

Minutes of the
CANNON BEACH CITY COUNCIL
Tuesday, January 5, 2010
Council Chambers

Present: Mayor Mike Morgan; Council President Sam Steidel; Councilors Nancy Giasson, Melissa Cadwallader and Wendy Higgins

Excused: None

Staff: City Manager Rich Mays, City Attorney Tamara Herdener, City Planner Rainmar Bartl, Public Works Director Mark See, Police Chief Gene Halliburton and Administrative Assistant Brandy Brien

CALL TO ORDER AND APPROVAL OF THE AGENDA.

Mayor Morgan called the meeting to order at 7:00 p.m.

Motion: Giasson moved to approve agenda as presented; Steidel seconded the motion.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously

INTRODUCTIONS AND PRESENTATIONS

(1) Auditors Report by Paul Nielson, ISLER, CPA

Sinclair introduced Mr. Neilson of ISLER, CPA. He reviewed the SAS 114 letter, noting that this is the second year that ISLER has provided auditing services to the City of Cannon Beach. As stated in the *Independent Auditors Report*, on page 1 of paragraph 3, “the financial statements referred ... present fairly, in all material respects” the financial activities of the City.

He reviewed the general fund, the Water Fund and its cash flow, the Wastewater Fund and its cash flow, the Storm Drain Fund and its cash flow, the RV Park Fund and its cash flow and the Recycling Fund and its cash flow.

Nielson also reviewed that, as noted last year, per the SAS 115 letter, an internal control weakness was identified in that the City of Cannon Beach is a beta test site for Caselle and there is increased risk exposure as a result.

Council thanked Mr. Nielson. Nielson thanked Council for the opportunity to speak. He noted his appreciation for Sinclair’s support and for the assistance of other members of City staff.

CONSENT AGENDA

(2) Consideration of the Minutes of the Council Regular Meeting of December 1, 2009 and the Council Work Session of December 8, 2009.

Motion: Higgins moved to approve the minutes of the Council regular meeting and work session as presented; Giasson seconded the motion.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously.

OTHER ACTION ITEMS

(3) Consideration of the Final Findings of Fact and Ordinance 09-11, For the Purpose of Vacating a portion of 7th Street East of Laurel Street.

Morgan introduced the item.

See summarized his staff report. He noted that at the November 3, 2009 meeting, the Council tentatively approved the request to vacate a portion of 7th Street, subject to the preparation of an ordinance and final findings of fact.

Motion: Steidel moved to adopt the findings of fact; Giasson seconded the motion.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously.

Motion: Steidel moved to read the ordinance twice by title only. Cadwallader seconded the motion.

Herdener read the ordinance twice by title only.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously.

Motion: Steidel moved to adopt Ordinance 09-04; Cadwallader seconded the motion.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously.

(4) Consideration of Petition for Additional Lighting for the Crosswalk Located at the 200 Block of N. Spruce Street Mid Block Across from the Main City Park.

See summarized his staff report. He reviewed that in 2006 a petition was brought forth and in October of 2009 a second petition was brought forth to the Council, signed by 30 plus concerned citizens, with regard to a "Safety Issue" located on Spruce Street across from the Main City Park. The petition requests that additional lighting be placed over the mid-block crosswalk to remedy the safety issue in the area. See stated that the analysis is that there has been no accident data to support any claims of a "Safety Issue" at this location and the mid-block crosswalk located at the 200 block is among the highest lit crossing in the City. Staff concludes that no additional lighting is warranted at this location.

Giasson stated that the content of the petition highlights on personal property and safety concerns as a result of poor lighting. In response to questions from Giasson, See compared the lighting to other similarly lit areas in Cannon Beach. Halliburton commented that street lighting is designed to illuminate the street, not to illuminate pathways surrounding businesses. He suggested, as does CPTED (Crime Prevention Through Environmental Design), that local business owners analyze protection and prevention to install appropriate lighting surrounding their business. Halliburton also noted that additional lighting does not necessarily reduce crime; in some cases providing additional lighting may be making it easier for the criminal.

