

CITY OF WHEELER

CITY COUNCIL – MARCH MEETING MINUTES

March 19th, 2024

**Call to Order**

Mayor Kemp called the meeting to order at 6:01 PM.

**Roll Call**

*Present onsite:*

City Council: Councilor Deanne Ragnell, Councilor Heidi Stacks, Councilor Gordon Taylor, Councilor Karen Matthews, Councilor Walt Porter, Mayor Clif Kemp

City Staff: Pax Broder

Guests: Mike Anderson, Courtney Banks

*Present via Zoom:*

Guests: Dan Ayers, Jack Bylsma and Lauren Rasmussen, “iPad (2),” “whmat”

**Consent Calendar**

Councilor Porter **made a motion to accept the consent calendar as presented.** Councilor Taylor **seconded the motion. The motion was passed 5-0** (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).

**Presentations, Guests, Announcements**

Councilor Stacks mentioned that Garry Gitzen had requested an opportunity to photograph the portion of the old Wheeler Gateway Sign that she has, and she amenable to his request.

**Public Comment on Non-Agenda Items**

Councilor Matthews wished to add “Salmonberry Trail Hikes for April” to the Agenda under New Business.

**City Manager and Public Works Department Report**

The City Manager report was read. *A copy is available in the Agenda Packet.*

The Public Works report was read. *A copy is available in the Agenda Packet.*

Councilor Matthews asked for clarification on the location of the obstructed culvert that had been cleared. Pax clarified that the stormwater easement runs from Spruce Street to Hemlock Street, but it runs between the homes on the City block between 3<sup>rd</sup> Street and 4<sup>th</sup> Street. A large culvert empties into a low area in the middle of that City block, and then a secondary pipe is supposed to carry the stormwater from that point, underneath Hemlock, and ultimately into Zimmerman Creek. That second pipe was obstructed with detritus and had a low flow. It has been cleared, marked, and added to the locations that Public Works will routinely check. Councilor Matthews asked if this has had an effect on the Hemlock Street subsidence. Pax confirmed that the ground south of Hemlock was being saturated by this stormwater, and that this is the same general location of the recent water line break on Hemlock. Councilor Matthews suggested that there be a future talk about ways to monitor and detect plugged

storm drains.

Councilor Matthews asked how the Tillamook County Emergency Communicators website was going to interface with the Emergency Scanner Facebook page. Pax said he had not heard about those interfacing. He mentioned that Tillamook PUD is starting the website and inviting the other agencies to join in. They were going to start with just a Facebook page for emergency alerts, but are trying to expand that to include a non-Facebook website that can mirror the emergency alert posts.

Councilor Matthews mentioned that Sam Aldrige of the Oregon Coast Scenic Railroad (OCR) had previously mentioned an improvement to an area of the switching tracks here in Wheeler, and that could potentially be a site for a potential recreational activity. Pax mentioned that he has a handbook down in the office that goes into more detail about the OCR's plan for a "Recreational Corridor" through the Lower Nehalem Valley. Councilor Ragnell asked if the OCR was offering any funding for these recreational sites. Pax mentioned that most of them are located outside of Wheeler and so there wasn't a discussion on funding, though the OCR is eager to partner with the Salmonberry Trail to take the multi-modal trail idea one step further and add these extra amenities. The business and ridership on the OCR trains has been growing year after year, so they would like more things to offer their customers.

Councilor Matthews wished to confirm that water usage will still be checked bi-monthly. Pax confirmed that it would, but with twice the consumption allowance at each price tier in the billing software. As long as water usage is somewhat consistent from month to month, the new allowance in the billing software will calculate the bills very accurately. If an individual account has dramatically skewed water consumption from month 1 to month 2, they may end up getting a slight discount on their water consumption. No customer would ever get overcharged.

