



City Council Regular Session Minutes

February 5, 2024

CALL TO ORDER

Mayor Burris called the meeting to order at 7:00 PM on Monday, February 5, 2024, at the City Hall Council Chambers located at 210 Laurel Avenue in Tillamook, Oregon. Microsoft Teams was live and available to the public for the duration of the meeting.

PLEDGE OF ALLEGIANCE

Mayor Burris led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Deputy City Recorder, Tammy Heitsman conducted the roll call. The following persons were present:

Council: Councilor Jason Hopkins; Councilor Brian Reynolds; Councilor John Sandusky; Councilor Nicholas Torres; Councilor Garrett Noffsinger

Staff: Nathan George, City Manager; Jamy Christensen, Assistant City Manager; Tammy Heitsman, Deputy City Recorder; Police Lt. Troxel;

Public: Jane Scott, Jane Scott Video Productions; Mark Slater, HomeServe; Steve Bieranowski, HomeServe; County Commissioner, Doug Olson; Patty Olson, Roy Ellerbroek; Seth Ellerbroek; Pete Peterson; Jenni Price; Tyson Price

Absent: Councilor Henson

MINUTES

- **January 22, 2024; Regular Session Minutes**
- **January 22, 2024; Executive Session Minutes**
- **January 29, 2024; Work Session Minutes**

Councilor Reynolds made a motion to approve the January 22, 2024 Regular Session minutes, the January 22, 2024 Executive Session minutes and the January 29, 2024 Work Session minutes. **Councilor Hopkins** seconded the motion. Motion passed with the following votes.

COUNCILOR	AYE	NAY	ABSTAIN	ABSENT
Councilor Noffsinger	✓			
Councilor J. Hopkins	✓			

Councilor Reynolds	✓			
Councilor Sandusky	✓			
Councilor Torres	✓			
Councilor Henson				✓

PROCLAMATION/ANNOUNCEMENTS

County Commissioner Doug Olson introduced himself and gave a history of his service in Tillamook County.

PUBLIC COMMENT ON AGENDA ITEMS (other than public hearings)

Roy Ellerbroek stated he would like to be more involved and plans on attending more meetings. He stated that at the workshop there was a lot of talk about how desperate the city is for money and maintenance items. He was a little taken aback when he looked at the agenda an hour before the meeting and saw that they were slated for a 34% increase in the City Manager's pay. It looks like you guys just negotiated last year and now this is another negotiation. It surprised him with coming from what he heard at the workshop to reading this.

PRESENTATIONS

None

NEW BUSINESS

1. Request to approve a water leak protection program through HomeServe for residential and business properties within the City of Tillamook

City Manager George explained that this is a follow up item that we talked about at the Council work session a week ago. This is a program that will allow our residents to have leak protection through HomeServe for a low monthly fee. This eliminates the homeowner from having to pay for the repairs. Representatives Steve Bieranowski and Mark Slater gave a presentation of the program and explained how the leak protection service works. The customer can opt in for a monthly fee and have additional protection to cover costs associated with a water leak and repairs. This program will help the homeowner pay for the repairs as well as the high-water bill due to the leak. HomeServe will work with the City to compensate for the high-water bill and the customer will only be responsible for the normal monthly amount they pay. They generally have a 96% participation rate. **Councilor Hopkins** asked how you determine the cause is a leak and if it is covered under this program. **Mark Slater** explained that they would work with the water utility and determine if this was a leak and how they would like to handle the high bill for the customer. The utility would verify that there was an issue and then cover that high bill. **Councilor Hopkins** asked about how the customer can opt out if they choose not to pay the fee for the service. **City Manager George** is recommending that Council consider the \$2500 coverage plan which would be \$1.81 a month for the customer and then add an additional \$1 which would then be split 50% to the water fund and 50% to the sewer fund as additional source to help. Customers will pay \$2.81 per month if they choose. They have the option to opt

