

**CITY OF LINCOLN CITY
CITY COUNCIL AGENDA
MONDAY JANUARY 9, 2023, 6:00 PM**

6:00 PM - The Lincoln City Council will hold a Regular Meeting in the Council Chambers, 801 SW Highway 101 - 3rd Floor, Lincoln City, OR 97367.

Public comments can be submitted to publiccomment@lincolncity.org, by attending the City Council meeting, or by telephone.

Public comments submitted by email to publiccomment@lincolncity.org will be entered into the official record, distributed to the governing body, and summarized; however, due to personal privacy issues they are not generally published in the online Agenda packet. ****PUBLIC COMMENT VIA EMAIL WILL ONLY BE RECOGNIZED UPON RECEIPT OF AN EMAIL SENT TO publiccomment@lincolncity.org****

Citizens requesting to give public comment via Zoom must email publiccomment@lincolncity.org no later than noon on the meeting day. The request must include the person's name, the subject the person wishes to address, and the screenname the person intends to use for the meeting. Instructions will be sent to the person requesting prior to the meeting. Persons who will give public comment via Zoom will need to leave the microphone muted and camera off until the public comment portion of the meeting.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, for a hearing-impaired device, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting. To request information in an alternate format or other assistance, please contact the City's ADA Coordinator, Kevin Mattias, at [541-996-1013](tel:541-996-1013) or kmattias@lincolncity.org. Visit the [ADA Accessibility | City of Lincoln City, OR](#) webpage to view how the City continues to remain in compliance with Title II of the Americans with Disabilities Act regarding City programs, services, processes, and facilities.

The Lincoln City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the meeting.

All information for this meeting is available at www.lincolncity.org under "Government" then select "Public Meeting, Agendas, Packets & Video". This meeting will be televised live on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour. If you wish to speak on an agenda or non-agenda item, please sign up on the sheet near the entrance door to the Council Chambers. You will be called to speak during the "Public Comment" section. Comments or testimony on agenda items listed under "public hearing/public comment" will be taken at that time.

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. CONSENT AGENDA**
 - 1. Regular Meeting – Minutes of Regular Meeting – November 14, 2022 6:00 PM
 - 2. Regular Meeting – Minutes of Work Session – December 7, 2022 3:30 PM
 - 3. Regular Meeting – Minutes of Regular Meeting – December 12, 2022 6:00 PM
 - 4. Proposed Annual Meeting Dates 2023
- E. COMMENTS FROM OUTGOING ELECTED OFFICIALS**
- F. OATH OF OFFICE CEREMONEY AND SEATING OF MAYOR WAHLKE AND COUNCILORS PARSONS, KASNER AND MARK**
 - 1. Oath of Office Ceremony and Seating of Mayor Susan Wahlke
 - 2. Oath of Office Ceremony and Seating of Councilors Mitch Parsons, Sydney Kasner, and Rick Mark
- G. RECESS MEETING- RECEPTION IN HALL FOR MAYOR AND COUNCILORS**
- H. RECONVENE MEETING**
- I. COUNCIL DELIBERATIONS**
- J. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**
- K. PRESENTATIONS**
- L. PUBLIC HEARING / ORDINANCE**
- M. PUBLIC HEARINGS / PUBLIC COMMENTS**
- N. ORDINANCES**
- O. RESOLUTIONS**
- P. SPECIAL ORDER OF BUSINESS**
 - 1. Election of Council President
 - 2. Outside City Committee and City Committee Appointments
 - 3. Appointment of Subcommittee for Review of Outside Agency Requests
- Q. CITY MANAGER/CITY ATTORNEY REPORTS**
- R. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**
- S. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS**
- T. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**
- U. ADJOURNMENT**

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

November 14, 2022, 6:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE:

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:00 PM.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Remote	6:00 PM
Elaine Starmer	Councilor Ward 1	Remote	6:00 PM
Sydney Kasner	Councilor Ward 2	Remote	6:00 PM
Judy Casper	Councilor Ward 3	Remote	6:00 PM
Riley Hoagland	Councilor Ward 2	Remote	6:00 PM
Rick Mark	Councilor Ward 3	Remote	6:00 PM
Mitch Parsons	Councilor Ward 1	Remote	6:00 PM

Staff Present: Daphnee Legarza, City Manager; Richard Appicello, Lt. Broderick, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA

MOTION: Consent Agenda
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed

1. Regular Meeting – Minutes of Work Session – October 19, 2022, 2:00 PM
2. Regular Meeting – Minutes of Regular Meeting – October 24, 2022, 6:00 PM

E. COUNCIL DELIBERATIONS

NONE

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

William Novorolsky of Cutler City spoke regarding the speed limit in Cutler City and a signed petition.

