



Former chief, fire district reach agreement



Mike Balzer served as fire chief from 2012 to October 2015.

Lawsuit had alleged civil rights violations

By Lyra Fontaine and R.J. Marx
Cannon Beach Gazette

The legal dispute between former Fire Chief Mike Balzer and the Cannon Beach Rural Fire Protection District is over. U.S. Magistrate Judge Paul Papak in Portland dismissed Balzer's civil rights

lawsuit against the fire district on Wednesday, Jan. 4. Balzer will receive a one-time lump sum of \$55,000. In return, he agrees that he will not work for the district or ask for further compensation.

"It's fair to say the parties came to an agreement," Judy Snyder, the attorney representing Balzer, said Monday. "I would say that Mr. Balzer is pleased with the resolution."

'Personnel matter'

Balzer was fired in October 2015 in what the fire

district's board described as a "personnel matter."

Records showed that Balzer, who earned more than \$100,000 in annual salary and compensation, was faulted for "poor leadership" in a performance evaluation.

Balzer challenged the fire district and individual board members in a lawsuit that claimed his federal due process and free association rights were violated. In a court filing, Balzer argued that the fire district made false statements "for the sole

purpose of embarrassing and humiliating" him and fired him without a hearing.

Balzer, who served as fire chief from January 2012 until he was fired, claimed the fire district's board retaliated against him because of critical comments made by his wife, Colleen, on social media. According to the lawsuit, directors Sharon Clyde, Linda Beck-Sweeney and Garry Smith "chastised" Balzer for "allowing his spouse

See Balzer, Page 6A

Council considers tree rule changes

City proposes thinning dead and dying trees

By Lyra Fontaine
Cannon Beach Gazette

More requirements for tree removal requests on city-owned property could be ahead.

After residents complained in November about tree cutting on city property near the city-owned RV Resort, the Planning Commission approved recommending amendments to the city's tree removal ordinance at a late December meeting.

The City Council plans a public hearing on Feb. 7.

If the council follows the Planning Commission's recommendations, tree removal requests on city-owned property could be subject to additional requirements. The city would need to notify property owners within 100 feet of the trees requested for removal and give notice to any person who has commented on the request. The city would also be required to notify its tree removal request on the city's website and at City Hall.

In November, the city removed about 35 trees from the RV Resort. Some trees that were removed were dead or dying, according to the permit application. Residents who live near the RV Resort expressed concerns to the Cannon Beach Gazette about the removal.

The trees were selectively thinned as part of the second phase of the RV Park utility upgrade, Public Works Director Dan Grassick said in November.

See Trees, Page 8A



R.J. MARX/CANNON BEACH GAZETTE

Visitors take advantage of a sunny January day in Cannon Beach.

Room tax may include mandatory fees

Pets are taxed, but minibars are not

By Lyra Fontaine
Cannon Beach Gazette

Guests at Cannon Beach hotels and vacation rentals could soon pay room taxes on charges for pets, late check-out, extra guests, hot tubs and cancellations.

After reaching a consensus Tuesday, Jan. 3, the City Council plans to amend the municipal code in February

to clarify that the room tax applies to nonoptional fees. Optional charges, such as pay-per-view movies, room service or minibars, will remain untaxed.

Lodging operators had complained that the new rules had been sprung on them without public discussion.

Cannon Beach Vacation Rentals owner Linda Beck-Sweeney told the City Council that lack of clarity about the new requirements affected her business.

"All this has placed an unnecessary hardship on

'All this has placed an unnecessary hardship on the lodging community!'

Linda Beck-Sweeney,
rental owner

the lodging community," Beck-Sweeney said. "Our lodging community is very generous to our community in many ways and we all work hard to bring quality services to all of our guests

and deserve respect for that effort. If the city no longer respects the lodging community, what about the larger community of Cannon Beach?"

Resident Marty Schwab Harris said it was troubling that a tax hike was being "unilaterally imposed" instead of going through a public hearing.

"Where are all the jobs in Cannon Beach going to come from if we look for every possible opportunity to apply more financial and more power burdens on our employers?" Schwab Harris asked.

The amendment, which uses the same language as state lodging tax rules, would take effect July 1, the start of the next fiscal year.

Mandatory fees

The city interprets "gross room rent" to include any fee that is mandatory, not refundable and paid in order to occupy the room, which is consistent with the state definition, City Attorney Tammy Herdener said. The city is not required by state law to collect room taxes on such fees.

See Tax, Page 6A

County, city leaders look to the new year

Cannon Beach Gazette





County leaders looked to the new year with an eye on their city's biggest challenge. We spoke to Cannon Beach Mayor Sam Steidel, County Manager Cameron Moore, Seaside Mayor Jay Barber, and Gearhart's Mayor Matt Brown.

Mayor Sam Steidel

Mayor Sam Steidel, Cannon Beach said the biggest challenge the city will face in 2017 is looking at how various projects might affect one another.

"My concern is that as a council we have a comprehensive view of all the problems so they can interact as they need to be. I have a feeling we do not have a lot of big problems, but lots of projects that intertwine a little.

The council will have a goal-setting session early this year to reach a consensus on city priorities, using the city's strategic plan as a guide.

<p>Mayor Sam Steidel</p>  <p>Hopes to have a goal-setting session early in the year.</p>	<p>County Manager Cameron Moore</p>  <p>Says a new county compensation plan and the Linn County timber lawsuit are top of the challenge list.</p>	<p>Seaside Mayor Jay Barber</p>  <p>Lists the new school campus at the top of his list of 2017 priorities.</p>	<p>Gearhart Mayor Matt Brown</p>  <p>Hoping for openness and cooperation in the coming year.</p>
--	--	--	--

Steidel said his personal areas of focus include seeing how the former Cannon Beach Elementary property could be used and expanding NeCus Park.

Steidel's longer-term goal is for the council to work on developing the city-owned South Wind property. The 58 acres located east of U.S. Highway 101, largely outside of the tsunami

zone, needs infrastructure in place before it can be the site of the city's essential services, such as an emergency shelter, school and police and fire stations.

Steidel said he hopes to get discussion about city priorities done before the spring budgeting process, when things tend to get "bogged down."

"I'm looking forward to some energy from the council, and new voices always bring that."

Clatsop County Manager Cameron Moore

Some of the challenges of the coming year are as yet unknown, Clatsop County Manager Cameron Moore said. "It's quite possible the biggest challenge we don't know yet. Things happen during the course of the year."

See Leaders, Page 6A

PRSR STD
US POSTAGE
PAID
PERMIT NO. 97
ASTORIA, OR