out. If they opt out and then have a leak or high-water bill, they will not be eligible for assistance. We will advertise 30-60 days prior to adding the fee on the bills. If they choose to opt out later, they can do so and will get reimbursed. **Councilor Torres** asked about the advantage to using HomeServe versus administering the program through the City. **Mark Slater** explained that the company can spread the risk as opposed to the City having to absorb it along with greater resources and people to deal with the issues from customers. **Councilor Reynolds** asked if this would cover frozen pipes that crack and break. **Mark Slater** explained that they look at all the plumbing inside the house and if there is a water leak and the meter spins then they are going to pay for it. **Mark** also explained that if there is negligence and somebody leaves a hose running for several days, then they typically do not pay for that. There is no contract for this service, if we decide in a few months or a year that we do not want to continue we can withdraw and there are no penalties or fees. **Councilor Noffsinger** agrees with and feels the dollar amount is reasonable and likes that the customer has the option to opt out. **Councilor Hopkins** stated that he is cautious about adding fees to the water bills but feels that this will create help for high water bills and likes that there is the option to opt out.

Councilor Torres made a motion to approve the water leak protection program through HomeServe for residential and business properties within the City of Tillamook at the \$2500 tier of \$1.81 per month plus an additional \$1.00 fee to use as a revolving fund for customers. **Councilor Sandusky** seconded the motion. The motion passed with the following votes.

COUNCILOR	AYE	NAY	ABSTAIN	ABSENT
Councilor Noffsinger	✓			
Councilor J. Hopkins	✓			
Councilor Reynolds	✓			
Councilor Sandusky	✓			
Councilor Torres	✓			
Councilor Henson				✓

2. Request to approve Amendment No. 2 to the City Manager Contract

City Manager George gave a summary of his request stating that he was asking to bring his salary up to the competitive rate in the current market. **City Manager George** noted several achievements since his arrival which include hooking up Fawcett Creek intake which had not been hooked up for 8 years and having to inform the Council about massive sewer issues that have not been dealt with going back to 2005. **Councilor Torres** asked when it became standard operating procedure for a City Manager to negotiate their salary. **City Manager George** stated that because his position is a contract employee that he must and has the right to negotiate for his contract. Oregon also has the Oregon Equal Pay Act to ensure that people are being fairly compensated for their positions. **Councilor Sandusky** noted the workshop we had and the discussion of not having much money and questioned how we could afford this raise. **Councilor Reynolds** feels there is an optics issue if we start adding fees onto people's water bills and then a raise comes in. He noted the median average income for Tillamook County is \$53,000 and the

US median is \$75,000. This is a poor county and 11% of the population is in poverty. He stated he understands why Mr. George is asking for a raise but is not sure this is the right time to do it. **Councilor Hopkins** stated that it appears that the salary study is based upon the population of the city. The higher the population, the more money you make. He feels that a \$37,000 increase mid-contract is a significant amount and would be better to negotiate when this contract is up. An exception has already been made to move out of the city. **City Manager George** stated that he understands the argument regarding the funding, but you must understand that it's a tough job that requires many skills. My predecessor was paid a lot more and the Council hired me for \$3,000 less than they hired him for 10 years before me. **Mayor Burris** asked about the experience of the current salary ranges. The study does not tell you if they have been there for 5 years, 10 years or 25 years. The numbers don't say why they were brought it for that rate. **Councilor Torres** asked **Assistant City Manager Jamy Christensen** if they were able to incentivize **City Manager George's** performance with bonuses. **Assistant City Manager Christensen** did state it has been done before when the Council put money into a previous City Manager's ICMA account. It was not part of the contract; it was brought to the Council and they all agreed to it. **Councilor Noffsinger** stated that in January 2023 they approved a 4-year contract for \$110,000 and at that time he stated he was not interested in renegotiating during the duration of the contract to change the wages or the benefits. **Councilor Torres** asked if Council would be open to discussing the incentive of a bonus if **City Manager George** brought in \$1,000,000 in grant funding that would benefit our community. **Councilor Noffsinger** stated he was unclear about the rules and regulations around that. **Councilor Hopkins** stated that everybody should make a competitive wage, but a lot of people here don't because we can't afford it in this little town. With all the discussions we've had about revenue I think it's irresponsible for us to renegotiate. I'm not opposed to paying you a fair wage, I think we should get a few things settled first.

Councilor Noffsinger made a motion to deny the request to Amendment No. 2 to the City Manager contract. **Councilor Hopkins** seconded the motion. The motion passed with the following votes.

COUNCILOR	AYE	NAY	ABSTAIN	ABSENT
Councilor Noffsinger	✓			
Councilor J. Hopkins	✓			
Councilor Reynolds	✓			
Councilor Sandusky	✓			
Councilor Torres	✓			
Councilor Henson				✓

PENDING BUSINESS

1. **ORD 012224** – Request to hold second reading on an ordinance regulating shopping carts within the City of Tillamook corporate boundaries – **2nd Reading & Adoption**



Lt. Troxel received the support of all 3 major stores in Tillamook; Grocery Outlet, Safeway, and Fred Meyers on this ordinance to help maintain control of all shopping carts within the city.

Councilor Sandusky made a motion to hold the 2nd reading by title only of ORD 012224.

Councilor Torres seconded the motion. The motion passed with the following votes. **Deputy City Recorder Tammy Heitsman** read the ordinance.

COUNCILOR	AYE	NAY	ABSTAIN	ABSENT
Councilor Noffsinger	✓			
Councilor J. Hopkins	✓			
Councilor Reynolds	✓			
Councilor Sandusky	✓			
Councilor Torres	✓			
Councilor Henson				✓

There was consensus by the Council to add the adoption of ORD 012224 to the agenda.

Councilor Sandusky made a motion to adopt ORD 012224. **Councilor Noffsinger** seconded the motion. The motion passed with the following votes.

COUNCILOR	AYE	NAY	ABSTAIN	ABSENT
Councilor Noffsinger	✓			
Councilor J. Hopkins	✓			
Councilor Reynolds	✓			
Councilor Sandusky	✓			
Councilor Torres	✓			
Councilor Henson				✓

REPORTS

1. **Mayor's Report** – **Mayor Burris** noted that Charity Drive is starting and to be aware of the students and activities going on.

PUBLIC COMMENTS (items not on the agenda)

None

CORRESPONDENCE/STAFF COMMUNICATION/DISCUSSION

None

COUNCIL COMMENTS (items not on the agenda)

Councilor Hopkins mentioned options for helping citizens pay for sewer repairs and will keep bringing it up until a discussion is had. **City Manager George** stated that on March 4 there will be a work session to discuss sewer laterals. **Councilor Reynolds** also mentioned Charity Drive noting that Tuesday, February 6 is the coronation and a big event every year. He commended



Kurty Mizee, a school board member, who has for several years now in connection with Charity Drive, designated the week before as “Act of Kindness” week in memory of his wife and daughter that were killed in a car accident several years ago. The family puts up a cash prize for the school. The student body does a schoolwide vote for the nicest boy and nicest girl. They help sponsor several events focusing on kindness. It is a great transition into Charity Drive and coming together as a community. Also like to recognize Tyson and Jenni Price for all their help with the high school drag racing team. **Councilor Reynolds** asked about the hiring of a new Code Enforcement Officer. **City Manager George** stated that we are conducting interviews now. **Councilor Noffsinger** also thanked the public members for their support of the drag club.

AUTHORIZATION TO PAY BILLS

Councilor Noffsinger made a motion to pay the bills as presented to the City Council in full. **Councilor Sandusky** seconded the motion. **Deputy City Recorder Tammy Heitsman** conducted a roll call on the motion. The motion passed.

COUNCILOR	AYE	NAY	ABSTAIN	ABSENT
Councilor Noffsinger	✓			
Councilor J. Hopkins	✓			
Councilor Reynolds	✓			
Councilor Sandusky	✓			
Councilor Torres	✓			
Councilor Henson				✓

ADJOURNMENT

Mayor Burris adjourned the Regular Session of the Tillamook County Council at 8:28 p.m.

Approved by:

Attest:

Aaron Burris 3-18-24 *Tammy Heitsman* 3-18-24
Aaron Burris, Mayor Date Tammy Heitsman, Deputy City Recorder Date