Ms. Legarza summarized a comment sent by Brenda Scotton regarding the bollards at NW 35th Street. Ms. Scotton said thank you and ask to keep the access closed.

G. PRESENTATIONS

3.

Marie Laper, Deputy Director of Lincoln County Behavior Health, gave a presentation regarding the system of mental health care focusing on Adults. Ms. Laper invited everyone to the mental health symposium on January 26th at the Health Education Center in Newport starting at 11:30.

H. PUBLIC HEARING / ORDINANCE

NONE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

NONE

J. ORDINANCES

1. ORDINANCE NO. 2022-42 AN ORDINANCE AMENDING THE LINCOLN CITY COMPREHENSIVE PLAN MAP TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FROM MEDIUM-DENSITY RESIDENTIAL TO HIGH-DENSITY RESIDENTIAL AND AMENDING THE LINCOLN CITY ZONING MAP TO CHANGE THE ZONING MAP DESIGNATION FROM R-1-7.5 (SINGLE UNIT RESIDENTIAL) TO RM (MULTIPLE UNIT RESIDENTIAL) FOR TAX LOTS: 07-11-22-DC-06100-00 AND 07-11-22-DD-00200-00 [CPA / ZC 2022-07]

MOTION: Motion to Approve First Reading of Ordinance 2022-42 CPA / ZC 2022-07
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Judy Casper, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

2.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-42 CPA / ZC 2022-07 Spyglass Ridge
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

3. ORDINANCE NO. 2022-43 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 10 (VEHICLES AND TRAFFIC), CHAPTER 10.12 (GENERAL REGULATIONS) SECTION 10.12.040 (PROHIBITED STORAGE ON CITY PROPERTY, CITY STREETS, OR CITY RIGHTS-OF-WAY), TO CREATE A LIMITED EXEMPTION FOR LICENSED, INSURED AND OPERABLE PASSENGER VEHICLES AND TO CLARIFY THE PROHIBITION.

MOTION: Motion to Continue to December 12, 2022- Ordinance 2022-43 Amend Chapter 10.12 Storage Prohibition
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

Council and Staff had a discussion regarding the details of the ordinance.

K. RESOLUTIONS

4. RESOLUTION NO. 2022-42 A RESOLUTION OF THE CITY OF LINCOLN CITY AMENDING RESOLUTION 2022-32 TO CLARIFY THE LENGTH OF THE SDC DEFERRAL.

MOTION: Motion to Approve Resolution 2022-42 - Amend SDC Deferral for Wecoma Place
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

Councilor Mark said he was concerned about the number of SDC deferrals given.

L. SPECIAL ORDER OF BUSINESS

5. Planning Commission Interview- Brian Bunnnett

Council Interviewed Mr. Bunnnett for a position on the Planning Commission.

6. Appointment to the Nelscott URA Ad Hoc Committee - Applicants Shawnn Kehr & Barbara Jenkins-Gibson

MOTION: Motion to Continue the Appointment to December 12th and Direct Staff to Bring back a Resolution to Expand the Committee.
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

Council and Staff had a discussion regarding expanding the committee.

7. Community Center Large Pool Regrout

MOTION:	Motion to Award the Best Value Construction Contract for Community Center Large Pool Regrout to Michael Bradley Enterprises in the Amount of \$138,000
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Ms. Sprague spoke regarding the large pool regrout, there was one bid that came in under the bid amount. Council and Staff had a discussion regarding the advertisement for bids and the scope of the project.

8. Economic Development Brownfields Program: EPA Grant 4-Year Cooperative Agreement

MOTION:	Motion to Direct Staff to Enter into a Cooperative Agreement with the EPA for a Community-Wide Assessment Grant
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Council and Staff had a discussion regarding the grant and local properties with their locations.

