

**CITY OF MANZANITA
JUNE 7, 2017
CITY COUNCIL MEETING**

CALL MEETING TO ORDER: The meeting was called to order at 7:00 p.m. in the City Council Chambers by Mayor Mike Scott.

ROLL: Members present were: Mike Scott, Leila Salmon, Hans Tonjes, Linda Kozlowski and Scott Galvin. Staff present: City Manager Jerry Taylor, Assistant City Manager Cynthia Alamillo and Administrative Assistant Kristin Grasseth.

AUDIENCE INTRODUCTION: There were 29 citizens in attendance.

Before the meeting started Mayor Scott read the letter from the selection committee and announced Denny Jones as the 2017 Citizen of the Year.

PUBLIC COMMENTS & COMMUNICATIONS: Tom Bender said he had talked with ODOT regarding the pedestrian walking area on the east side of Highway 101 and how there wasn't any. ODOT acknowledged the error and is looking into it. Bender also mentioned that he had been looking over the City's Ordinances and Comprehensive plan and felt it time that these be updated. Sue Yennello made comment regarding the July 4th Parade theme and stated that she was upset by the choice to use it.

CONSENT AGENDA:

- A. APPROVAL OF MINUTES – May 3, 2017 Regular Council Meeting and May 17, 2017 Budget Committee meeting.
- B. APPROVAL OF BILLS FOR PAYMENT
- C. CHANGE JULY COUNCIL MEETING DATE TO JULY 12

Motion was made by Tonjes, seconded by Kozlowski to approve the consent agenda that includes approval of minutes of the May 3, 2017 Regular Council meeting and May 17 Budget Committee meeting; to approve payment of bills and all subsequent bills subject to approval by the Mayor or Council President and City Manager; and to change the July 5 regular Council Meeting date to July 12. Motion passed unanimously.

NEW BUSINESS:

A. Agreement for the Purchase of Underhill Plaza - City Manager Jerry Taylor explained that in late April, 2017 City Council members discussed whether the City should make an offer on Underhill Plaza before engaging the public in a broader discussion of what the property might be used for. The Council felt that the price of the land should be tied down. The Council met in executive session to establish an amount it would offer to Underhill, LLC for the property. On May 3, the City and Underhill, LLC signed an offer letter indicating that they would negotiate a purchase agreement for the City to buy Underhill Plaza for \$1,750,000. Real market value of the property is \$1,994,190. Taylor continued by stating the Underhill family has long time ties with the City and preferred that the City be the purchaser. A purchase agreement has been drafted and the City received it just today. If the Council approves the purchase agreement, there will be a 60 day "study period" before the sale is closed. During this time the City will perform any testing and

analysis of the property and may terminate the purchase at any time during this period. The Council will also be asking for public comments on the purchase of this property. Taylor also suggested the formation of a citizen advisory committee and securing an architect to assist in developing the preferred alternatives.

Motion was made by Kozlowski, seconded by Tonjes to approve the purchase agreement for acquiring Underhill Plaza. Motion passed unanimously.

B. Proposal for Pickleball Court in City Park - Staff said that there appeared to be enough local interest in this sport to justify having a permanent pickleball court. The current playcourt is underutilized and can easily accommodate a court. Last fall, the City purchased a permanent net and will install it soon. Staff recommends that the tennis court remain as being just for tennis, with the opportunity to play pickleball accommodated by the pickleball court and net on the playcourt adjacent to the basketball court. Joint use of the tennis court could not be managed easily. Proponents of the Pickleball courts asked the Council to consider allowing the tennis courts be used during a 3 hour period each day for a trial period of 2 months along with a survey. Council agreed to allow a 2 month period for temporary use of the tennis court with signage, with the condition that they look to establish a long term plan for pickleball courts.

Motion was made by Kozlowski, seconded Salmon by to approve temporary alternative striping of the tennis court for Pickleball for a 2 month period. Motion passed unanimously.

C. Agreement for Completion of Carmel Avenue Reconstruction Project- City Manager Jerry Taylor announced that the City had proposed an agreement which would provide that the surety would cover the difference in cost of construction due to changing contractors and dealing with faulty work installed by MAG LLC. The City also proposed that the surety would cover the added engineering, legal and staff costs resulting from the default, liquidated damages as provided in the MAG contract, and a 15% contingency in case further faulty work was discovered. Old Republic responded that it was willing to cover the difference in construction cost now, but would agree that the City could make further claim for the other costs once the new contractor completed the job. It was important to get the new contractor, Advanced Excavation, working on the street as soon as possible. Taylor said he felt it was worth the risk to partially settle for the increase in construction costs of \$143,700 and try to recover most or all of the other costs after the project is completed. In order to expedite the process the City Attorney has moved forward with the partial settlement agreement and a Completion Agreement has been sent to Advanced Excavation by the City's engineer.

