

Richard Miles, city resident, spoke about honey getting more than vinegar, he thanked Will Caplinger for all his hard work on the tree grant, and said the Parks Department has been working at Price and Mason Malls, even in the rain, and they are taking out trash trees. He also spoke about an agenda item for a theme for the city, this being the home of the Redwood National Park, making this town a Tree USA community, and forming a tree committee and looking into contacting the Arbor Day Foundation.

Linda Sutter, city resident, spoke about reviewing the antiquated conflict code, the Public Works Director not reporting his property on his FPPC form, the lift station, CDBG funds, lift station repairs, and a gift to the county behind Walmart.

Jody Mangum, city resident, spoke about an article in the Times Standard concerning contacting people in an emergency and she hopes the council will look into that further.

Council Member Westfall responded to comments made by Linda Sutter at the last council meeting.

CONSENT CALENDAR

- 2. Approval of the regular meeting minutes of December 15, and the special meeting minutes of December 18, 2008**
- 3. Approval of warrant claims list for the period December 15, 2008 through January 5, 2009**
- 4. Receipt of biweekly payroll reports for the period ending December 20, paid December 23, 2008**
- 5. Approval of fee waiver for use of Cultural center for Chamber of Commerce Annual Dinner, January 31, 2009**
- 6. Approval of Waste Water Treatment Plant Change Order #4, which covers various items with a net credit (reduction in project cost) of \$93,487.59**
- 7. Approval of letters in support of local government priorities in Economic Stimulus Legislation, and City of Crescent City comments on Air Resources Board Proposed Scoping Plan**
- 7b. Approval of payment of Wahlund Construction invoice #19, and Stover Engineering invoice #20**

Council Member Burns made a motion to add item 7b to the Consent Calendar since it came up after the agenda was posted and requires action prior to the next meeting; the motion was seconded by Council Member Murray and so carried unanimously, 5-0.

Council Member Burns made a motion to approve the Consent Calendar as presented, including the added item; the motion was seconded by Council Member Murray and so carried unanimously, 5-0.

Richard Miles, city resident, spoke about sewer project items we don't need, Stover Engineering, the sewer loan, \$93K in credit, and asked how that money was going to be spent.

Jody Mangum, city resident, asked what the credit was for and Mike Young, Interim City Manager, went over the items and said in answer to Richard Miles' question, we are not going to spend the money. Jody spoke about cement around the lab building and asked what happened to fresh soil and fill dirt from the MBR.

PUBLIC HEARINGS

8. Conduct a public hearing to waive the second reading and adopt a Local Coastal Program Amendment (LCPA08-01), and take action as necessary and Appropriate

Council Member Westfall recused herself from Item #8 because she owns property within 500 feet of the area.

Will Caplinger read items from his 13-page report and discussion followed. Randy Baugh made a presentation of the changes on his project and stated they are members of the U.S. Green Building Council and this will be the first building built in this area to those specifications. Discussion followed.

Richard Miles, city resident, said it was inappropriate to have Mr. Baugh do his presentation; he also spoke about the Coastal Commission, the possibility the project may take years and Mr. Baugh may not be able to get funding for this project. Mr. Miles said he hopes council vote yes for this, he wants tests for the garage in case of boulders and water, vote for this then make Mr. Baugh come back with explanations of the truth.

Kirk Roberts, city resident and Planning Commissioner, spoke about test boring holes, his concerns on setting up a higher density on the entire area, variances, the Planning Commission, and spot zoning on that lot.

Natalie Fahning, city resident, spoke about wanting to see a geological study that was done, her previous letter against the zoning changes for this project, and protecting the coastline.

Council Member Slert said that as a city, we are trying to clean things up such as errors and mistakes of the past, and are looking at the notion of transition between high density and low density of the area. More important is the issue of the bigger massing of the project and how it is broken down and the issue of setbacks and use of materials. Council Member Slert stated he appreciates the input tonight from various people, but it is

important to know this project has to go through several levels and has shown a substantial evolution as compared to previously. This is really about getting our house in order and will result in high quality housing products, which will increase costs, revenue, and jobs.

Council Member Murray stated she appreciates concern about the tide pools, visuals, etc., but that she has faith in the Coastal Commission.

Council Member Burns made a motion to approve Resolution 2009-02 of the City Council of the City of Crescent City amending the Local Coastal Plan Land Use Map and the text of the Coastal Zone Multiple Family Land Use Designation; the motion was seconded by Council Member Murray and so carried, 4-0, with Council Member Westfall abstaining.