9. Cutler District BayWalk Sidewalk Gap Update & ODOT Grant Funding Agreement

MOTION:	Motion to Direct Staff to Enter into a Local Agency Pedestrian and Bicycle Program Project Agreement with ODOT to Receive Construction Funding in the Amount of \$540,000 for the Cutler District BayWalk Sidewalk (Highway 101) Gap Project.
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Legarza said that there was great feedback received from the Planning Commission at the November 12th work session on the 2043 Comp Plan. Ms. Legarza also said the Lincoln City Parks and Recreation would be partnering with the Senior Center to provide a free Thanksgiving dinner to Seniors on Thursday, November 17th. Ms. Legarza said the Senior Center received a grant from the Siletz Tribal Charitable Contribution Fund. Ms. Legarza spoke about the IGA for HB4123 and said it's in the final stretch of legal review. Ms. Legarza said they are working on a date with IHI (Innovative Housing Inc.) for a potential start and kick-off party. Ms. Legarza said she is working with the League of Oregon Cities and the Oregon Mayors Association; we are one of the partner Cities to be included in the 2023 legislative session budget package and explained the budgeting packages.

Mr. Appicello spoke about reappointment to boards and committees along with the code.

10.

MOTION: Motion to Direct the City Recorder to Process a Background Check and Add Steve Griffiths to the December 12th Agenda for Reappointment to the Arts Committee

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Rick Mark, Councilor Ward 3

AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons

RESULT: Passed by Voice Vote

11.

MOTION: Motion to Direct the City Recorder to Process a Background Check and Add Kevin Hohnbaum to the December 12th Agenda for Reappointment to the Budget Committee

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Elaine Starmer, Councilor Ward I

AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons

RESULT: Passed by Voice Vote

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION

12.

MOTION: Motion to Direct Staff to Notify the Senior Center the City will not be amending the Social Gaming Ordinance

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Riley Hoagland, Councilor Ward 2

AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons

RESULT: Passed by Voice Vote

13.

MOTION: Motion to Offer Municipal Judge Position to the Applicant and Authorize Staff to Negotiate a Contract and Associated IGA's for Mayor's Signature

MOVER: Sydney Kasner, Councilor Ward 2

SECONDER: Elaine Starmer, Councilor Ward I

AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons

RESULT: Passed by Voice Vote

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

NONE

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark asked about the Cutler City speed limit request and the electronic sign. Council and Staff had a discussion regarding the speed and the process. Ms. Reid said she would like to come back to Council with a comprehensive plan for Cutler City, Council gave consensus. Councilor Hoagland asked that we start with Cutler City and then address other areas as well. Ms. Reid agreed and said she would. Councilor Mark asked about the status of NW 15th Street after there was a car in the ocean over the weekend. Mr. Appicello said he was going to bring back information on December 12th. Councilor

Hoagland asked that any of these discussions of the beach accesses involve the Fire Department and mentioned the mobi-mats also hinder their ability to save lives. Council gave consensus to bring forward to the December 12th meeting.

Councilor Hoagland gave a shout-out to IT for 99.999% uptime. Councilor Hoagland spoke about the SW 3rd Street flashing beacon project. Councilor Hoagland spoke about Sandcastle Park which is Regatta Park and the community-build model that will be done. Mr. Hoagland said the net revenue at the Community Center increased and gave kudos to them. Councilor Hoagland said the new 2023 logo looks good and good job Finders Keepers. Mayor Wahlke asked if there was a 2023 poster. Councilor Hoagland confirmed and described.

MOTION:	Motion to Appoint Brian Bunnett to the Planning Commission for a Term Beginning 1/1/2023 and Expiring 12/31/2026
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Councilor Kasner made a motion to appoint Brian Bunnett.

Councilor Casper gave great kudos to City Manager Legarza for her work on HB4123 and acknowledged the hard work it takes.

Mayor Wahlke congratulated the Councilors who were re-elected. Mayor Wahlke wished all a good Thanksgiving.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 8:24 PM

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF WORK SESSION MEETING

December 7, 2022, 3:30 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE:

1. **CALL TO ORDER**

Council President Casper called the meeting to order at 3:34 PM.

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	3:30 PM
Elaine Starmer	Councilor Ward 1	Present	3:30 PM
Sydney Kasner	Councilor Ward 2	Present	3:30 PM
Judy Casper	Councilor Ward 3	Present	3:30 PM
Riley Hoagland	Councilor Ward 2	Present	3:30 PM
Rick Mark	Councilor Ward 3	Present	3:30 PM
Mitch Parsons	Councilor Ward 1	Present	3:30 PM

Staff Present: Daphnee Legarza, City Manager; Alison Robertson, Economic Development and Urban Renewal Director; Anne Marie Skinner, Planning and Community Development Director; Jamie Young, City Recorder.

2. **DISCUSSION ITEMS**

A. VRD Ordinance Review

Anne Marie Skinner, Planning and Community Development Director, spoke about the current Vacation Rental Dwelling (VRD) ordinance and changes that will be proposed. Council and Staff had a discussion regarding the VRD ordinance, the current code, and zoning.

B. Miscellaneous

City Manager Legarza spoke about the partnership between the Oregon Mayor's Association, the League of Oregon Cities, and the local jurisdictions in Oregon regarding homelessness and what will be moved forward to the 2023 legislature.

Councilor Hoagland was away from 3:55 PM to 4:55 PM

3. ADJOURNMENT

Council President Casper adjourned the meeting at 5:05 PM.

JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

JAMIE YOUNG, CITY RECORDER

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

December 12, 2022, 6:00 PM

The final minutes for this meeting are supplemented by an electronic recording of the meeting, which may be viewed online at www.lincolncity.org under the tab "Agendas, Packets and Videos". The staff reports, resolutions, ordinances, and other documents related to this meeting are also available at the same location. This meeting is rebroadcast on Cable Channel 4. (See Channel 4 guide on the hour at <http://www2.lincolncity.org/program-guide/>).

APPROVED BY CITY COUNCIL

DATE:

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:00 PM.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	6:00 PM
Elaine Starmer	Councilor Ward 1	Present	6:00 PM
Sydney Kasner	Councilor Ward 2	Present	6:00 PM
Judy Casper	Councilor Ward 3	Present	6:00 PM
Riley Hoagland	Councilor Ward 2	Absent	6:00 PM
Rick Mark	Councilor Ward 3	Present	6:00 PM
Mitch Parsons	Councilor Ward 1	Present	6:00 PM

Staff Present: Daphnee Legarza, City Manager; Richard Appicello, City Attorney; Chief Broderick, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; Debbie Bridges, Finance Director; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA

MOTION:	Consent Agenda
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT:	Hoagland
RESULT:	Passed

1. Oregon Liquor Control Commission - Request for an Off-Premises Sales License- Starfish Manor Oceanfront Hotel
2. Order 2022-02 Approving Real Property Lease - Newport Pacific Corporation (Mo's)

E. COUNCIL DELIBERATIONS

NONE

F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS

Mr. Baird of Lincoln City Oregon spoke regarding Lincoln City having the highest crime rate in the Country.

No public comments were received by email.

G. PRESENTATIONS**3. Centennial Proclamation**

Dr. Karen Gray, Superintendent of Lincoln County School District read the 2023 Centennial Proclamation.

4. Millennium Health Presentation

Dr. Kelly Olsen, Kelsey Strong, and Kellie Jenkins from Millennium Health spoke regarding education on Fentanyl. Council had a discussion regarding the presentation. Ms. Jenkins said there will be an educational event coming up as well.

H. PUBLIC HEARING / ORDINANCE

NONE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

NONE

J. ORDINANCES

- 1.

MOTION: Motion to Approve First Reading Ordinance 2022-43 Amend Chapter 10.12 Storage Prohibition
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

Council and Staff had a discussion regarding the ordinance and adding this as a work session topic.

2. ORDINANCE NO. 2022-43 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 10 (VEHICLES AND TRAFFIC), CHAPTER 10.12 (GENERAL REGULATIONS) SECTION 10.12.040 (PROHIBITED STORAGE ON CITY PROPERTY, CITY STREETS, OR CITY RIGHTS-OF-WAY), TO CREATE A LIMITED EXEMPTION FOR LICENSED, INSURED AND OPERABLE PASSENGER VEHICLES AND TO CLARIFY THE PROHIBITION.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-43 Amend Chapter 10.12 Storage Prohibition
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

3.

MOTION: Motion to Approve First Reading Ordinance 2022-44 Amending LCMC Chapter 3.04 TRT Increase
MOVER: Elaine Starmer, Councilor Ward I
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

Mr. Appicello asked this be moved to after Resolution 2022-44.