### **Old Business**

#### *a. Nuisance Updates –*

Councilor Stacks said that a letter has been sent to View of the West regarding their unsafe, vacant building. The City has not yet received a response. The roof drains at 372 Third Street are dumping onto a lower, adjoining property. This will be resolved with the assistance of Mike Anderson within the 21-day timeframe the City had indicated. Mr. Anderson is assisting as the property owner is 95% disabled veteran that he has been helping for a few years. The vacant building at 133 Hall Street required a zoning permit to get demolition approval from Tillamook County. The application has been sent to the property owner, but it hasn't yet been filled out and returned to the City yet. The offender at 291 Pennsylvania Avenue is currently incarcerated and her family has been cleaning up the land and addressing the violations. Mayor Kemp asked if there had been any updates regarding the vacant building at 344 Hemlock. Pax said that at one point there had been a "second notice of foreclosure" on the property, but currently the property taxes are paid and the owner is still shown as Mr. Chambers. Councilor Porter said he thought someone had been cutting brush around the property.

#### *b. Manzanita Police Contract 2025-2028-*

Councilor Porter brought up the fact that Manzanita was willing to reduce the price of the contract if they got to keep the initial citation revenue to make up for it. Ultimately this works out to costing Wheeler the same amount. Councilor Porter felt that the police would

focus more on citations if that was a portion of their income. Councilor Stacks said it is a bit “hit and miss” as far as when the police presence is actually there. She saw a car pass another vehicle going 80mph through town just the other day. Councilor Matthews said that there was a disparity between the number of traffic stops and the number of citations. “People speed through this town. We don’t want to be a speed trap, but we also want safety.”

Councilor Stacks said there were twice as many citations written at this point last year compared to this year. Councilor Porter said he didn’t believe there were very many people speeding through town. Councilor Ragnell pointed out that if we are requesting extra patrols of the City streets and are already limited to 15 hours of coverage a month, there will be less citation revenue.

Mayor Kemp wished to remind the Council that the police aren’t allowed to make as many stops as they could before (they can no longer stop a vehicle for a single light out, which lowers their chance to catch uninsured motorists or persons driving without a license). In the conversations that were had with Manzanita, Wheeler made it clear that we want less warnings and more citations. At the same time we are asking them to patrol the town more, specifically on Pennsylvania Ave and Rector Street. They definitely have been doing that.

Councilor Porter asked if we get patrols at night. Mayor Kemp replied that we do, he’s been seeing them out there. The police are trying to satisfy what Wheeler pointed out as more of a need than just citations alone. Councilor Porter wondered if the patrols through town would be cut shorter if we went for the cheaper contract option where the police would keep the initial citation revenue.

Councilor Stacks mentioned that in Manzanita the police issue ordinance violations. Pax mentioned that Manzanita has a code enforcement officer and Wheeler had previously inquired about sharing that service, but Manzanita wasn’t interested at the time.

Pax mentioned that in prior conversations, Manzanita had indicated a willingness to reduce the annual percentage increase to 4%. Councilor Ragnell questioned if Wheeler would be stuck with whatever choice is made regarding this contract. Pax confirmed that the new contract is from 2025-2028.

Councilor Matthews wished to confirm that City ordinance violations were not discussed as part of this current contract. Pax confirmed that was the case. Councilor Stacks said that the City has more work to do internally before we can start issuing citations. Councilor Matthews suggested a possible addendum to the contract that would give Wheeler the right to review and modify it at a later date.

Mayor Kemp suggested a possible 1-year term for the contract. He said that Manzanita had made it very clear that they are not interested in helping Wheeler with code enforcement. Councilor Stacks said they had 187 assists by the police, we are looking at 2 or 3. She supported the idea of future talks with Manzanita as Wheeler’s needs change.

Councilor Ragnell mentioned that the speed radar trailer (that had been leant to Wheeler by the Sheriff’s Department) would likely lower Wheeler’s chance to get citation revenue. Councilor Matthews said they do make devices that will photograph vehicles and issue

tickets. Councilor Taylor said we don't want to be a "speed trap," but asked how we define that given the fact that we want people to stop speeding. Councilor Ragnell mentioned that the local businesses have been asking if there is anything that can be done to stop the speeding.

