



THE CITY OF WHEELER

CITY MANAGER REPORT

January 16, 2024

LITIGATION:

- Botts Marsh LLC v. City of Wheeler – The city has been instructed to complete the LUBA Remand 2022-002 for a building for the processing, storage, and retail sales of fish and shellfish. A tentative finding of approval was voted at the December 19th City Council meeting and written findings have been provided for Council approval this evening.
- Richard Buchanan v. City of Wheeler – This case will be in the discovery phase until late March. We anticipate that depositions will begin in the very near future.

ADMINISTRATION:

- The city is currently working on an easement agreement for the private property on which the Gervais Creek stormwater inlet is located. We had a meeting with the property owner earlier this month. Our lawyers are drafting an agreement that will allow for the installation and continued maintenance of the new stormwater system that we intend to construct once we receive final approval of the grant from FEMA.
- The Nehalem Bay Health District was informed by their surveyors that there is a small strip of land along Hospital Road that appears to belong to the City of Wheeler. The Health District has been assessed and has been paying taxes on this strip of land as if it was part of their lot. A portion of their proposed driveway, the tip of a few parking spaces, and some utility access would all be located in this strip of land. The city is currently working to track down the deed to that strip of land, and the NBHD is hopeful that the Council will consider transferring ownership to them.
- On January 11th we had our Community Assistance Contact from the DLCDD regarding development in the floodplain. They will provide a formal report in the next 45 days with suggested updates to our floodplain development code and floodplain permitting process.
- A question came up about the location of the new gateway signs and we reached out to Nan Devlin to see if the southern sign could be relocated closer to city limits, near Paradise Cove. It seems like that is a possibility. We have reached out to Paradise Cove to see if they would be willing to provide written permission for us to put the sign there as it would not fit entirely within the ODOT right of way and would at least partially be located on their property.
- A citizen has reached out to the County Health Department to make a formal complaint about human waste located at 1234 Fourth Street. Unfortunately the County determined that there isn't much they can do on their end, and that it is more of a city issue. I've been in touch with the realtor for that property who informed me that there are new owners who will be closing on Thursday, and part of the agreement includes the removal and proper disposal of the blue barrels of human waste by the former owner by the end of next month.

GRANTS & PROJECTS:

- Waterfront Restrooms – Rebuilding the restroom in its current location seems to be the best option. A new lease is being drafted now between the City and the Port of Tillamook Bay that will include the 25 year timeline text required per the grant from OPRD. We are currently waiting for a copy of that new lease. Once in hand, we will proceed with the engineering and design of a stick-built restroom.
- Gervais Creek – Our subapplication has passed the initial Hazard Mitigation Technical Assistance Program review and is now in the Environmental and Historic Preservation Review. The EHP review is expected to be a lengthy process. We expect to get more information near the end of this month.
- Asbestos Concrete Water Lines – The city intends to pursue a Safe Drinking Water Loan that is to update approximately 3,200 feet of asbestos concrete water lines within the water distribution system. Our letter of interest was well received earlier this year. The public comment period for the Intended Use Plans of the BIL funding will end the day after tomorrow, and pending those comments they will then be moving forward on invitations to water systems (including Wheeler) for funding.
- Hemlock Street –The city has submitted applications for a Technical Assistance Grant via Business Oregon as well as forgivable Planning Loan from the Clean Water State Revolving Fund (CWSRF) to fund the Geotech and engineering reports required for repairing Hemlock Street. Business Oregon said our application is in the process of being reviewed and approved by management, but that we should expect an award any day now. The DEQ said they will be reviewing our application tomorrow.
- Dredging – we have received emergency authorization permit approval from the Department of State Lands to remove the fill that has accumulated under the dock. We have been exempted from having to purchase that material from the State, and it has been determined that our proprietary access to work in that area is sufficient for this dredging and no short-term waterway access permit will be required. Because this is a critical salmon habitat, work in the river has been completed by February 15th. We are still awaiting final approval from the Army Corps of Engineers, who are expediting the process and have already received approval from the National Marine Fisheries Service. We expect to receive final permit approval from them this week. We tentatively have Jiffy Construction scheduled to complete the dredging work during a low tide on January 22nd.
- Gangway–Phil met with Joe Sopko of Sopko welding to go over the scope of work for the gangway and dock repairs as we had some concerns about what all would be included in that work. Sopko has a plan to address all the issues we raised (the quote includes the full barrel hinge and pin replacement, new skids for under the gangway wheels on both sides, etc.). Sopko would like to do the gangway repairs as well as a rebuild of the first dock piling bracket. We are going to hold off on the replacement of the remaining dock rollers at this time due to funding constraints. Sopko is tentatively scheduled to remove the gangway and first dock section on Thursday.

- Salmonberry Trail –The Tillamook Coast Visitors Association had a Tourism Facilities Grant available that closed on December 15th. The Salmonberry Trail Foundation did the grant writing to get funding for materials to build a demonstration trail segment and railway platform, and they submitted the application in the name of the City of Wheeler. The Board of Commissioners award decision is tomorrow, and notifications will go out to grantees on January 31st.
- CIS Recreational Immunity Grant – CIS offered a \$5,000 grant to help with maintenance and signage related to recreational immunity. Our application was submitted last week.
- SCADA System – The Bureau of Reclamation has offered a WaterSmart Small Scale Efficiency grant for up to \$100,000 (though it requires a 50% match). The City has submitted an application in the hopes of getting a new SCADA system as well as new panels and PLC computers at the remote pump sites. The existing system no longer functions interdependently and has reached the end of its useful life. Consequently, extensive staff hours are required to manually operate and monitor the system. Despite staff's diligence, the system is still vulnerable to instances when water loss cannot be quickly detected or accounted for. A new SCADA system will allow for continuous monitoring of the water distribution system, with potential benefits to both water conservation and energy efficiency.