Motion was made by Tonjes, seconded by Salmon to approve the tender agreement with Old Republic Surety Company for coverage of additional costs of construction due to contractor default. Motion passed unanimously.

Motion made by Tonjes, seconded by Kozlowski to approve the contract with Advanced Excavation to complete the Carmel Project. Motion passed unanimously.

D. Agreement for Trail Design Services (Neahkahnie Mountain to Manzanita)- Assistant City Manager Cynthia Alamillo gave the background information to Council on the Neahkahnie trail and grant and how some of the grant funds are now needed to be used to hire a

consultant to prepare a detailed design for the hiking trail. Three responses were received and after reviewing them the selection committee recommended that Sentieros Consulting be awarded the contract.

Motion was made by Kozlowski, seconded by Tonjes to approve the contract with Sentieros Consulting to provide trail design services for the Neahkahnie Mountain to Manzanita trail. Motion passed unanimously.

E. Agreement for Temporary Building Inspection Services with Tillamook County (January-June) - Alamillo stated while the City has been in transition with the Building Department and that Tillamook County Building Department has been helping the City out by providing inspection services. This agreement provides the county with 75% of building permit revenues from January 1, 2017 through June 7, 2017. Alamillo continued by saying the City greatly appreciated all the help that County has given and hopes that the relationship continues.

Motion was made by Tonjes, seconded by Kozlowski to approve agreement with Tillamook County for providing inspections services from January to June 2017. Motion passed unanimously.

F. City Council Goals - Assistant City Manager Alamillo presented the City Council goals for 2017-2018. The Council intends to take a strategic approach and plans to review their goals on a quarterly basis. This will help the Council in providing a long term direction by keeping track of the goals and resources.

Motion was made by Galvin, seconded by Kozlowski to approve the 2017-2018 City Council Goals. Motion passed unanimously.

G. Chair Policy for Fourth of July Parade - City Manager Taylor informed Council that Staff had developed materials to communicate the Council's policy regarding placing chairs along the Fourth of July parade route. The Council indicated that in this first year of the new policy that we would take an educational approach rather than confiscating chairs set out before 7:00am on the day of the parade. Staff went over drafts of notices that will be placed on chairs placed too early on the street. Signs and news releases will be sent out next week. It is hoped that some of the businesses will place the signs in their windows to inform the public of this new policy. Seating in front of City Hall will be provided for persons with mobility impairment if they call and reserve space with City Staff.

OLD BUSINESS:

A. Ordinance Amending Camping Vehicle Parking Ordinance (Second and Final Reading) - Taylor reported that at the last Council meeting, the Planning Commission recommended some minor changes to the Ordinance dealing with camping vehicles parked on private lots to clarify the difference between parking the vehicle and living in it. The proposed Ordinance also clarifies that the camping vehicle must be parked entirely on the private lot and may not encroach into the public right-of-way.

Motion was made by Kozlowski, seconded by Tonjes to read "AN ORDINANCE AMENDING SECTIONS 2,3,4 and 5 OF CITY OF MANZANITA ORDINANCE NO. 94-11 RELATING TO PROHIBITING THE USE OF CAMPING VEHICLES FOR RESIDENTIAL OR COMMERCIAL PURPOSES WITHIN THE CITY OF MANZANITA" for its second and final reading by title only and to adopt said Ordinance as of its second and final reading. Motion passed unanimously.

CITY MANAGER'S REPORT:

A. Administration- City Manager Jerry Taylor explained the shifting of jobs in the office, currently the Court Clerk but has been training on the water system to take over for the Administrative Assistant so she can focus on financial matters. The Office Support Specialist has now taken on code enforcement for the short term rentals and has been citing people into court.

MISCELLANEOUS:

- 1. Special Council Meeting & Budget Hearing :** June 21st 7p.m. at City Hall
- 2. Hoffman Center:** Amplified sound permit application for summer Sunday concerts in Hoffman Gardens. Council agreed by consensus
- 3. LOC Conference:** Taylor needs to know who plans to attend by June 30th. Conference dates are September 28th - 30th.
- 4. CO₂ Stripper:** Bid opening will be July 12th at 2 p.m. at City Hall.
- 5. US 101 Project:** ODOT will be closing Laneda and Manzanita Ave (at different times) for 3-5 days to insure the entrances are correctly paved.
- 6. Leila Salmon:** Announced her retirement from the Council as of July 13, 2017.

Mayor Scott adjourned the meeting at 9:28 p.m.

**MINUTES APPROVED THIS
12TH DAY OF JULY, 2017**

Michael Scott, Mayor

Attest:

Jerald P. Taylor, City Manager/Recorder

City Council Meeting
June 7, 2017