

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

January 23, 2023, 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](http://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: 2/13/2023

**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	Present	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; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; David Twigg, I.T. Support Specialist; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.*

**C. PLEDGE OF ALLEGIANCE**

*Mayor Wahlke led The Pledge of Allegiance.*

**D. CONSENT AGENDA**

<b>MOTION:</b>	<b>Consent Agenda</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed</b>

1. Regular Meeting – Minutes of Regular Meeting – January 9, 2023, 6:00 PM
2. Regular Meeting – Minutes of Work Session – January 11, 2023, 3:30 PM
3. Request for Waiver Under Terms of Promissory Note

**E. COUNCIL DELIBERATIONS**

*NONE*

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

*Ms. Legarza read a comment that was sent via email from Renee Clark regarding new buildings being electric.*

**G. PRESENTATIONS**

4. North Lincoln Sanitary Presentation

*Colin Teem from North Lincoln Sanitary gave a presentation regarding the 2022 DEQ Recycle Report. Council asked questions and complimented North Lincoln Sanitary on the mobile app.*

**H. PUBLIC HEARING / ORDINANCE**

*None*

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Public Hearing Pursuant to ORS 221.725 / ORS 271.330 On Proposed Disposition of Real Property to Northwest Coastal Housing for Tiny Home Development

*Mr. Appicello explained the hearing for the disposition of property for a tiny home development. Mayor Wahlke opened the public hearing at 6:30 PM. There were no Citizens present for public comment. Councilor Casper made a motion to close the public hearing Councilor Mark seconded, public hearing closed.*

2. Delake Heights Local Improvement District Public Hearing

<b>MOTION:</b>	<b>Motion to Continue the Public Hearing to March 27th and Leave the Record Open Delake Heights Local Improvement District Public Hearing</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

*Mayor Wahlke opened the public hearing at 6:31 PM. Councilor Mark explained a conversation had with a resident. Mayor Wahlke said that she had a conversation with two property owners. Councilor*

*Hoagland spoke about a conversation that was had with a resident. There was no declared conflict or bias from the City Council members.*

*Ms. Reid presented the staff report for the Delake Heights Local Improvement District. Council and Staff had a discussion on the local improvement district and the process of the hearing. Ms. Legarza gave a summary of public comments received via email.*

*Laura Quillman spoke on behalf of James Covert against the local improvement district.*

*Greg O'Keefe spoke against the local improvement district.*

*Patrick Alexander spoke against the local improvement district.*

*Laura Quillman spoke against the local improvement district.*

*Laura Edwards spoke against the local improvement district.*

*Steve Rova spoke against the local improvement district.*

*Dennis Knudson spoke against the local improvement district.*

*Rob Dahlman spoke against the local improvement district.*

*Andrew Edwards spoke against the local improvement district.*

*Greg Ernst spoke against the local improvement district.*

*Elaynea Redd spoke against the local improvement district.*

**3.**

<b>MOTION:</b>	<b>Motion to Direct Staff to Bring Back Information Regarding the Minimum Necessity, Alternative Distribution of Cost, Alternate Boundaries, and a Breakdown of Cost</b>
<b>MOVER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

*Council would like to see the absolute bottom line necessity as well as alternative distribution of the cost. Council would like to consider alternate boundaries and a breakdown of cost.*

**4. Public Hearing ORS 221.725 Proposed Grant of Underground ROW Easement for Electric Utility**

*Mr. Appicello presented the staff report for the grant of easement to Pacific Power electric utility. Mayor Wahlke opened the public hearing at 7:53 PM. There were no Citizens present for public comment. Mayor Wahlke closed the public hearing at 7:53 PM.*

**5. Public Comment Resolution 2023-03 Proposed Revisions to City Master Fee Schedule**

*Ms. Legarza explained the resolution for the fee revisions. Council and Staff had a discussion regarding the use of the City logo. Council gave consensus to direct staff to bring back more information. Mayor*

Wahlke opened the public hearing at 8:00 PM. No Citizens were present for comment. Mayor Wahlke closed the public hearing at 8:00 PM.

**J. ORDINANCES**

- 6. ORDINANCE NO. 2023-01 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

<b>MOTION:</b>	<b>Motion to Approve First Reading of Ordinance 2023-01 (formerly 2022-45)- Amend Building Code</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

Mayor Wahlke said that she learned about the word "surcharge", and it was the proper use from the previous meeting.

7.

<b>MOTION:</b>	<b>Motion to Approve Second Reading and Adoption of Ordinance 2023-01 (formerly 2022-45)- Amend Building Code</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**K. RESOLUTIONS**

- 8. RESOLUTION 2023-01 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING AND DIRECTING DISPOSITION OF CITY REAL PROPERTY TO NORTHWEST COASTAL HOUSING FOR TINY HOME PROJECT

<b>MOTION:</b>	<b>Motion to Approve Resolution 2023- 01 (Disposition of Real Property for Tiny Home Project) with the Inclusion in section 3</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Mark, Parsons
<b>NAYS:</b>	Hoagland
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

Councilor Mark asked that the resolution number be correct from 2022-01 to 2023-01. Mr. Appicello asked that verbiage be added for further reference items. Ms. Robertson spoke regarding the project. Council and Staff had a discussion regarding the project.