Councilor Taylor mentioned that the price of this contract could increase if we go year to year. Mayor Kemp stated that we have an opportunity for citation revenue from the paid parking/parking restrictions we intend to adopt later this year and the Manzanita Police will have an incentive to help with that if they get to keep a portion of the revenue.

**Councilor Stacks made a motion to accept the 2025-2028 Manzanita Police Contract with the Annual Percentage Increase reduced to 4%, and with options for the City to proactively engage with the Manzanita Police to discuss Wheeler's needs on an ongoing basis. Councilor Ragnell seconded the motion. The motion was passed 5-0 (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).**

*c. Port of Tillamook Bay Lease -*

Mayor Kemp said that this is a heck of deal for Wheeler as we talked them back down to a significantly lower rate from what they have published. Wheeler will have control of the property we lease from the Port, which includes the parking on the west side of 101, the parking lot in front of the Depot, and the restroom location. Mayor Kemp sees this as a revenue source for the city. It is his recommendation that we accept this license agreement.

Councilor Matthews said when she first saw the proposed new rates she took a deep gasp, but after seeing the amount of time between contracts without a price update, she is okay with it and that the different rates for different areas makes sense.

**Councilor Matthews made a motion to accept the Port of Tillamook Bay Encroachment License Agreement. Councilor Taylor seconded the motion. The motion was passed 5-0 (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).**

*d. Resolution No. 2024-05 – Check Signing Authority –  
The resolution was read in full.*

**Councilor Stacks made a motion to adopt Resolution No. 2024-05 for Check Signing Authority with an amendment to correct the spelling of Councilor Matthew's last name. Councilor Taylor seconded the motion. The motion was passed 5-0 (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).**

*e. Resolution No. 2024-06 – Emergency Chain of Command-  
The resolution was read in full.*

Councilor Matthews questioned how long she could be out of town before needing to call in a replacement for her "on call" status. Councilor Stacks said it wasn't formally defined, but that an absence of 24 hours or more should require a replacement. Daytime shopping trips wouldn't require one. Communication is what is important.

Councilor Porter felt that Wheeler is getting too sophisticated for the size of the City. Councilor Stacks pointed out that Councilors are still responsible for the City during an emergency. Councilor Porter replied "How many emergencies do you have a year? Two?"

Councilor Matthews confirmed Wheeler has had two emergencies since the beginning of December. She wished to remind the Council that she travels frequently.

Councilor Stacks said there are lots of other people who can fill in for absences, but if nobody communicates their vacations, we won't know who is and who isn't in town.

Councilor Ragnell asked where the emergency team comes into this. Councilor Stacks said they are advisors and help Wheeler get set up, but they are not authorized to make any decisions or to activate EVCNB CERTs. According to the bylaws, the WET Team is ancillary to the City Council. Councilor Stacks said she knows this policy looks fancy and like it is too much for Wheeler, but this is how a town operates and how a town communicates.

Mr. Anderson said he has been on numerous construction jobs and had to have a plan for emergency crews. They took the top three people, and as long as those three communicated and at least two of them were around, they only needed to contact the next person down the line to verify that they had been filled in. It's still communication, but Wheeler will already have a Public Works person on call, and with the City Manager and Mayor there would likely be another person available. You create a phone list, and if the Mayor isn't available you call the next person down the list and so on. Otherwise it gets very confusing.

Councilor Matthews stated that the City employees may need to be incorporated somehow. Councilor Taylor also wanted to know the limits of what "being on call" would be. Mayor Kemp said he wanted to be sure that Wheeler maintains a calendar and that the Councilor's have a liability to let the City know when they are going to be gone. Wheeler is a bit lax on our internal communication on this as the Councilors don't always know which Public Works employee is on call. *Pax later confirmed with Phil that he should always be the first Public Works contact in an emergency situation.*

This Resolution has been tabled until next month's meeting.

### **New Business**

*a. February Police Safety Report -*

The councilors had no particular concerns about this report.