Council Member Burns made a motion to approve Ordinance No. 737, revising the Crescent City Municipal Code Title 17, Coastal Zoning, by amending the Coastal Zoning Map and the text of Section 17.67.030.B; the motion was seconded by Council Member Murray and so carried, 4-0, with Council Member Westfall abstaining.

9. Conduct a public hearing to consider and adopt a new fee schedule and fee structure for the pool, and take action as necessary and appropriate

Matt Hildebrandt, Pool Director, reported and discussion followed. Council Member Burns spoke about physical therapists making a profit from using a public pool.

Linda Sutter, city resident, agrees that therapists are making money off the pool and she hopes the council doesn't push the cost of the pool off on the people and for them to consider not charging the people too much.

Richard Miles, city resident, stated rate schedules are not outrageous and that Ms. Sutter should go to the public pool in Monterey if she thinks \$8 is too much because it is that much per hour to the their pool. He also spoke about being a victim of Medicare fraud by at least two physical therapists until he got into another program. Mr. Miles said the swimming pool is the only place where therapists can make a living so they are using our facility at an outrageously cheap rent and use insurance.

Council Member Burns asked staff to find out some amounts charged out of state or call the physical therapists in the area and ask how much they bill. Council Member Burns said he feels that if they want to come or send a client to simply swim, that is fine, but if they are using a public facility and making money by doing so, he does not approve.

Council Member Burns made a motion to adopt the proposed fees as presented, but know that in the future, we may bring back the physical therapist matter at a later date; the motion was seconded by Council Member Westfall and so carried unanimously, 5-0.

Council Member Slert concurred with Council Member Burns and would like to know how the community will respond to the new pool and how does the economy affect the pool. Mike Young, Interim City Manager, will be looking into the matter.

REPORTS

Reports relative to the City of Crescent City programs and projects from staff or outside agencies

10. Consider publishing a City Newsletter to be mailed to all City residents and take action as necessary and appropriate

Mike Young, Interim City Manager, reported a City Newsletter would be approximately \$150 per edition, close to \$6,500 per year depending upon how many times it is issued. One could possibly be put together by April. Council Member Westfall thought it is a good idea and we might consider advertising to offset some of the costs. Council Member Murray stated she thinks it is a good idea to have it be an electronic, as was suggested by Mayor Schellong. Council Member Slert said it is a great investment and is positive and will get more people involved. It could be placed in motels so visitors may see what is happening in our community. Mayor Schellong stated she would like the first publication in April, then decide from there.

Richard Miles, city resident, said to put the letter in blog form and integrate it with the chamber. Many people come to this community with the wrong computers. He would like the council to do the first publication on paper, then work with Fritz to put it on blog.

Time Hoone, city resident, stated it is a great idea to put out the newsletter and he is looking forward to it.

Direction was given to staff to go out to bid to get this taken care of and maybe the Triplicate could invite people to input names for the paper.

Council Member Burns made a motion to adopt a one-time April 2009 newsletter for approximately \$2,000; the motion was seconded by Council Member Westfall and so carried unanimously, 5-0. Council stated the Triplicate could report the city is looking for a title for the newsletter.

11. Update of audit status

Ken McDonald, Finance Director, reported that certification was received from the State Auditor's Department and the only thing we are behind on are some State reports that should have been filed in October and should be finish in the next month. Council Member Burns stated there was such a huge backlog for the Finance Department and thanked Ken McDonald for his efforts. Mayor Schellong stated that Mr. McDonald has done an amazing job and she appreciates his work.

CONTINUING BUSINESS

12. Consider and approve sewer Resolution 2009-01, applying Engineering News Record Construction Cost Index and take action as necessary and appropriate

Robert Black, City Attorney, reported and discussion followed. The inflator only applies to future construction costs. Council Member Westfall's concern is that when the time does come for future expansion, the money won't be enough and we will have to raise rates again and we need to be cognizant of that. Council Member Burns said we are cognizant of the fact that we need to be putting money away to do and maintain projects. Mayor Schellong said this council would address a capital improvement plan as well as a vision of what we want this community to be like in five years.

Council Member Burns made a motion to adopt Resolution 2009-01, adopting cost of living adjustments and annual review procedures for sewer capacity charges; the motion was seconded by Council Member Slert and so carried unanimously, 5-0.

NEW BUSINESS

13. Consider and discuss exemptions for U.S. veterans' business licenses and take action as necessary and appropriate

Council Member Westfall reported that Jeff McCadden asked her to put this on the agenda several months ago and she would like to do this in honor of Bruno DeSoleni.