9. RESOLUTION NO. 2023-02 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING AND DIRECTING DISPOSITION OF AN EASEMENT INTEREST IN CITY REAL PROPERTY FOR PURPOSES OF UNDERGROUND ELECTRIC UTILITY LINES / EQUIPMENT TO SERVICE CITY FACILITIES.

**MOTION:** Motion to Approve Resolution 2023-02 Grant of Easement Interest to PacifiCorp  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Elaine Starmer, Councilor Ward 1  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

10. RESOLUTION NO. 2023-03 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING REVISIONS TO THE CITY-WIDE FEE SCHEDULE

**MOTION:** Motion to Approve Resolution 2023-03: Revisions to Master Fee Schedule  
**MOVER:** Elaine Starmer, Councilor Ward 1  
**SECONDER:** Sydney Kasner, Councilor Ward 2  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

*Councilor Mark asked Ms. Sprague about Medicaid/Medicare fees. Ms. Sprague said this is a discounted rate for Seniors via the insurance companies. Council and Staff had a discussion on the Medicaid/Medicare fees.*

## L. SPECIAL ORDER OF BUSINESS

11. Budget Committee Interview - Laspa/Neighorn

*Council interviewed Mr. Laspa and Mr. Neighorn for the Budget Committee.*

12. Appointment to Arts Committee - Applicant Holly Laspa

**MOTION:** Motion to Appoint Holly Laspa to the Art Committee  
**MOVER:** Sydney Kasner, Councilor Ward 2  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

13. Request for Appointment to Driftwood Public Library Board - Holly Laspa

**MOTION:** Motion to Appoint Holly Laspa to the Library Board  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

14. Appointment to Parks and Recreation Board - Multiple Applicants

*Council used ballots to appoint Ms. Prins and Ms. Wood to the Parks and Rec Board. Mayor Wahlke voted for Prins and Woods; Councilor Casper voted for Prins and Woods; Councilor Mark voted for Prins and Zantello; Councilor Hoagland voted for Wood and Zantello; Councilor Parsons voted for Wood and Zantello; Councilor Starmer voted for Prins and Woods; Councilor Kasner voted Prins and Zantello.*

**15. Appointment to Sustainability Committee - Multiple Applicants**

**MOTION:** Motion to Appoint Monica Spady to Sustainability Committee  
**MOVER:** Susan Wahlke, Mayor  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

**16. Update: Proposed Nelscott Urban Renewal Plan**

*Ms. Robertson gave an update on the proposed Nelscott Urban Renewal Plan.*

**17. New Community Park in Taft Design/Build Contract Award**

*Ms. Sprague and Ms. Reid explained the project at the Taft Park. Council and Staff had a discussion regarding the Taft Park project and the Nesika Park project.*

**MOTION:** Motion to Award the Progressive Design-Build Services for the New Community Park in Taft Project to K&E Excavating, Inc. the Amount of \$2,450,000  
**MOVER:** Sydney Kasner, Councilor Ward 2  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

**18. Letter from Mayor Wahlke on behalf of the entire Lincoln City, City Council to Governor Tina Kotek regarding Executive Orders 23-02 and 23-03 addressing homelessness**

*Mayor Wahlke spoke about the letter she drafted to the Governor and asked for approval to sign. Council gave consensus.*

**M. CITY MANAGER/CITY ATTORNEY REPORTS**

*Ms. Legarza spoke about the point-in-time count. Ms. Legarza said that the library will reopen on Wednesday the 25th after accommodations are complete for the work being done.*

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

**19.**

**MOTION:** Motion to Have an Executive Session with the City Attorney to Discuss the Priorities and Project List  
**MOVER:** Sydney Kasner, Councilor Ward 2  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Voice Vote

*Council and Staff had a discussion about the topics that would need to be addressed.*

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

*NONE*

**P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**

Councilor Starmer spoke about options for commercial customers to recycle. Council had a discussion about recycling. Councilor Starmer asked about an Executive Session on January 30th. Ms. Legarza will gather information from the HR Director. Councilor Starmer asked Mr. Appicello about the VRD motion that was made at a previous meeting. Mr. Appicello explained the process.

Councilor Parsons thanked the residents who participated tonight regarding the Delake Heights LID.

Councilor Hoagland gave kudos to the Community for the composting. Councilor Hoagland asked about the new AV equipment. Ms. Legarza will follow up with IT. Councilor Hoagland asked about the process for grading project bids. Ms. Legarza explained that it is project-based. Mr. Hoagland asked about bringing new committees and the status of that. Ms. Legarza will check and get back to Councilor Hoagland. Councilor Hoagland spoke about the Cascade West Council of Governments and SNAP benefits ending.

Councilor Mark spoke about the rate review for North Lincoln Sanitary. Ms. Legarza said that the Finance Department is reaching out to schedule. Councilor Mark asked about the tsunami sirens. Ms. Legarza will check into that. Councilor Mark asked about the hydrant maintenance schedule. Councilor Mark spoke about the League of Oregon Cities 2017 information. Councilor Mark spoke about a bike Safety committee.

Mayor Wahlke spoke a chapter published by the LOC this month on municipal boards and committees. Mayor Wahlke said that she appreciated the input from Citizens at the meeting.

**Q. ADJOURNMENT**

Mayor Wahlke adjourned the meeting at 9:30 PM.

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER