual Assault						
Assault Simple		1		1		
Assault Serious						
Assault/Police Officer						
Domestic Disturbance					1	1
Disorderly Conduct						
Resisting Arrest						
Menacing						
Harassment		1				
Escape						
Reckless Endangering						
Weapon						

PROPERTY CRIMES	Manz		Neh		Whe	
	Mon	Year	Mon	Year	Mon	Year
Burglary Residence		1				
Burglary Business	1	1				
Attempted Burglary						
Prowler						
Arson						
Reckless Burning						
Criminal Mischief						
Theft		6				
Unauth Use Veh						
Unlawful Entry Veh						
Robbery						
Trespass						
Littering						
Fraud						
NSF Check						
Forgery						

OTHER OFF/CRIMES	Manz		Neh		Whe	
	Mon	Year	Mon	Year	Mon	Year
City Ordinance		7				
Animal Complaint				1		
Fish and Game						
Civil	2	2			1	1
Drug/Liquor						
Misuse/ Incom 911						
Fireworks						
Susp. Circumstances	5	5	1	1		1
Disturbance						

TRAFFIC INCIDENTS	Manz		Neh		Whe	
	Mon	Year	Mon	Year	Mon	Year
Accidents						
Warnings	10	10	7	8	8	5
Citations	4	4	2	9	9	1
Crimes						
Parking Warnings	7	7	7	2	2	2
Parking Citations	2	2	1	1	1	
Abandoned Vehicles						
Vehicle(s) Towed						


PERSON OTHER	Manz		Neh		Whe	
	Mon	Year	Mon	Year	Mon	Year
Death Natural						
Suicide/Attempt						1
Missing / Lost	1	1				
Runaway						
Drowning						
ARREST						
Criminal					1	
Warrant						
Detox						
POH						
OTHER						
Loss/Found Property	2	2	2	1	1	
Residential Checks	7	7	1	1	1	1
Medical Assist	3	3	3			3
Fire Dept. Assist	2	2				
Alarms	3	3	2			
Unfounded	2	2	1			
Open Window/Door			3			1
Public Assist	30	30	14	2	2	2
Other	4	4	2			1

OREGON STATE PARKS REPORT

	Nehalem Bay		Oswald West	
	Mon	Year	Mon	Year
No Camp Permit Disp				
Camping Proh. Area				
No Day Use Permit	8	8	6	
Viol. Posted Parking				
Handicap Parking				
Traffic Violation			3	
General Reg Viol.			2	
Search & Rescue				
Ranger Assist	1	1		3
Vandalism				
Litter				
Minor in Possession				
Furnishing Alcohol				
Security Checks	55	55	54	17
Crimes				
Other			1	
Arrest				1

Wheeler
Nehalem
County

Law Assist	Wheeler		Nehalem		County	
	Mon	Year	Mon	Year	Mon	Year
			3		1	12
						12
						11


 Erik Harth, Police Chief

2/01/2024
 Date



Nehalem Bay Fire & Rescue

Flow Test for Hydrant N-99

Start Time: 2024-01-25 13:14:08

End Time: 2024-01-25 13:38:58

Tested By: Walsh , Jesse H

Test Hydrant

Static Pressure:	78.0
Residual Pressure:	10.0
Desired Pressure:	20.0
Volume at Desired Pressure:	657.0

Flow Hydrants

Downstream Hydrant ID	Port Diameter	Friction Coefficient	Pitot Pressure	Flow (Calculated)
	3.0499999999999998	1.3799999999999999	3.5	716.0



2024-2025 PRIORITIZED PROJECTS AND GOALS

- 1) Water Management / Conservation Plan
- 2) Forest Master Plan
- 3) Water Master Plan Amendment
- 4) System Development Charge Study
- 5) Public Works Building
- 6) Master Meter
- 7) Water Meter Replacement
- 8) SCADA System

Additional Items for goal/project of discussion:

Anderson Creek Raw Water Transmission – will be complete 2024 (in process)

City Flow Meter

Short Term Dock Improvements – Staff

Community Clean-Up (this was on the list for last year, staff will reach out to see if they would be interested in doing it annually)

City Park Improvements – Staff (will use grant money we are getting back through CIS)

Coal Creek Feasibility Study – Delayed

Water Treatment Plant Filtration – Will be done by end of this budget year.

