

**BAY CITY COUNCIL MEETING
DECEMBER 13, 2011**

CALL TO ORDER/ROLL CALL/WELCOME--6:00 P.M.

The Honorable Mayor Shaena Peterson called the Bay City Council meeting to order at 6:00 p.m. Mayor Peterson asked that everyone stand and join her in the Flag Salute. The following Council members were present: John Gettman, Pat Vining, Becky Smith, Kari Fleisher and Robert Pollock. Others in attendance were City Attorney Lois Albright, Public Works Superintendent David Pace, Fire Chief Darrell Griffith and City Recorder Linda Downey. See the attached list of visitors.

VISITOR'S PROPOSITIONS

- A. Jerry Rilette with Department of Geology and Mineral Industries (DOGAMI) attended the meeting to notify the Council that a grant was awarded to the Tillamook Bay area for public outreach on tsunami education. The goal is to educate the communities in the area so that no one would perish from a tsunami. The grant work will end at the end of July 2012.

There are five projects they would like to accomplish with the grant. The Council may decide to complete all or some of the projects.

- 1) A pre-survey to determine the knowledge base of the community with regards to tsunamis.
- 2) Several outreach events with the community for basic information about the threat of tsunamis. On March 11, 2012 at the Tillamook Bay Community College, where will a large outreach event where more scientific information will be discussed.
- 3) A door knocking campaign to distribute pertinent literature to everyone in the inundation zone.
- 4) An evacuation drill.
- 5) A post-survey to determine the knowledge base of the community after the outreach events were completed.

Mr. Rilette volunteered to assist with the projects and explained that Bay City and Garibaldi should work together for the outreach events.

DOGAMI has provided money for teaching Citizen Emergency Response Teams (CERT) and Map Your Neighborhood programs.

New maps showing inundation areas will be released from DOGAMI in the middle of January.

Mr. Rilette distributed the pre-survey to the Council. Mayor Peterson requested the Council answer and return the pre-surveys to City Hall by Friday. Approximately 100 pre-surveys should be collected for the City.

Motion by Councilor Pollock, second by Councilor Smith, to appoint Councilor Vining as the liaison to the Fire Department to work on tsunami preparedness. Motion carried 5-0.

Mayor Peterson thanks Jerry Rilette for his very informative presentation.

COMMITTEE REPORTS

- A. Administrative: It was noted that there has been no applications received for the council vacancy.

Fire Chief Darrell Griffith said everything is going well at the Fire Department.
- B. Community Development: No report.
- C. Public Works: Superintendent David Pace acknowledged his Public Works Report and noted that he attended a CIS Risk Management Class. It is a very in-depth program that will work well with other projects he has been working on.
- D. Park Committee: The Sports Court is still under construction. The drainage pipe has been placed. Work will continue as time and weather permits.
- E. Streets Committee: The first Street Committee meeting was held. The street priority list from 10/12/2006 was reviewed. Of the 48 streets identified on the list only 14 remain for improvement. A traffic counter will be placed on 16th Street to collect traffic information to see if the street meets the requirements for the special cities allotment grant. The next street meeting will be held January 4, 2012. The committee will work on a plan to inspect the culverts and ditches throughout the City.
- F. Hazard Mitigation Committee: Councilor Vining stated they are continuing to work on the park property.

MINUTES

Motion by Councilor Gettman, second by Councilor Vining, to approve the minutes of the 11/14/2011 Workshop as written and 11/15/2011 Regular Meeting as amended. Motion carried 5- 0.

TREASURER'S REPORT

With no questions or corrections, Mayor Peterson ordered the Treasurer's Report to be filed for audit.

BILLS AGAINST THE CITY

Councilor Smith, Councilor Gettman and Councilor Pollock reviewed the bills.

Motion by Councilor Gettman, second by Councilor Fleisher, to approve the bills against the city in the amount of \$58,404.01.

The amount does not include the City Planner's bill. Superintendent Pace had some questions on the bill and will speak with her tomorrow. The Planner's bill will be paid when approved by the Superintendent.

Motion carried 5-0.

Councilor Vining suggested that if the Council has questions about the planner's bill she should be asked to attend the meeting. No decision was made to speak with the Planner at this time.