4. ORDINANCE NO. 2022-44 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 3 (REVENUE AND FINANCE), AMENDING CHAPTER 3.04 (TRANSIENT ROOM TAX), AMENDING SECTION 3.04.020 (TAX IMPOSED BY CHARTER), TO IMPLEMENT THE CHARTER AMENDMENT APPROVED BY LINCOLN CITY VOTERS IN BALLOT MEASURE 21-215.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-44 Amending LCMC Chapter 3.04 TRT Increase
MOVER: Elaine Starmer, Councilor Ward I
SECONDER: Judy Casper, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed via Voice Vote

5.

MOTION: Motion to Approve First Reading Ordinance 2022-45 Amend Building Code
MOVER: Sydney Kasner, Councilor Ward 2
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

Council and Staff had a discussion regarding the ordinance. Mr. Appicello asked that the first reading be approved and the second reading be postponed until January 23, 2023. Mayor Wahlke said that on Ordinance 2022-45, page 19, line 17, that the word " non-soil surcharge" should be "surface". Mr. Appicello said that he will bring that up in the review.

6. ORDINANCE NO. 2022-45 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.04 (CITY OF LINCOLN CITY BUILDING CODE) AMENDING SECTIONS 15.04.020, (PURPOSE), 15.04.030 (SCOPE), 15.04.040 (DEFINITIONS), 15.04.050 (ALTERNATIVE MATERIALS AND METHODS), 15.04.060 (MODIFICATIONS), 15.04.070 (TESTS), 15.04.090 (CONSTRUCTION DOCUMENTS AND PERMITS), 15.04.100 (INSPECTIONS), 15.04.115 (OPTIONAL LOCAL AMENDMENTS), 15.04.120 (CONSTRUCTION-RELATED CODES ADOPTED) AND SECTION 15.04.140 (APPEAL PROCEDURES) AND ADDING A NEW SECTION 15.04.045 (SPECIAL APPEAL PROCEDURES), AND AMENDING LCMC CHAPTER 12 (BUILDING BOARD OF APPEALS) TO ADDRESS RECOMMENDED CHANGES FROM THE CONTRACT BUILDING OFFICIAL

MOTION: Motion to Continue Second Reading of Ordinance 2022-45- Amend Building Code to January 23, 2023
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed via Voice Vote

K. RESOLUTIONS

7. Resolution 2022-44: A Resolution Declaring the Official Results of the Canvas of Votes of the Election Held in the City of Lincoln City, Oregon on November 8, 2022.

MOTION: Motion to Approve Resolution 2022-44 Canvas of Votes
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

8. RESOLUTION NO. 2022-43 A RESOLUTION OF THE CITY OF LINCOLN CITY AMENDING RESOLUTION 2022-29, TO CHANGE THE COMPOSITION OF THE AD HOC URBAN RENEWAL PLAN ADVISORY COMMITTEE FOR THE NELSCOTT URBAN RENEWAL AREA

MOTION: Motion to Approve Resolution 2022-43 Amending Ad Hoc Committee Nelscott Area
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed via Voice Vote

9. RESOLUTION NO. 2022-45 A RESOLUTION OF THE CITY OF LINCOLN CITY AMENDING RESOLUTION 2022-14 PROVIDING FOR EXTENSION OF THE STREET CLOSURE OF A PORTION OF NW 34TH COURT

MOTION: Motion to Approve Resolution 2022-45 34th Court
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

Mr. Appicello said that the Fire Department as well as the Parks Department were contacted with no adverse response. Council had a discussion regarding the resolution.

10. RESOLUTION NO. 2022 - 46 A RESOLUTION OF THE CITY OF LINCOLN CITY DECLARING AN INTENT TO CONSTRUCT SANITARY SEWER FACILITIES BY ESTABLISHING A LOCAL IMPROVEMENT DISTRICT FOR THE CITY OF LINCOLN CITY, IN THE AREA OF SE OAR, SE PORT, AND SE QUAY, KNOWN AS THE "DELAKE HEIGHTS LID PROJECT"; AND CALLING FOR A PUBLIC HEARING AND DIRECTING THAT NOTICE BE PUBLISHED

MOTION: Motion to Approve Resolution 2022-46 Delake Intent to Form Local Improvement
MOVER: Elaine Starmer, Councilor Ward I
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

Stephanie Reid, Public Works Director explained the resolution.

11. RESOLUTION 2022-47 A RESOLUTION ADOPTING THE SUPPLEMENTAL BUDGET OF THE CITY OF LINCOLN CITY, OREGON, FOR THE FISCAL YEAR 2022-2023, AS APPROVED BY THE CITY COUNCIL, AND MAKING APPROPRIATIONS

MOTION: Motion to Approve Resolution 2022-47: Supplemental Budget FY2022-23
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT: Hoagland
RESULT: Passed by Roll Call Vote

Debbie Bridges, Finance Director, reviewed the need for a supplemental budget.