8th Street Improvements – Staff has an email to engineer for an update.

13th Street Booster Pump – Staff to obtain quotes and possibly budget.

Digitization of Records – Delayed

Reservoir Roof Cover 2 – Delayed

Cemetery Master Plan – Delayed

Funding Diversification Plan – I have asked Leila for permission to forward to Council for your review as an example.

Leak Policy – Staff

Master Meter – Staff to obtain quotes.



Professional Services Agreement

Project Name:	City of Nehalem – 8th Street Improvements Project (From B ST to C ST)
NC Civil Project No.	23003Neh
Client:	City of Nehalem – ATTN: Lori Longfellow, City Manager
Client Mailing Address:	35900 8th Street, P.O. Box 143 Nehalem, OR 97131

We appreciate the opportunity to submit this Professional Services Agreement for your Project. Below, please find our proposed scope of work and fee. If agreed, please sign below, keep a copy for your records, and return a copy to us. This Agreement will be effective as of the last date of signature below, and we will proceed upon receipt.

Thank you for this opportunity. We look forward to working with you on this project.

Signed:		Signed:
Printed:	Kyle Ayers, PE	Printed:
Title:	Owner	Title:
Company:	North Coast Civil Design, LLC	Client:
Date:	February 8, 2024	Date:

Project Understanding and Description

In accordance with your request, North Coast Civil Design, LLC (NC Civil) has assembled this proposal to provide professional civil engineering services for the planning, design and bidding preparation of the 8th Street Improvements Project as discussed with the City and as specified by the ODOT SCA Agreement, awarded to the City of Nehalem. See **Attachment A** for project limits. While the original layout shows the sidewalk along the west side of the roadway, preliminary discussions with the City of Nehalem have determined their preference is to move the sidewalk to the east side of the roadway due to the steep existing driveway grades on the west side of the right-of-way.

TASK 1: Topographical Survey

Right-of-Way Research, Topographic Surveying and Base Map
A topographical survey will be required to establish elevations and distances for designing the roadway, walkway and storm system within the 8th Street right-of-way. Onion Peak staff will complete a detailed topographic survey and map of the project limits, where the above referenced utilities, sidewalk and

roadway are to be constructed. This survey will assist in designing the proposed improvements in accordance with the most accurate topographic information available. With the topographic survey, NC Civil's design staff can prepare the engineering design and quantity estimates for use in calculating the construction cost estimate and bid sheets.

Utilizing Drone technology, the topographic survey includes a new Georeferenced Orthometric aerial photograph that can be used to compare the pre-construction and post-construction changes.

TASK 2: Engineering Design, Plans and Specifications

NC Civil has measured the alignment that the City wishes to replace. The roadway length is +/- 350 lineal feet. NC Civil's services will include an overview plan of the project design, including required construction drawings, standard details, contract documents and technical specifications for contractor bidding and construction. In general, the plan will consist of the following information:

- Cover Sheet and General Project Information
- Critical Project Notes and Data
- Proposed 8th Street Roadway and Sidewalk Design
- Proposed 8th Street Storm Drainage Design
- Associated Details and Standard ODOT Drawings
- Quantities, Units and Cost Estimate
- Technical Specifications

The plans, specifications and cost will be sent to the City of Nehalem. The City will coordinate and send out plans to any regulatory agencies. The City of Nehalem is responsible for all application and permit fees.

TASK 3: Construction Bidding

NC Civil will prepare bidding Construction Documents utilizing QuestCDN electronic bidding and solicitation process for the procurement of a contractor. We will then review and accept bids on behalf of the City of Nehalem. This item of work includes the preparation of a contract between the City and the required notices to the selected contractor.

TASK 4: Construction Administration & Construction Observation

Construction Administration would include contractor submittals on parts and materials, requests for information, coordination, progress meetings, and change orders. In addition, our staff can review pay requests from the contractor and prepare payment recommendations. In the event of changes in scope during construction, our project engineer will make the necessary modification to the original plans, obtain the City's approval and then issue the required change order(s) if any, to the selected contractor.