Council Member Burns asked how many veterans take out business licenses and what the fiscal impact is. Mike Young, Interim City Manager said he did not know. Council Member Slert stated that being a veteran himself, it is a nice gesture but he could go either way. Council Member Murray stated she always wants to honor our vets, but is not sure whether we need to add something that is already done by the State. Council Member Burns asked about the range of fees.

Richard Miles, city resident, stated that Eureka offers a fee waiver for disabled vets, but for other vets, he believes it would be a conflict of interest because if you waive this fee, you are going to take away money from BID. Mayor Schellong stated that BID dues are separate from licenses.

Council Member Westfall stated she would do a little more research.

14. Consider and discuss a theme for Crescent City and take action as necessary and appropriate

Mike Young, Interim City Manager, reported several themes are reported in the General Plan, which has central theme elements: Redwood National Parks, Fishing Village, Historical Past.

Council Member Westfall said she wants to get a consensus from council on what they think about creating a theme. Council Member Burns said he thinks it is a good idea, but we should stick with our General Plan and not create something. Council Member Slert said his understanding was we already had a theme, thus the anchor and poles with rope wrapped around it. He doesn't want it to be a theme park. Instead of reinventing the wheel, he would rather see us get back on track and create quality for our community. Council Member Murray stated she likes the idea of embellishing on the three themes that stick with the natural elements and embellish them. Council Member Slert spoke about Old Town Eureka, or Fortuna, or Ferndale where there is an identity that is created for the whole community. Mayor Schellong said maybe we need to establish guidelines for the Planning Commission and work in concert with the County and Harbor. Mike Young will put that on our City/County agenda. Mayor Schellong said she appreciates the more natural theme consistently throughout the city, maybe as you enter or leave the city. Council Member Westfall stated she does not want to see a tsunami theme.

Kirk Roberts, city resident, Planning Commissioner, and Mural Society member, spoke about various murals as a drawing factor to bring people into the community.

Richard Miles, city resident, spoke about the tidal wave, Congressman Don Clausen, and RDA and said we are not like Arcata or Eureka because we had all our old houses wiped out. He said we are a seaport, where the redwoods meet the sea, comeback town, gateway, and we need everyone to jump on board with the three themes we have. We haven't come together as a community to make those things workable.

Chris Howard, county resident, spoke about employment, increased job capacity, and themes and said maybe we have jumped the gun a little on various themes and architectural direction would help.

Tim Hoone, city resident, said he is encouraged about this discussion and that we have been remiss for years in not getting architectural guidelines. We have more species of birds in this community than all of Oregon combined; now make it apparent through signs, architecture, promotions and whatever else is available.

CITY COUNCIL ITEMS

Legislative Matters – None

Reports, Concerns, Referrals, Council travel and training reports – In accordance with Gov't Code § 54954.2(a), City Council Members may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda

Mayor Schellong stated we lost Mr. Bill Stamps, Sr. one year ago and asked for a moment in his honor.

Mayor Schellong stated she thinks this year is going to be a turning point for Crescent City by the council listening to their community, and having better employees and employers.

Council Member Westfall reported she will have a Meet the Council Woman on Sunday, January 11, 2009 from 1:30 to 3:00 p.m. at Crescent City Nursing and Rehabilitation. She also spoke about the Welcome to Crescent City signs and is eager to make the signs more colorful.

Council Member Slert spoke about flooding in front of the Harbor and Highway 101, and also down Sand Mine Road there is major flooding due to debris in the culverts. Mayor Schellong suggested talking to the Board of Supervisors and asking them to speak with Caltrans because that area is not in the city. Council Member Slert stated he also had inquiries from residents concerning Walgreen's' parking ratio and that their landscaping is impairing visibility as you pull out of their parking lot. He would also like to look into police pay parity, and asked what the city policy is concerning authorizing payments or purchases. Council Member Slert also asked whether we have a map of properties owned by the city and/or their value or zoning. He wants them on-line so people may see what is available within the city.

Council Member Murray spoke about blueprinting and the economic summit, and her attendance at the Senior Center Board Meeting.

Mayor Schellong spoke about the sign at the "ess" curve and that Rick Nolan says the National Parks did provide the sign in the 1990's and he went over the colors and recommendations on how to paint the signs.

Council Member Burns may need to be out of town on January 10, 2009, and four of the five council members will be at a conference in January 20, 2009 (which was originally the 2nd council meeting date for January).

Mayor Schellong stated she wants to address police salaries in the 2009 budget.

CITY MANAGER DIRECTIVES – None

The meeting adjourned back into Closed Session at 9:39 p.m.

ADJOURNMENT

The meeting adjourned at 9:06 p.m.

ATTEST:

L. Dianne Nickerson, City Clerk