UNFINISHED BUSINESS

- A. Kilchis Regional Water District Intertie: Superintendent Pace said that Tillamook is offering a 3/4 inch water connection and meter installed in exchange for the easement. The Council will decide if Bay City will also offer a water connection and meter in exchange for an easement. Attorney Albright said historically there is very little value to easement property. Most easement property is within the setback area and would not allow structures to be placed in the area. Discussion was held on the value of an easement and the value of the system development charge (SDC.)
- B. Kilchis Consolidation: Superintendent Pace submitted a proposal for the mapping of the new water district. Superintendent Pace will assist with the research for the maps. A contract should be prepared for the January meeting.
- C. 16th Street Drainage: Superintendent Pace said both catch basins are installed. The 16th Street basin will require paving or cold patch around it and will be completed as weather permits. Slight ditching will be required to direct water into the basin.
- D. Time Extension for Application of Water Right/Water Use Permit: Superintendent Pace stated that an extension has been approved until the end of January. He was informed that many of the state workers take leave time at the end of December so he does not expect further progress until January. Councilor Gettman asked if the third well would be included in the application. Superintendent Pace explained that it would not be a portion of the current application. Pace spoke to the engineer and an application for a third well could be submitted after the water rights application is approved.
- E. Trade Street Violation: Public Works Superintendent David Pace said that he was unable to visit the site. The item will remain on the agenda. Superintendent Pace will visit the sight. If the violation is not addressed he will issue another letter to begin abatement at the January meeting.
- F. Warren Street Water Line Replacement: Superintendent Pace said that the estimate for the waterline replacement was much higher than anticipated. He suggested the design

work be completed this year and then budget for the line replacement in phases. Councilor Smith noted that the portion of Warren Street being discussed is a very short section of street, however it is the only access to the Goose Point area and the access to the Pioneer Museum Trail property. More than one thousand visitors have come to the museum property in the past year. Traffic will continue to increase on Warren Street in the future.

NEW BUSINESS

- A. Water Distribution System Pressure Test: Superintendent Pace said that they isolated the new reservoir from the system. The pressure tests taken are the same. He does not believe that the new reservoir is the cause of the high pressure. Mayor Peterson spoke with a plumber and was told that the City should be able to install a vault with a pressure reducer valve on the main line. Superintendent Pace did not believe a valve and vault would resolve the issue because of the changes in elevation. A valve would reduce all pressure on the system.

Bay City resident Jan Lindland asked who will be required to pay for the reducer valve. Superintendent Pace explained that the City will need to determine how to address the issues of the pressure after the evaluation of the system is complete.

Discussion was held.

Superintendent Pace stated that plumbing code would require a pressure reducer valve and an expansion tank for high pressure.

Attorney Albright recommended Superintendent Pace contact the engineer to provide a report to the Council with a map and possible solutions. As well as the City's options and an explanation as to why a valve on the main line would not resolve the issue.

Councilor Smith suggested that a special meeting be called when there is more information available from Public Works and the City Engineer. A possible date of January 3, 2012 was set.

MAYOR'S PRESENTATION

Mayor Peterson acknowledged the Fire Department's Christmas party on Saturday, December 17, 2011, and the City's annual Christmas party being hosted by Terry and Diane Griffin on Tuesday, December 20, 2011.

CITY COUNCIL PRESENTATION

None

CITY ATTORNEY PRESENTATION

Attorney Albright provided update information to the Council concerning a City business development loan made in 1986 to Tokyo Connections, Inc. and Suzanne Graeber. The loan was for \$28,000.00. \$600.00 was repaid leaving a balance of \$27,400.00 owing at a rate of 5% per annum interest. The City filed a lawsuit in 1991 and obtained a judgment 01/14/1992 against Tokyo Connections, Inc. and Suzanne Graeber. Suzanne Graeber is also known as Devall and Rober. Every attempt to locate the individual has been unsuccessful. A money judgment can last for 10 year and can be extended for one additional 10 year period. Attorney Albright renewed the judgment on 12/5/2001. The City is without any further remedy against Tokyo Connections, Inc. and Suzanne Graeber.

EXECUTIVE SESSION

The Mayor informed the audience that the Council will now go into executive session pursuant to ORS 192.660(2)(h), 192.501(1) & 192.502(1) pertaining to consulting with legal counsel, and possible litigation.

The Council went in to executive session at 7:30 p.m.

The Council returned to regular session at 7:55 p.m.

Motion by Councilor Gettman, second by Councilor Fleisher, to authorize staff to proceed with the easements for the Kilchis Intertie as discussed in the executive session. Motion carried 5-0.

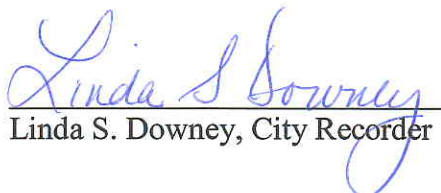
Motion by Councilor Pollock, second by Councilor Smith, to respond to Bob Miles' letter of request and inform him that the City is looking into their viable options and will contact him as soon as possible once a decision for the system it made. Motion carried 5-0.

ADJOURNMENT

Motion by Councilor Gettman, second by Councilor Vining, to adjourn the meeting at 8:00 p.m. Motion carried 5 - 0.



Shaena E. Peterson, Mayor



Linda S. Downey, City Recorder

SIGN-IN SHEET

BAY CITY COUNCIL MEETING
DECEMBER 13, 2011, 6:00 PM

Darrell GRIFFITH

Jerry Rietta

John SULLMAN

Chad Burt