

CITY OF GILBERT
MINUTES OF SPECIAL COUNCIL MEETING
FRIDAY, DECEMBER 11, 2015
COUNCIL CHAMBERS

Mayor Kutsi called the meeting to order at 6:04 p.m.

Present: Mayor Kutsi, Councilors Pontinen, Bol and Liimatta.

Absent: Councilor Skalko (w/notice).

Staff Present: City Attorney Kearney, Police Chief Techar, Public Works Operations Director Lautigar and City Clerk Sakrison.

Also present: John Shega & Andrea Lamb of Aspire Insurance Agency, and Representative Jason Metsa.

The purpose of this Special City Council meeting is to discuss the Ore-Be-Gone cliffs.

Chief Techar gave a presentation of activities at the Ore-Be-Gone cliffs this past summer.

- From June 1, to August 31 they had 137 calls. 87 hours on calls.
- Calls are getting worse, more serious and criminal activity is increasing.
- He showed about 5 minutes of video.
 - Homelessness is increasing.
 - 1 p.m. to 5 p.m. most populated.
 - Lots of drugs
 - Parking issues
 - 3 years ago they didn't have to deal with any of these issues.
- Feels calls could be prevented if we had a presence in the area.
- 161 people was the highest count at one time.
- 5 beaches in the PD's jurisdiction.

Mayor Kutsi's concerns:

- Officer safety is his biggest concern
- Drug use
- What happens when someone is seriously injured, or dies

Councilor Bol

- Drug use is going to happen even without the cliffs being there
- Injuries, the population to call
- CSO would deter or people just being around
- Reiterated the Mayor's concerns are valid.
- Temporary closure is probably a good idea, but would love to develop the area.

Steve Peterson

- 1st Responders don't get called because the kids are intoxicated and don't want to get in trouble.

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- Virginia Rescue Squad would have to be called because 1st Responders don't have rescue training.
- There should be life jackets available for safety reasons. Two have been purchased.

Councilor Pontinen

- If we can't get a developer in we should really look at closing it down. No benefit to the city.
- Wasn't aware of the prostitution issue. Chief Techar stated that there are hook-up sites on Craig's List and Back Page
- Doesn't want on his conscience if someone fatally injured.

Councilor Liimatta

- Agreed with all of the concerns voiced.
- Agrees with temporary closure until it could be developed.

Chief Techar noted that they had 1,058 calls last summer and 16% were at the beach between 1:00 p.m. to 5:00 p.m. The department is now a reactive department vs. a proactive department.

Councilor Bol asked if a CSO would deter activity. Chief Techar said yes. Life guards did help, but they can't be expected to deal with a lot of the situations.

Techar noted that a lot of people from town don't go to beach because of language & behaviors.

Mayor Kutsi noted that a mining inspector wouldn't allow because area fences are supposed to be intact.

Public Works Operations Director Lautigar stated that they get a letter every year from the mining inspector telling them what fences need to be fixed. He also noted that garbage is a definite problem at the beach and cliffs area.

Chief Techar spoke to a developer regarding a zipline. It is estimated to be \$300,000 to \$400,000 for a ¼ mile zipline.

John Shega, insurance agent for the city:

- The cliff is the liability exposure.
- He noted that it is on public record that the city is aware of the problem and doing nothing. Insurance policy is for the city.
- Needs to be addressed one way or another. Over the years the Council has acknowledged that there is a significant problem. Council has admitted liability.
- Legal Liability to address the cliff. A police officer is a deterrent, but it is not addressing the issue itself.
- Shega did underwriting previously so he has knowledge of liability issues. Insurance companies could easily deny coverage for cliffs & even the beach.

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- He stated that it is a real problem. The drugs & prostitution is a concern. But the cliffs are the real problem.
- This is a serious deal. It is a good time right now to really think through what should happen.
- Cliffs do not have any positives for the city in its present form. They are a liability and do not work in favor at the city at this time.
- But it could be the biggest asset that the city has. Could turn it into an amusement park and make money from it. IRRRB or an outside party that does amusement parks could do a 20 year lease with regulations. He thinks it is one of the best assets the city has.
- No trespassing signs & close area ó have to enforce & replace signs DAILY. Anyone past signs would be ticketed.
- City doesn't have the resources to keep the cliffs open.
- Close it, enforce it, or give it away to someone else and have them manage it.

Rep. Metsa stated that grant money is available to develop property through IRRRB. He is also concerned about getting rid of it as he sees the asset it could be to the city.

Mayor Kutsi asked if the grant could cover to prep the area, secure the area while still looking for a developer.

Attorney Kearney noted that as long as the city owns the land, they still hold liability.

You could transfer the liability to a reasonable & knowledgeable person.

Shega noted that if trash cans are put there, it says that that the city knows people are using it. He said not to do.

Attorney Kearney stated that the city needs to minimize exposure.

Councilor Pontinen suggested rolled barbed wire along cliff edge. Shega did not agree.

Steve Peterson asked about parceling it off and selling it, then we could generate property taxes. Mayor Kutsi agreed. Councilor Bol noted that it is potentially a great asset to the city, and we wouldn't want to just sell it to anyone one. Could put a condition that it would have to be commercial property. There is only a two month window, how interested would a developer be?

Officer Smith thinks that it is an asset. Scuba divers use it. A scuba shop would be great, and a motel.

Metsa stated that it is a beautiful area and would be great to develop. There are some federal grants out there also, depending on what direction the city was going to take with it.

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Shega stated that copper nickel development has the potential to bring a lot of high end patrons to the area. Sometimes we don't think big enough. Should ask a Radisson or a Hilton and zone it for their use. Could be a huge issue.

Mayor Kutsi stated that this is a negative issue right now that needs to be turned into a positive.

Councilor Bol said that it should be put on the next agenda for the temporary closure of the cliffs.

Mayor Kutsi thanked Metsa for attending, and thanked John Shega for attending and all the work that he does for the city. Shega recognized Andrea Lamb for all of her behind the scenes work that she does also.

Motion by Bol second by Pontinen to adjourn the meeting at 7:13 p.m.

Debra Sakrison, City Clerk

ATTEST:

Robert Kutsi, Mayor