Joyce Lincoln, Business Owner, Northwest by Northwest Gallery, P.O. Box 1021, Cannon Beach, reviewed that the petition represents downtown business owners, residents, workers and visitor who frequent the Spruce Street area at all hours throughout the year. She asked that Council consider additional lighting over the sidewalk between Second and Third Street. Lincoln stated that individuals that attended the last Council meeting would have liked to attend this meeting to offer their support for this request, however, were unable to attend with only one week's notice. She read from the petition, noting that the primary concern is for one's personal safety in the poorly lit area. Lincoln also noted that, in her experience, one, such as shoppers, will simply not walk in poorly lit areas due to concerns for their safety and that in return negatively impacts retail in the area. She also noted her

concerns for children using the park after school in the poorly lit area. Lincoln concluded that many individuals have signed a petition to place additional lighting between Second and Third Street. She thanked Council and asked that they approve the request.

John Fraser, Business Owner, Once Upon a Breeze, P.O. Box 5, Cannon Beach, reiterated statements made by Lincoln. He also made suggestions with regard to redirecting lighting in the area as a possible solution.

Jan Siebert-Warhmund, P.O. Box 778, Cannon Beach, also agreed that additional lighting at that location is appropriate if inexpensive and if it is not intrusive to protect the dark sky.

Bob Necker, Business Owner, Northwest by Northwest Gallery, agreed with previous testimony, highlighting on the fact that the intersection and parking lot are highly used area by children and women working in the area. He also noted that he would have liked to have received more than one week notice of that Council would be considering this issue. As Lincoln indicated there were individuals unable to attend with only one week's notice given.

Morgan replied that, in addition to the one week's notice, the minutes from the last meeting, of which you were in attendance, on December 1, 2009, reflect that this matter would be placed on the agenda for consideration.

Council discussed the fact that the crossing is already among the highest lit crossings in the City, however concluded that additional lighting may be appropriate for the area in question, however any future areas will be considered in an overall street lighting master plan. In response to comments made by Council, See stated that the lighting can be redistributed in the area in order to place an additional light over the crossing.

In response to a comment made by Giasson, Council concurred that the motion include proceeding with a street lighting master plan.

Motion: Giasson moved to place a light as requested and proceed with a street lighting master plan for the downtown area; and all future lighting requests will be subject to the overall lighting plan.
Cadwallader seconded the motion.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously.

(5) Consideration of Appointments to City Committees.

Michael Benefield, 740 N. Laurel Street, reviewed his credentials, noted that he is now full time resident and has been very impressed with the beauty, the culture and the people of Cannon Beach, and wishes to contribute to the community. He also noted that planning is important and is a very important piece in maintaining the beauty of Cannon Beach.

John Fraser, P.O. Box 5, Cannon Beach, stated that he wishes to withdraw his application for the Planning Commission. He noted that Mike Benefield is very experienced in government and would make an excellent Planning Commissioner. He noted that he feels that he would be a good candidate as a member of the Design Review Board and asked that the Council keep him in mind if a position becomes available.

Motion: Cadwallader moved to appoint Mike Benefield to the Planning Commission; Giasson seconded the motion.

Vote: Steidel, Giasson, Higgins, Cadwallader and Morgan voted AYE; the vote was 5/0 in favor and the motion passed unanimously.

DISCUSSION / INFORMATIONAL ITEMS

(9) Monthly Status Report

There was none.

(10) Mayor Communications

In response to a question from Morgan, Herdener, CCA Board Member, replied that Connect Clatsop County (CCA) is a very successful homeless connect project and will be providing a one day, one-stop direct services event for homeless families and individuals on January 28, 2010 from 10 a.m. to 4 p.m.. Morgan suggested that brochures be available at City Hall.

Council scheduled a work session for February 4, 2010 at 7:00 p.m to discuss community gardens sites.

(11) Councilor Communications

Council discussed that an update regarding the potential closure of the Dennis L. Edwards Tunnel will be held in Scappoose on the Thursday and those attending will meet at the Chamber of Commerce at 10:00am to commute to the meeting.

(12) Good of the Order/ Public Comment

There was none.

ADJOURNMENT.

The meeting was adjourned at 8:25 p.m.

Brandy Brien, Administrative Assistant

ATTEST:

Mike Morgan, Mayor