

# Mushen: Meeting was littered with arguments, accusations

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about whether individual commissioners should have contact with the agency's attorney, Mushen tried to vote but began making unintelligible statements.

"I'm sorry. I'm not feeling well," Mushen said, struggling to speak.

Discussion on whether to vote continued until Port Executive Director Jim Knight called a short recess and took Mushen out into the hall.

"Commissioners, we need to adjourn," Knight said after coming back into the room. "For the health and well-being of Commissioner Mushen, let's please adjourn this meeting."

The meeting ended as Mushen, able to speak clearly again, sat down and waited for paramedics to come to the Port's Pier 1 offices. Mushen was stretchered to a waiting ambulance and taken to Columbia Memorial Hospital.

## Stress-induced

Knight visited Mushen in the hospital this morning.

"They're still running more tests, but they're keeping him until they can get his blood pressure under control," he said.

"That was about as bad a commission (meeting) as I've seen in my 2 1/2 years," Knight said.

He said Mushen told him Tuesday's meeting, which was approaching three hours when it was cut short, was one of the

most stressful he has ever presided over. The meeting was littered with arguments and accusations, largely driven by Commissioners Bill Hunsinger and Stephen Fulton, as Mushen attempted to maintain order.

Knight said there is a direct connection between the stress of the meeting and Mushen's condition. "I hope this is a wake-up call to Commissioners Fulton and Hunsinger to act in a calm, professional manner," Knight said.

He said the next step is to

see whether to still hold a Budget Committee meeting scheduled for April 12, which was called after accusations by Hunsinger and Fulton against the Port's financial staff over cost overruns on the Port's Pier 3 stormwater system.

Hunsinger said today he agreed that the meeting was stressful.

"I think that attorney kind of contributed by telling people she was the smartest woman in the room," Hunsinger said of Eakins.

During a series of votes on the Port's bylaws, Hunsinger had attempted to adjourn the meeting. He and Fulton argued that Eakins had not provided a full copy of what the Port's bylaws used to say, compared to the changes she was proposing. Eakins, who represents about 70 special districts throughout Oregon, including several ports, had argued that the changes were minor and meant to create legal, efficient bylaws.

# Man Cave: Bales obtains permits from Oregon Liquor Control Commission

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hangar, owned by retired dentist and aviator Philip Bales, an "unlicensed speakeasy" and called on the Port to find out where its insurance carrier stands on the issue.

Port Executive Director Jim Knight and Port counsel Eileen Eakins cautioned the Port Commission not to speak specifically about Bales' hangar. Knight recently asked the Clatsop County Sheriff's Office to investigate Fulton's allegations against Bales' club.

Jensen said he spoke with staff at WHA Insurance and

Special Districts Insurance Services — the Port's brokers — and found no exclusion of coverage because of alcohol.

"Well that's 100 percent contrary to what Jake Stone and Nathan Cortez (from WHA) told me, that we have no coverage for drinking at the airport," Fulton said.

"Do you not require ... the people who are leasing from you to pay liability coverage, as well?" Eakins asked, to which Jensen responded "absolutely."

Eakins said that if the Port was sued because of an alcohol-related event, the Port's

insurer would go after the tenant. "So, in fact, you're doubly covered" she said.

Although Knight has said Bales' lease is not violated by the Man Cave, Fulton and Hunsinger have continually argued the permitted use is clearly for airplane storage only. Hunsinger has said other tenants were kicked out for lesser violations.

"We know that on Port properties, or private businesses, (people) host parties, holiday parties that serve alcohol," said Commissioner John Raichl, a former Clatsop County sheriff and an avi-

ator at the airport along with Campbell. "We know that almost, probably a third of the vessels on our properties ... that moor here have alcohol on board. Why is it selective to this one property? Why not all of the activities throughout the Port? I'm not understanding what your agenda is here."

Fulton said he heard there was more than casual use at the Man Cave, in which Bales has two taps supplied from a kegator. On a previous tour, Bales showed The Daily Astorian the permits he obtains from the Oregon Liquor Control Commission for the kegs.

Fulton continued his argument Tuesday that insurers told him the Port is at risk because of alcohol-related liability. "They specifically told me something different than what Mr. Jensen's reporting, and I think we should get to the bottom of that."

Jensen reiterated that contact with insurers should be from Port staff, and Eakins agreed.