NC Civil's project engineers and inspectors will conduct periodic observations and specified testing of the construction work to determine compliance with the plans and specifications. The project engineer will complete the approval letters, or note the repairs needed. Our engineering staff will prepare and submit the final construction certificate following completion of construction, in accordance with state and local ordinances in effect at the time the design is completed.

FEES

The fees shown below are approximate only. We propose to bill hourly for this project, within the not-to-exceed fees shown below. We will not exceed these fees without your prior authorization.

TASK DESCRIPTION	TOTAL FEE
1. Topographical Survey (Including Drone Licensing Surcharge)	\$4,500
2. Engineering Design, Plans & Specifications	\$11,500
3. Construction Bidding	\$8,000
4. Construction Administration & Construction Observation	\$10,000
Contingency	\$3,400
Total Estimated Professional Service Fees	\$37,400

The fees for the above items assume all work will be completed by our office under a single-phase contract. General engineering consulting and planning services beyond the scope of this proposal shall be billed at an hourly rate. All in-house reimbursable costs, such as copies, reproductions, facsimiles, etc., are included in the contract amount. Any out-of-house direct costs will be invoiced at cost plus 10 percent and are not included in the contract amount. Copies of direct expense vouchers are not provided with the invoices.

SCHEDULE

Following "Notice to Proceed", our office can provide firm time estimates. In general, we will complete the project according to the schedule shown below:

TASK DESCRIPTION	START DATE	FINISH DATE
1. Topographic Survey & Base Map	February 2024	March 2024
2. Engineering Design, Plans & Specifications	February 2024	June 2024
3. Construction Bidding	June 2024	July 2024
4. Construction Administration & Observation	July 2024	September 2024

The schedule outlined above is based on the following assumptions:

1. All pertinent information and documents necessary for the completion of our work is received in a timely manner.
2. That all reviews and approvals will take place in a timely manner. NC Civil will not be liable for delays in the project schedule due to extended or delayed agency or client review that is not within our control. Administrative authority approval may extend timelines.

That this proposal will be approved and returned to our office (by either mail or email) within 7 calendar days after the next City Council meeting. The schedule is based on an assumed start date and the scope identified as of the date this proposal was prepared.

SCOPE AND FEE CONDITIONS AND ASSUMPTIONS

Our scope of services and fees, as outlined herein, are based on the following assumptions and conditions:

1. NC Civil's anticipated involvement covers the specific scope of work described above, and does not cover items not specifically included, such as the following: geotechnical reports; traffic studies; environmental studies (wetland delineations/natural resource assessment); arborist reports; irrigation system design; street/site lighting; private franchise utility design (TV, phone, internet or power).
2. NC Civil will be entitled to rely on the accuracy and completeness of services and information furnished by the Owner, surveyor, ODOT or others. NC Civil will provide prompt written notice to the City if NC Civil discovers any errors, omissions, or inconsistencies in such services or information.
3. NC Civil's standard General Conditions (GC's) apply to this contract and are attached.
4. Application fees are not included in our fee for services and will be the responsibility of the City.
5. Any reviews or approvals required shall be determined by the City and shall be the responsibility of the City to coordinate.
6. City shall coordinate with landowners, regulatory authorities, power & utility companies.
7. Construction observation assumes one 1-hr site visit per day, 4 days per week, during active construction for up to 2 months. If additional observation is requested, it will be considered additional services.
8. Any work proposed by the City, or adjacent property owners that changes the scope of the project will be considered additional services. Such changes are defined as any modification to the design that requires re-drafting of the plans once design drafting has begun.
9. Slope easements or construction easements along private property are not included in this proposal. Easements will be considered additional services.
10. Material testing will be provided and paid for by the City. NC Civil will assist in managing the selected testing agency.
11. Storm drainage system is to be designed to meet the City of Nehalem's Design Standards and does not include the design of any storm treatment system.