*b. City Hall Flooring -*

Pax mentioned that it is only the main office that has been having the issue of the wet carpet. Under the carpet is concrete, but there is a layer of glue residue between them that may need to be sanded/scraped off if the carpet is removed. A possible option at that point would be to apply a sealant to the concrete and leave that as the floor. Pax mentioned that the Building Reserve Fund has Capital Outlay for City Hall (\$65K), but he was unsure if that could be used just for sealing the existing floor versus the purchase and installation of new flooring.

Councilor Taylor pointed out that any new floor would also get damaged by water if the leaks weren't addressed first. Councilor Porter questioned why sealing the floor wouldn't count as a capital improvement. Councilor Matthews questioned if a self-leveling epoxy surface would constitute a new floor and qualify as a capital improvement. Pax said he could research it further.

Councilor Ragnell questioned if we could tear up the bad part of the carpet and just put mats down for now instead of having to redo the whole floor. Councilor Stacks confirmed that the whole wall behind Madi's desk also leaks, so the whole carpet probably needs to come out. Councilor Ragnell said this has likely been going on for years.

Councilor Matthews said that historically the City Council didn't want to invest a bunch of money in the decrepit City Hall building. It would be better to save the money and keep looking towards a new building. Mayor Kemp suggested sealing the outside of City Hall and putting better drainage in first before dealing with the flooring. Councilor Matthews suggested disinfecting the carpet next to the door as it poses a mold risk. Mayor Kemp suggested power-cleaning it.

c. *MOU With EVCNB –*

Councilor Stacks mentioned that this MOU states that EVCNB furnishes Wheeler with teachings and knowledge, and Wheeler needs to have proper insurance to cover any injuries that the EVCNB volunteers incur while responding to emergencies. This is coverage that the City of Wheeler already has in the existing CIS policy. Councilor Matthews said the MOU indicates that EVCNB is to get payment from Wheeler to support their mission. Councilor Stacks said we pay \$650 yearly for their training and mentorship. Councilor Matthews questioned if larger cities pay the same rate as Wheeler. Councilor Stacks was unsure but said that Wheeler has definitely taken the best advantage of the EVCNB compared to the other cities. Wheeler is the only town that sent out mailers (through the WET Team). Councilor Stacks said that EVCNB provided all the publications and half of the postage out of their budget. *There was general agreement from the City Council to approve this MOU.*

d. *Volunteer Applications -*

Courtney Banks said that is quite an honor to be stand before the City Council. She had lived in Egypt for 20 years and had to escape, she came here with nothing. She has been in Oregon for the past 5 years and has worked at the Food Bank for the last 4 years. The community has been very good to her, and she has always wanted to find a way to give back. She has never worked in government, but is interested in joining both the Planning Commission and Budget Committee.

Councilor Matthews mentioned that there is a lot of reading to be done for the Planning Commission, but it is a matter of looking at documentation and proposals and seeing how well they match. The Budget Committee looks over the proposed budget and makes changes as needed. In municipal budgets you have to categorize expenses in different funds, and it can be a bit cumbersome. We have good support from our Finance Manager and City Manager who will help explain where the numbers came from.

Ms. Banks asked if there was any sort of probationary period with her appointments.

Mayor Kemp said that the budget is basically created by the City Staff and submitted to the Budget Committee, which includes all the Councilors and some electors from the community. We want the citizens to be on the committee, provide input, and to see the process. None of us have degrees in finance, but we work together because it is our responsibility to keep the City running within these parameters.

Councilor Matthews **made a motion to approve Courtney Banks' appointment to the Planning Commission.** Councilor Taylor **seconded the motion.** **The motion was passed 5-0** (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).

Councilor Matthews **made a motion to approve Courtney Banks' appointment to the Budget Committee.** Councilor Taylor **seconded the motion.** **The motion was passed 5-0** (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).