"That's part of the problem

here," Jensen said.

"I don't believe it is," Fulton said.

"Yes it is," Jensen replied. "I talked to Nathan and Jake, and they had a real issue with being contacted by commissioners. It puts them in a very uncomfortable position."

Fulton asked that the insurers write a letter stating the Port has no alcohol-related exclusions, to which Jensen agreed.

# Gearhart: One-time application period ended in December

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"If you deprive people who have bought their homes or owned their homes for a very long time, the ability to rent there, you are causing great financial harm to their offspring, No. 1," Gearhart homeowner and petition advocate David Townsend said today. "You're hurting existing homeowners, existing residents, and it's done in a very spiteful way by a few people, the former mayor and council members because they really want to get rid of vacation rentals in Gearhart."

The result, he said, will be "a huge economic hit."

"If you shut down vacation rentals in Gearhart, people don't come there," Townsend said. "If people don't come there, they don't frequent and use the businesses that exist in Gearhart. So all of the businesses are hurt in Gearhart."

To apply for a permit, residents faced a requirement to establish grandfather status by requiring proof that lodging taxes were paid on the vacation rental property prior to the end of the 60-day registration period.

The 60-day, one-time application period ended in mid-December.

Applicants — 84 to date, according to City Administrator Chad Sweet — have until June 14 to complete the registration process.

Homeowners who did not apply for a permit and continue to rent are considered in violation of the ordinance and subject to a \$500 fine for each day of offense.

The initiative petition seeks to undo major aspects of the rules, which are also being challenged at the state's Land Use Board of Appeals.

"We're trying to take things back where the same thing applies to everybody," Townsend said. "The big thing is allowing people when they sell their homes to allow people to pass along their rental



The Daily Astorian/File Photo

**Gearhart City Administrator Chad Sweet reviews applications for short-term rental permits in December.**

permits, as long as they comply with all the rules."

## Repeal and replace

The repeal would remove the limitation on the number of vacation rentals. Permits could be transferred to new dwelling unit owners, a change from rules which call for elimination of short-term rental licenses through attrition.

Maximum occupancy, currently at two people over the age of 2 per bedroom, would change to two people over the age of 12 per bedroom, plus three additional people over the age of 12 per dwelling unit, with no limit on children under 12.

The petition seeks to eliminate requirements for off-street

parking, residential appearance, and garbage services, as well as eliminate septic sewer capacity inspections and cesspool prohibitions.

The initiative would repeal 30-minute response time from rental property representatives, a condition Townsend called "ludicrous."

"If it's a problem where nobody needs to be there until the next day, why does somebody need to be there?" Townsend said. "It's a death of 1,000 cuts."

## Signatures needed

If the draft ballot title is not appealed within seven days, Sweet said, petitioners will then need 175 signatures to put the

measure on the November ballot, a number representing 15 percent of registered voters at the time of the filing date.

Signatures must be submitted by July 8 and verified by Aug. 10.

If verified signatures are not obtained by that date, petitioners could continue their signature drive and file for an election within a two-year period, Sweet said.

In the meantime, the city's short-term rental rules will continue to be enforced.

As of March 30, Gearhart has taken in about \$64,000 in rental fees and "closer to \$90,000" in lodging room tax, Sweet said.

Taxes and fees are deposited in the city's general fund before being split into different departments.

The first year, revenue is designated for code enforcement and legal fees, Sweet said.

In the future, funds may be split between police, firefighters, code enforcement, parks and maintenance associated with tourism, he said.

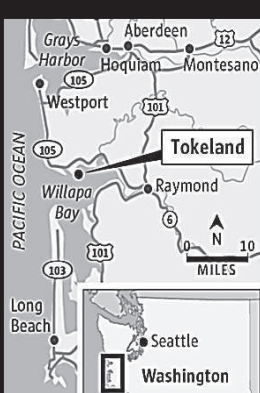
Other parties — or the city — could provide competing initiatives.

"Once we've gotten to the point where they've got enough signatures, this initiative will go to the council and the council will decide whether to go to the November ballot, accept the initiative as it is, or file a counter-initiative," Sweet said.

Sigler said the proposed repeal "is reasonable and is taking into consideration freedom, fairness and reason."

"My children can't even apply the way the ordinance is written right now," Sigler said. "I find that very offensive. I want them to have as many options as possible so they can keep this home and enjoy it."

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