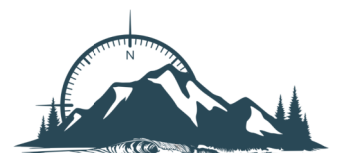
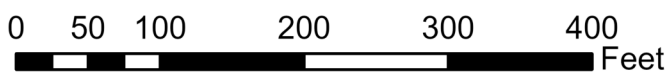
EXHIBIT A



CITY OF NEHALEM

SAFE-ROUTE-TO-SCHOOL

NEHALEM, OR, USA



NORTH COAST
CIVIL DESIGN

Data Sources: Tillamook County, ESRI, North Coast Civil Design
 Date: 8/29/2022
 Disclaimer: This data is not to survey accuracy and is meant for planning purposes only.

-DRAFT-

EVCNB educational and awareness programming for local governments

Goal:

Share resilience capabilities of citizen volunteers prior to and following natural or man-made disasters. Encourage local disaster preparedness and response training.

Programming:

Provide a subject matter expert to speak before city council three times per year.

The focus will be on five topics: Medical Reserve Corps (MRC), Shelters, Emergency Communication, Community Emergency Response Teams (CERT), ~~Communication~~, and Mass Care.

Programming duration: five to ten minutes per presentation.

Presentations may be vetted by City Manager prior to the meeting.

Dates: A proposed annual list of dates will be provided by EVCNB and is subject to change by either the City Manager or the EVCNB presenter.

Local Governments:

Cities of Wheeler, Nehalem, and Manzanita

EVCNB programming staff:

CERT	Jo Cooper
Communication	Karen Sarnacker
MRC	Velda Handler
Mass Care	Lee Hiltenbrand
Shelters	Velda Handler

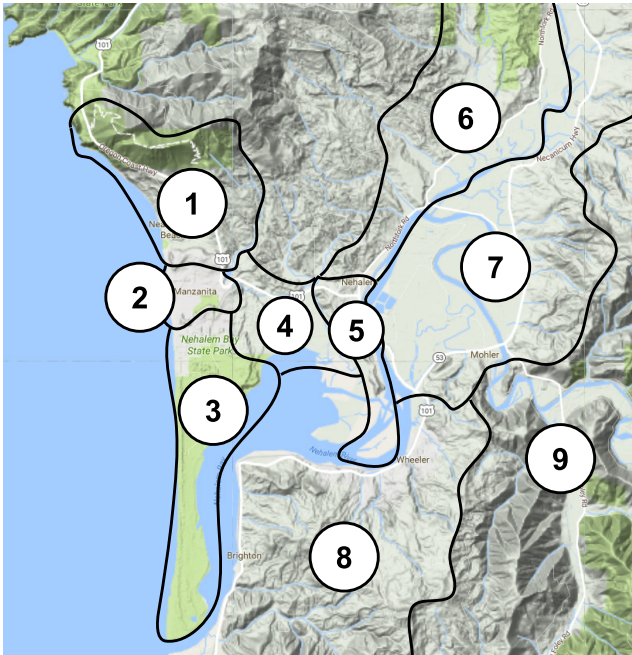
Programming Lead:

Lee Hiltenbrand.... (503) 348-9205

CHANNEL	NAME	SERVICE	CHANNEL	NAME	SERVICE
3	ANGORA	Ham	90	MURS1	EVCNB
5	MANZAN	Ham	91	MURS2	EVCNB
12	PORTRPT	Ham	92	MURS3	EVCNB
14	NKNRPT	Ham	93	MURS4	EVCNB
22	CBEACH	Ham	94	MURS5	EVCNB
56	WX NKN	Weather	101	ZONE 1	EVCNB
58	WXMEAR	Weather	102	ZONE 2	EVCNB
62	TCSO 1	Public Service	103	ZONE 3	EVCNB
64	FIRE	Public Service	104	ZONE 4	EVCNB
65	TAC 1	Public Service	105	ZONE 5	EVCNB
66	TAC 2	Public Service	106	ZONE 6	EVCNB
67	TAC 3	Public Service	107	ZONE 7	EVCNB
68	TAC 4	Public Service	108	ZONE 8	EVCNB
69	TAC 5	Public Service	109	ZONE 9	EVCNB
70	TAC 6	Public Service	110	RBCERT	RB
71	TAC 7	Public Service	111	OPS 1	EVCNB
72	TAC 8	Public Service	112	OPS 2	EVCNB
73	SAR	Public Service	113	OPS 3	EVCNB
74	OSP	Public Service	114	OPS 4	EVCNB
77	06MAR	Marine	115	OPS 5	EVCNB
78	09MAR	Marine	117	NELMRPT	EVCNB
79	16MAR	Marine	119	EVCRPT	EVCNB
80	17MAR	Marine	121	RBRPT	RB
81	21MAR	Marine	122	CB CMD	CB
82	22MAR	Marine			
83	23MAR	Marine			

■ Listen Only

■ EVCNB — Operational



EVCNB Zones

MAGIC WORDS

OVER — I'm done. Your turn.