Councilor Matthews **made a motion to approve Mike Anderson's appointment to the Budget Committee.** Councilor Taylor **seconded the motion.** **The motion was passed 5-0** (Yes: Matthews, Ragnell, Taylor, Stacks, Porter; No: none).

e. *Salmonberry Trail Guided Hikes –*

Councilor Matthews said that Caroline Fitchett (Executive Director of the Salmonberry Trail Foundation) has proposed that a group of agencies including Wheeler host some hikes that start from here. Tillamook County Wellness, Visit Tillamook Coast, Tillamook Creamery, and the Salmonberry Trail Foundation would all be involved and would help provide volunteers, advertising, speakers, and possibly some food. The hikes would start in the center of Wheeler and either hike south to the jetty or north towards Moheler. They are thinking about 4 hikes in all, 2 on weekends and 2 on weekdays. They usually cap their hikes around 14 people and like to have captains at the front and back. Councilor Matthews mentioned there is a difficult spot to traverse near the trestle by Fishery Point and it may not be a safe hiking location. Councilor Matthews asked if this is something the City wants to embrace from a fundamental standpoint. She said she'd be willing to lead a hike if it was safe and we had the necessary volunteers. Pax questioned how much specifically the Salmonberry Trail would like from Wheeler. Councilor Matthews suggested putting these hikes later in April. Mayor Kemp asked when the Rail Riders were going to start again. *Pax later confirmed that they will start at the end of May.*

### Committee Reports

a. *Waterfront Development Citizens Advisory Committee –*

This committee meets twice monthly on the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays, but they may modify that to be the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays to better fit in with the members' schedules. They have been doing brainstorming sessions on 10 different categories that were concept headers in the documents of the Waterfront Development Plan, the Vision, etc. The next step is to look at areas where code can be inserted into planning documents or other ordinances. Mayor Kemp asked if there had been any discussions regarding helping the Old Wheeler Hotel find new businesses to rent out downstairs. Councilor Matthews said that had not yet been discussed. The element for "finding tenants" doesn't really get covered in this committee other than retaining a feel of town and making sure it has historic consistency. This may be more of a Business Association type of question.

b. *Parks & Recreation –*

The weather has been lousy lately so this group hasn't started meeting yet. The work sessions will move to Friday afternoons. There has been some pruning work getting done with the assistance of Public Works. Councilor Matthews thanked Mrs. Taylor for cleaning up underneath the Wheeler sign. The team wants to focus on Waterfront Park and get the perennials pruned down and ready for spring!

c. *WET* –

Councilor Stacks said the OREM grant keeps changing their plan of action. This grant could potentially get Wheeler 3 Konnex containers full of emergency supplies that would get delivered and installed where Wheeler wants them (with power and security systems). Councilor Stacks and Pax will be driving around town to look at possible locations for the containers. Councilor Matthews mentioned that previously there had been discussion about a building and waste facilities at Upper Park that could have a dual use. Councilor Stacks said that the grant requirements have changed. Each Konnex would have emergency supplies and housing (tents) for 200 people. The application is due April 30<sup>th</sup>. Wheeler also really needs a plow and so we may apply for that as well. Councilor Matthews asked about security. Councilor Stacks said the Konnex comes with locks and a security system. If we are awarded the grant, the emergency supplies in the shed could be moved to a Konnex and the shed could be used for an operations center. Summertime assembly site pop-ups will be happening soon, too.

d. *Port of Nehalem* –

Councilor Stacks asked if there was a reason why they aren't going to dredge. Councilor Porter said it isn't going to happen. There are so many agencies involved that permitting becomes impossible due to all the delays and the expenses. It can take years to get approval and even the agencies involved argue back and forth about the permits and don't know how to properly fill them out. Councilor Matthews asked when the Port would put buoys back out. Councilor Porter was unsure.

e. *Planning Commission* –

Pax read the Planning Commission report. A copy is included in the Agenda Packet.

**Mayor and Councilor Comments**

*None*

**Adjournment**

Mayor Kemp called the meeting to close at 7:57 PM.

Dated: March 19, 2024



Clif Kemp, Mayor



Pax Broder, City Manager/Recorder

Recorder: Pax Broder