L. SPECIAL ORDER OF BUSINESS**12. Appointment to Arts Committee - Applicant Donna Eddy**

MOTION:	Motion to Appoint Donna Eddy to the Arts Committee with a Term Expiring 12/31/25
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT:	Hoagland
RESULT:	Passed via Voice Vote

13. Reappointment to the Budget Committee Applicant Kevin Hohnbaum

MOTION:	Motion to Reappoint Kevin Hohnbaum to the Budget Committee with a Term Expiring 12/31/25
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT:	Hoagland
RESULT:	Passed via Voice Vote

14. Reappointment to Arts Committee - Applicant Steve Griffiths

MOTION:	Motion to Reappoint Steve Griffiths to the Arts Committee with a Term Expiring 12/31/2025
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT:	Hoagland
RESULT:	Passed via Voice Vote

15. Appointment to the Nelscott URA Ad Hoc Committee - Applicants Shawnn Kehr & Barbara Jenkins-Gibson

MOTION:	Motion to Appoint Shawnn Kehr & Barbara Jenkins-Gibson to the Nelscott URA Ad Hoc Committee
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Mark, Parsons
ABSENT:	Hoagland
RESULT:	Passed via Voice Vote

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Legarza gave an update regarding HB4123, the status of the Judge's contract, the Holiday party, the dive-in movie at the Community Center, the Siletz Bay Splash, and the New Year's swim.

N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**16.**

MOTION: Move to Accept the Final Version of the City Attorney’s Performance Evaluation as Discussed in Executive Session, and Designate the Mayor to Sign and Deliver to him a Copy of the Finalized Form as Part of his Confidential Personnel Record

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Mitch Parsons, Councilor Ward 1

AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons

ABSENT: Hoagland

RESULT: Passed by Roll Call Vote

17.

MOTION: Motion to Direct Staff to Set a Date for a Work Session with Council and the City Attorney Including the City Manager Regarding Work Objective and Priorities

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Elaine Starmer, Councilor Ward I

AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons

ABSENT: Hoagland

RESULT: Passed by Voice Vote

O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS

NONE

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark spoke about his graduation from Citizens Academy and the Helping Hands tour on December 15th.

Councilor Parsons wished everyone Happy Holidays.

Councilor Casper wished everyone a great Holiday Season.

Councilor Kasner echoed Councilor Parsons and asked about the STARS work session. Ms. Legarza said that will be scheduled in the future and explained.

Mayor Wahlke said there was a Christmas card received from the Lincoln County Board of Commissioners.

18.

MOTION: Motion to Approve the Proclamation as Read by Dr. Gray

MOVER: Rick Mark, Councilor Ward 3

SECONDER: Elaine Starmer, Councilor Ward I

AYES: Wahlke, Starmer, Kasner, Casper, Mark, Parsons

ABSENT: Hoagland

RESULT: Passed by Voice Vote

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 7:33 PM.

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

Council Communication

Proposed Annual Meeting Dates 2023

Meeting Date:	January 9, 2023	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	5 Minutes

2023 Meeting Schedules

Monday, January 09, 2023- City Council
Monday, January 23, 2023- City Council
Monday, February 13, 2023- City Council
Monday, February 27, 2023- City Council
Monday, March 6, 2023- Budget Committee (Training) 6:00 PM
Monday, March 13, 2023- City Council
Monday, March 27, 2023- City Council
Monday, April 10, 2023- City Council
Monday, April 24, 2023- City Council
Monday, May 1, 2023- First Budget Committee Meeting (5:00 PM URA, 6:00 PM CC)
Monday, May 8, 2023- City Council
Monday, May 15, 2023- Second Budget Committee Meeting (5:00 PM URA, 6:00 PM CC)
Monday, May 22, 2023- City Council
Tuesday, May 23, 2023- Third Budget Committee Meeting (5:00 PM URA, 6:00 PM CC)
Monday, June 12, 2023- City Council
Monday, June 26, 2023- City Council
Monday, July 10, 2023- City Council
Monday, July 24, 2023- City Council
Monday, August 14, 2023- City Council
Monday, August 28, 2023- City Council
Monday, September 11, 2023- City Council
Monday, September 22, 2023- City Council
Monday, October 9, 2023- City Council
Monday, October 23, 2023- City Council
Monday, November 13, 2023- City Council
Monday, November 27, 2023- City Council- **Cancelled Holiday**
Monday, December 11, 2023- City Council
Monday, December 25, 2023- City Council- **Cancelled Holiday**