OUT — Conversation done.

MONITORING — I'm listening.

AFFIRMATIVE — Yes.

NEGATIVE — No.

WILL DO — Will do it.

EMERGENCY — Have emergency info.

ITU Phonetics

A	Alpha
B	Bravo
C	Charlie
D	Delta
E	Echo
F	Foxtrot
G	Golf
H	Hotel
I	India
J	Juliet
K	Kilo
L	Lima
M	Mike
N	November
O	Oscar
P	Papa
Q	Quebec
R	Romeo
S	Sierra
T	Tango
U	Uniform
V	Victor
W	Whiskey
X	Xray
Y	Yankee
Z	Zulu



Yellow Radio

Communication can save your life

No cell phones or landlines! No electricity!

In every emergency, **COMMUNICATION IS KEY!**

- ❖ Know what's happening
- ❖ Get organized with your neighbors to respond

EVCNB's **Yellow Radio** program is part of the **Emergency Communications plan** for the Nehalem Bay Area.

Radios work when all other communication options don't.

What's a Yellow Radio?

It's a small, inexpensive two-way radio that's easy to operate. It is programmed with local radio channels so everyone knows where to tune in for the information they need.

How do I get started?

EVCNB holds regular Yellow Radio classes to teach you the basics of radio use. When you take the class, you can purchase a Yellow Radio programmed with local channels.

Then what?

Call in to the weekly **EVCNB Yellow Radio Net** to practice your skills. You will learn the details of how to participate in a radio net during your Yellow Radio class.

More details can be found on the EVCNB website, **EVCNB.org**.
Go to **Resources > EVCNB Materials > Yellow Radio**

Contact YellowRadio@evcnb.org for more information.



Yellow Radio

Operations Quick Reference

Follow These Steps to Operate Your Yellow Radio

Turn On:

- ❖ Turn the On/Off volume knob on the top

Look at the display and listen:

- ❖ If you hear 'Channel Mode' and see the channel name - this is correct.
- ❖ If you hear 'Frequency Mode' and see numbers, press the Orange VFO/MR button to switch to channel mode.

Select a Channel from the 2-line display:

- ❖ The arrowhead at the left of the channel name shows the active channel (Zone 2 in the picture).
- ❖ Use the blue A/B button to switch the active channel to the other line.

Enter a new Channel if the one you want is not shown:

- ❖ Enter a 3-digit channel number using the keypad, (Ex: Zone 1=Channel 101).

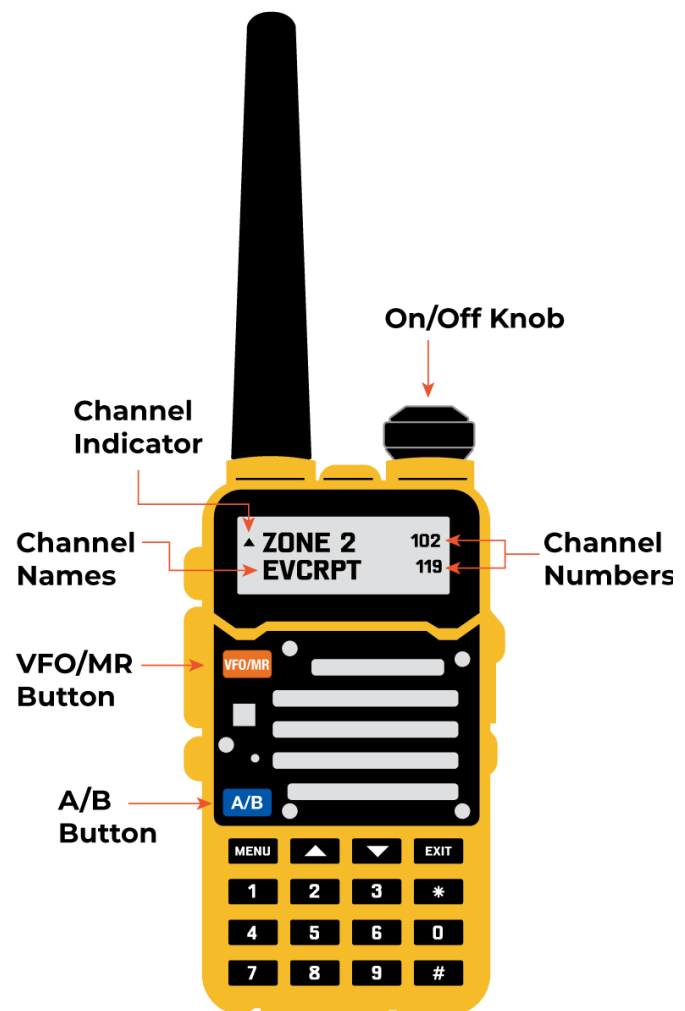
Listen:

- ❖ Only one person can talk at a time. A designated "Net Control" controls all communications on the channel.

Tips for Better Reception

- ❖ Keep antenna vertical
- ❖ Find the highest point available
- ❖ Move away from metal objects
- ❖ Move a few feet in different directions to find the best signal

Contact YellowRadio@evcnb.org for more information.





OREGON LIQUOR & CANNABIS COMMISSION
LIQUOR LICENSE APPLICATION

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
 - If the premises street address is within a city’s limits, the local government is the city.
 - If the premises street address is not within a city’s limits, the local government is the county.
3. You can submit the application to the OLCC if:
 1. You have WRITTEN documentation showing the date the local government received the application or;
 2. The local government has provided you their recommendation.

ALL forms and documents must be a PDF attachment

4. **Email the PDF application that contains the local government recommendation or proof of submission** to: OLCC.LiquorLicenseApplication@oregon.gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time).
When it’s time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.

License Request Options - Please see the general definitions of the license request options below:

- **New Outlet**: The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership**: The request to completely change the licensee of record at a licensed business.
- **Greater Privilege**: The request to change from an Off-Premises to a Limited or Full On-Premises Sales license **OR** from a Limited to Full On-Premises Sales license.
- **Additional Privilege**: The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review [OAR 845-006-0301](#) for the definitions of “applicant” and “licensee” and [OAR 845-005-0311](#) to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per OAR 845-005-0311[6]) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:

- Complete the [Authorized Representative](#) and submit with the application.

For help with this application or any related documents or processes, email olcc.alcohollicensing@oregon.gov.

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

[New Outlet](#) | [Change of Ownership](#) | [Greater Privilege](#) | [Additional Privilege](#)

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: (Use the DISTT form [HERE](#))

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT

After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Nehalem

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received: **01/30/2024**

Optional: Date Stamp Received Below

- Recommend this license be granted
- Recommend this license be denied
- No Recommendation/Neutral

Printed Name

Date

Signature

Trade Name

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: Hasco Stations, LLC #8051	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see):		
Premises street address (The physical location of the business and where the liquor license will be posted): 36453 Hwy 101		
City: Nehalem	Zip Code: 97131	County: Tillamook
Business phone number: 714-761-5426	Business email: M.haris@hasoil.com	
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]): 2860 N. Santiago Blvd		
City: Orange	State: CA	Zip Code: 92867-1722
Does the business address currently have an OLCC liquor license? <input type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input type="checkbox"/> No	

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is <u>not</u> an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.	
Application Contact Name: Moe Harris	
Phone number: 714-761-5426	Email: M.haris@hasoil.com

LIQUOR LICENSE APPLICATION

Page 3 of 4

TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
 1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
 2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Page 4 of 4

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

• Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-006-0362](#) and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Dakota Pederson



12/29/23

Applicant name

Signature

Date

Applicant name

Signature

Date

Applicant name

Signature

Date

Applicant name

Signature

Date

Applicant/Licensee Representative(s): If you would like to designate a person/entity to act on your behalf you must complete the [Authorized Representative Form](#). You may submit the form with the application or anytime thereafter. The form must be received by the OLCC before the representative can receive or submit information for the applicant.

Please note that applicants/licensees are responsible for all information provided, even if an authorized representative submits additional forms on behalf of the applicant.



January 26, 2024

City of Nehalem
PO Box 143
Nehalem, Oregon 97131

City of Nehalem,

Thank you for your ongoing support of the work to end violence in our community. The following statistics reflect the activity of the period from October 1, 2023-December 31, 2023.

Persons served from Nehalem: 17

Total number of services provided: 125

Again, thank you for your continuing support of these efforts, and helping us to make a difference in the lives of survivors.

Sincerely,

A handwritten signature in black ink, appearing to read "Valerie Bundy", with a large, sweeping flourish at the end.

Valerie Bundy, MA LPC NCC
Executive Director

Contact: Jessi Just, Heart of Cartm
Phone: (971) 389-8414
Email: jessi@heartofcartm.org

FOR IMMEDIATE RELEASE

Save the Date for the 13th Biennial Nehalem Estuary Cleanup, March 9th, 2024.

Wheeler, OR – It's back! Bring the whole family to the Biennial Nehalem Estuary Cleanup at Wheeler Waterfront Park on March 9th, 2023. This event is a collaboration of the Lower Nehalem Community Trust (LNCT), Lower Nehalem Watershed Council (LNWC) and Heart of Cartm.

Join your community coming together to make a lasting difference for our beautiful Nehalem Bay Estuary!

As an all ages and abilities event, volunteers are invited to join a team to collect debris by boat or on foot and sort collected materials. We are also seeking volunteers to help hang posters, set-up and take down tents, lead children's activities, or lend a hand with day-of organization.

How do you want to be involved? Contact Jessi with the Heart of Cartm at jessi@heartofcartm.org. Keep an eye out for the registration link, coming soon!

The Biennial Nehalem Estuary Cleanup is part of a series of estuary events taking place from February to April. All events are free. We encourage you to participate in all the education, action and art events for our estuary.

February 6th, 6pm at NCRD Kitchen & Gallery
Estuary Panel Discussion: 'Into the Muck - Estuary Management, Monitoring, and Restoration on the Nehalem'

February 11th, 10am-12pm at Alder Creek Farm
Explore Nature: Seed Bomb Making and Riparian Planting

March 9th, 7:30am Registration at Wheeler Waterfront Park
Biennial Nehalem Estuary Cleanup

March 15th, 2pm - 6pm NCRD Kitchen
Marine Debris Art Workshop Culminating in Gallery Display Through the Month of April at Manzanita News and Espresso

[LNCT](#) preserves land and nurtures conservation values in partnership with an engaged community in the Nehalem region of the Oregon Coast. For more information contact: Emily Akdedian at emilyakdedian@nehalemtrust.org.

[LNWC](#) protects, preserves, and enhances the Nehalem watershed through leadership, cooperation and education. For more information contact: Zac Mallon at lnwc@nehalemnet.net.

[Heart of Cartm](#) is facilitating the reimagination, reuse and repair of our region's resources, leading to a zero waste community. www.heartofcartm.org