Council Communication

Election of Council President

Meeting Date:	January 9, 2023	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	

Section 4.6 of the City of Lincoln City Charter states the following

“At its first meeting of each odd-numbered year, the council shall elect a president from its membership. In the mayor’s absence from a council meeting, the president shall preside over it. Whenever the mayor is unable to perform the functions of his office, the president shall act as mayor.”

The City has used the following procedure for selecting a Council President.

- 1) The Mayor or presiding City Council member opens the meeting for nominations for Council President from the City Councilors.
- 2) The Mayor or Presiding City Council member calls for closure of the nominations. Closure is done by motion, second and voice vote.
- 3) Paper ballots are usually handed out. When the meeting is a Zoom meeting, members will submit their vote using the Chat Room feature in Zoom.
- 4) The City Recorder will read the ballots.
- 5) After reading all ballots, a motion is then made by a City Councilor to appoint a Council President, second and adopted by voice vote.

Council Communication

Outside City Committee and City Committee Appointments

Meeting Date:	January 9, 2023	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	10 Min

Question:

Should the Mayor with the consent of Council update the appointments of individual Council members to represent the City on various outside agencies and boards and assign interview responsibilities?

Staff Recommendation:

Staff recommends the Mayor and Council review the various vacancies and make the necessary appointments and interview assignments.

Authority:

LCMC 2.04.070 provides:

The mayor shall appoint, from among the members of the council, members of ad hoc committees, when the need for a committee arises.

LCMC 2.06.015 C. provides:

C. Selection of Individual Interviewers or Interview Subcommittees.

1. Two councilors shall be appointed by the mayor at a regularly scheduled city council meeting to conduct interviews for open positions. Groups of two can be appointed for multiple openings.
2. Unless otherwise stated at the time of appointment, the interviewer appointments shall be for individual councilors to conduct interviews and provide council with individual recommendations (i.e., the councilors are not a part of an interview subcommittee and shall not deliberate or discuss the applicants except when giving their individual reports to council).

- 3. Nothing herein prohibits the mayor and council from conducting interviews and making recommendations to council as an interview subcommittee (requiring public meeting notice).
- 4. Nothing herein prohibits council from electing to conduct interviews of all applicants at a regular or special city council meeting.
- 5. Notwithstanding the above, the planning commission and budget committee applicants shall be interviewed at a regular or special city council meeting.

Background:

Item 1:

See the attached list of outside agencies needing a City representative. Please note the Mayor Notified the City Recorder 8/16/2022 "[According to ODOT Lincoln City is not a part of the Mid-Willamette Valley Area Commission on Transportation. Their area does not include Highway 18 or 101.](#)"

Previously the Mayor has made these appointments during the City Council meeting.

Item 2:

The Mayor has also appointed individual Councilors to interview applicants for committee and board appointments. Normally two Councilors are appointed. We do not currently use subcommittees for interviews – if Council wants to use subcommittees, such interviews must be noticed under public meetings law.

Committee Applicant Interview assignments:

Committee	City Council member 1	City Council member 2
Arts Committee		
Library Board		
Parks Board		
Sustainability Committee		

Budget Committee – Interview by the City Council
 Planning Commission – Interview by the City Council

Mayor and Council Options:

- 1) Appoint / Re-appoint interested Councilors to positions and make assignments for interviews.

Attachments:

20220714-Outside Agency Committee List (PDF)

Boards and Committees List For Interviews 1122 (PDF)

**OUTSIDE CITY COMMITTEES/BOARDS/COMMISSIONS
WITH CITY REPRESENTATION
Revised July 14, 2022**

1. **Lincoln County State Transportation Improvement Fund Advisory Committee (LCSTIFAC)**
 - City Rep** : Councilor Sydney Kasner (Council Appointment required)
 - Alternate** : Councilor Rick Mark (Council Appointment required)
 - Meets** : 3rd Thursday of January, April, July and October at 3:00 pm
 - Term** : 3 years (expires December 31, 2022)
 - Location** : Newport Chamber of Commerce
 - Purpose** : Committee consists of representatives from all cities, and members at large, who give direction on matters relating to the Lincoln County Transit Service District.

2. **Lincoln County Solid Waste Disposal Service District Advisory Committee (SWAC)**
 - City Rep** : Councilor Judy Casper (Council Appointment required)
 - Alternate** : Councilor Elaine Starmer (Council Appointment required)
 - Term** : Remains until resigns
 - Meets** : Occasionally
 - Location** : Newport City Hall
 - Purpose** : To advise the district on long-range planning for solid waste disposal, recycling education and promotion, and illegal dumping enforcement.

3. **Lincoln County Solid Waste Consortium (Agate Beach Landfill Closure)**
 - City Rep** : Debbie Bridges, Finance Director
 - Alternate Rep:** Scott Morgan, Finance Manager
 - Term** : Until resigns
 - Purpose** : Managing the long-term fund for closure of the Agate Beach Landfill.

4. **Oregon Coastal Zone Management Association (OCZMA)**
 - City Rep.** : Councilor Rick Mark (Council Appointment required)
 - Alternate** : Councilor Riley Hoagland (Council Appointment required)
 - Term** : Until resigns
 - Meets** : Meet quarterly
 - Location** : Varies.
 - Purpose** : Concentrates on a wide range of federal, state, and local issues that are uniquely coastal in nature – ports (continued dredging of the coastal harbors), fisheries (salmon disaster assistance and other fishery related work important to the Oregon Coast, coastal zone management and land use, ocean planning (issues such as marine protected areas, marine sanctuaries, wave energy, etc.), coastal tourism, coastal hazard issues (tsunamis, earthquakes, and landslides), coastal economics, coastal telecommunications and

coastal transportation. Also works closely with the Oregon’s Congressional Delegation and Oregon’s State Legislators representing the Oregon Coast relating to these issues.

Note : Cost to City is \$500/year

5. Cascade West Area Commission on Transportation (CWACTION)

- City Rep. : Councilor Rick Mark (Council Appointment required)
- Alternate : Councilor Mitch Parsons (Council Appointment required)
- Term : 2 years (expires December 31, 2022)
- Meets : About every 60 days
- Location : Albany in person; or drive to Toledo and attend via teleconference at the Cascade West Council of Government office.
- Purpose : Commission consists of officials from city and county agencies in Linn, Benton and Lincoln Counties. This agency is the city’s link to the Oregon Department of Transportation.

6. Cascade West Council of Governments (CWCOG) – Executive Board

- City Rep. : Councilor Riley Hoagland (Council Appointment required)
- Alternate : Councilor Sydney Kasner (Council Appointment required)
- Meets : Monthly with no set calendar
- Term : Remains until resigns
- Location : Albany (attends via video conference from Toledo)
- Purpose : Oversees and approves policy decisions proposed by staff

7. Village at Cascade Head Homeowner’s Association (VCHHOA)

- President : Councilor Mitch Parsons (Council Appointment required)
- Board Mem. : Councilor Elaine Starmer (Council Appointment required)
- Meets : Annually
- Term : Remains until resigns

8. Mid-Willamette Valley Area Commission on Transportation (MWVACT)

- City Rep : Mayor Susan Wahlke (Council Appointment required)
- Alternate : Councilor Sydney Kasner (Council Appointment required)
- Meets : First Thursday of every month as needed
- Term : Remains until resigns

** Notified by the Mayor 8/16/2022 “According to ODOT Lincoln City is not a part of the Mid-Willamette Valley Area Commission on Transportation. Their area does not include Highway 18 or 101.”

9. HB 4123 Advisory Board

- City Rep : Councilor Judy Casper (Council Appointment required)
- Alternate : Councilor Mitch Parsons (Council Appointment required)
- Meets : TBD
- Term : Remains until resigns

Boards and Committees List For Interviews

Arts Committee: Councilor Hoagland & Councilor Kasner

Library Board: Councilor Casper & Councilor Mark

Parks Board: Councilor Starmer & Councilor Parsons

Sustainability Committee: Councilor Hoagland & Mayor Wahlke

*****Interview for candidates applying to serve on the Budget Committee and Planning Committee are performed by the entire Council. *****

Council Communication

Outside Agency Subcommittee

Meeting Date:	January 9, 2023	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Daphnee Legarza	Estimated Time:	

We need three Council members to review the outside agency requests and make recommendations to the full City Council.