February 7, 2024

STAFF REPORT

To: Mayor Chick and City Council
From: Lori Longfellow, City Manager

RE: **January 2024 Staff Report**

- 1) **Anderson Creek Raw Water Transmission Main** – Contractor is still in the process of fusing pipe together as time permits. The City Manager has been working with the City Attorney's, Ticor Title and Surveyor to continue working on IGA and Sub Easement Agreements. The City Manager has obtained a letter of support from Senator Suzanne Weber to extend the project to allow more time which was submitted to the Department of Administrated Services and Federal for approval. We have now been granted an extension to the end of 2024, which the project is expected to be completed sooner, staff just wanted to ensure we aren't rushed and are able to complete and utilize all grants funds.
- 2) **SB 406** – The City Manager and staff are working with Cascadia Partner's (consultants obtained through DLCDD grant). Cascadia Partner's has drafted a scope of work and budget for the City of Nehalem's Middle Housing Code Update and Housing Toolkit. The purpose of this project is to help the City of Nehalem comply with SB406 through a zoning code update, as well as develop a Housing Toolkit to identify additional actions the city can take to address housing needs in the community.
- 3) **Yardney Pre-Filter Replacement** – This was a Water Capital Project budget for FY 2023-2024. The proposed cost is higher than anticipated and the staff is working with Business Oregon and OHA to see if any grant funds can be obtained. Filters have been ordered by Public Work's and anticipated to arrive in May.
- 4) **Tillamook County Coordinated Houselessness Collaborative (CHC)** – Short meeting was held January 19, 2024.
 - Review and vote to approve the Charter
 - Follow-up on November's Action items
 - Members-only workspace for shared problem-solving
 - Subgroup report outs and work time

- 5) **Planning Commission** – Meeting scheduled for February 15, 2024, for review of a Variance application.
- 6) **Water Rate Study** – The City Manager has filled out the Water Tracking Charts provided by OAWU and submitted them back to Tim Tyce. Comments were received back and emailed to council members for review. Discussion will be held in the next few months regarding increases to meet consumer price index costs.
- 7) **CIS Grant** – The City Manager applied for a grant through CIS regarding Recreational Immunity. The city had budgeted \$4000.00 for new chips at the playground. That purchase fell under a reimbursement for the grant and the city was approved for a \$4005.00 Reimbursement which will now be used for City Park updates.
- 8) **SEI Filing Reminder**- Yearly Statement of Economic Interest filing period will be open. The City Manager and Staff will confirm all email addresses necessary are updated, for Council, Planning Commission and Budget Committee for reporting.
- 9) **Training on Public Meeting Law** – Starting January 2024 Public Officials will need to complete and OGEC (Oregon Government Ethics Commission) approved training once per term, if the public entity's overall fiscal budget exceeds one million dollars and the training requirement applies to all advisory bodies. There is current rulemaking regarding what specific training qualify. Rulemaking has not yet occurred to flesh what penalty will apply if the training requirement is not met; there is currently no penalty. Training requirement violations are individual (not city) penalties. OGEC will not be tracking training completions, the onerous is on the individual to maintain documentation to prove their compliance. Training is not yet available and will be notified when it is.
- 10) **Water Leak Policy** – The City of Nehalem has never had an adopted Water Leak Policy in place, staff will be working on creating that to provide to Council at the March meeting. The city finds this necessary as we are losing a significant amount of revenue in water.



February 6, 2024

STAFF REPORT

To: Mayor Chick and City Council
 From: Brian Moore, Public Works Director

RE: PUBLIC WORKS MONTHLY REPORT

WATER MONITORING & TESTING

Average Daily Water Usage	
January 2024	Previous Year: 2023
110,000 gallons	malfunction
Comments: Previous year 2023 -There was a malfunction with plant meter.	

Rainfall	
January 2024:	Previous Year: 2023
18.50 inches	8.85 inches
Comments: We are in our wet season with lots of rain. Almost 10" more than last year.	

Turbidity (NTU = Nephelometric Turbidity Unity: A measure of water clarity.) <small>Turbidity is a measure of the cloudiness of the water. We monitor it daily because it is a good indicator of the effectiveness of our filtration system.</small>	
Turbidity Monthly Average:	Highest Allowed:
0.08 NTU	Never more than 5 NTU and less than 1 NTU in 95% of samples.
Comments: Result well below highest allowed.	

Bacteriological Testing <small>To ensure water safety, our state-certified Public Works staff routinely monitor for contaminants in your drinking water according to federal and state laws. Total coliform and E.coli test samples are taken twice per month.</small>	
Results for January 2024:	Comments:
Both Negative	A negative result is desirable and indicates that no bacteria was present in the drinking water sample.

OTHER PUBLIC WORKS UPDATES

We added a couple of pictures of our ICE Storm. The City's storage tank and City Hall. Wow!

Public Works had a snowplow and sanding trucks ready to go but as we all know they couldn't be used. The hills of Nehalem were too dangerous with at least a ½" of ice on the roads. The best thing our citizens could do was stay home and stay safe.

