

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

February 27, 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 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: 3/13/2023

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; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; Liz Francis, Executive Administrative Legal Assistant.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

Mayor Wahlke removed the agenda item G6 Submission of Audited Statements and rescheduled to the Joint CC/URA Meeting on February 13th. Mayor Wahlke said there would be two items added to the City Manager/City Attorney Reports; a lease amendment and the City Manager will be talking about the "Safe Routes to School" grant.

D. CONSENT AGENDA

MOTION:	Consent Agenda
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

1. Regular Meeting – Minutes of Work Session – February 8, 2023, 3:30 PM
2. Regular Meeting – Minutes of Regular Meeting – February 13, 2023, 6:00 PM
3. Oregon Liquor Control Commission - Request for Ownership Change, Commercial Liquor License for Zeller's Bar and Grill
4. Oregon Liquor Control Commission - Request for Greater Privilege, Commercial Liquor License for Vin & Brau

E. COUNCIL DELIBERATIONS

None

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

Mayor Wahlke said that Commissioner Kaety Jacobson was attending the meeting via Zoom. Mayor Wahlke said Commissioner Jacobson would be attending meetings quarterly. Mayor Wahlke said Commissioner Jacobson would give updates and answer questions at the next meeting she is in attendance.

Ms. Legarza said there was one public comment in favor of the Delake Local Improvement District from Brian and Heidi Golombek.

G. PRESENTATIONS

5. Lincoln County Veterans Services Presentation

Keith Barnes, Lincoln County Veterans Service Officer, gave a presentation about Lincoln County Veterans Services and what types of services they offer to the Veterans of Lincoln County. Councilor Kasner asked if Veterans have to physically go to the Newport office for services. Mr. Barnes said that some items require a signature, but home visits are available. Councilor Kasner asked if the phone number is going to a person or a service. Mr. Barnes said the number goes directly to his office and is answered by the administrative assistant and if they are busy they return calls as soon as possible. Mayor Wahlke asked about a Lincoln City office. Mr. Barnes said there is no Lincoln City office at this time. Health and Human Services (HHS) is potentially building an office in Lincoln City and Lincoln City Veterans Services have been offered space once completed. Mayor Wahlke asked about the Veterans Affairs Medical Services in Lincoln County. Mr. Barnes shared that it is staffed on Fridays in Lincoln City.

6. FY2022-23 Submission of Audited Statements

Mayor Wahlke moved this agenda item to the Joint CC/URA meeting on February 13th at 5:00 PM.

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

None

J. ORDINANCES

1. ORDINANCE NO. 2023-03 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.06 (CITY APPOINTIVE BODIES), AMENDING SECTION 2.06.075 (CODE OF ETHICS) TO FURTHER CLARIFY THE CODE OF CONDUCT FOR APPOINTIVE BODY MEMBERS TO BE CONSISTENT WITH COUNCIL RULES

MOTION:	Motion to Approve First Reading of Ordinance 2023-03 Amending LCMC Ch. 2.06 Appointive Bodies
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Sydney Kasner, Councilor Ward 2
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 2023-03 Amending LCMC Ch. 2.06 Appointive Bodies
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

3. ORDINANCE NO. 2023-02 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 1 (GENERAL PROVISIONS), AMENDING CHAPTER 1.16 (VIOLATIONS), AMENDING SECTION 1.16.030 (DEFINITIONS) TO UPDATE THE DEFINITION OF CITY ENFORCEMENT OFFICER

MOTION:	Motion to Approve First Reading of Ordinance 2023-02 Amend Definition of City Enforcement Officer
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

- 4.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2023-02 Amend Definition of City Enforcement Officer
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

5. ORDINANCE NO. 2023-04 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), AMENDING CHAPTER 2.14 (COMMITTEE FOR CITIZEN INVOLVEMENT), AMENDING SECTION 2.14.030 (POWERS AND DUTIES) TO REFER TO THE OREGON ADMINISTRATIVE RULE GOVERNING THE COMMITTEE

MOTION:	Motion to Approve First Reading of Ordinance 2023--04 Amend Authority for Citizen Involvement
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

6.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2023--04 Amend Authority for Citizen Involvement
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

K. RESOLUTIONS

None

L. SPECIAL ORDER OF BUSINESS

7. Wastewater Master Plan Update Contract Award

MOTION:	Motion to Award the Wastewater Master Plan Update contract to HBH Consulting Engineers in the Amount of \$220,000.00.
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Ms. Reid explained the firm's history and scope of work to Council. Councilor Hoagland voiced his concern with the output into the bay. Ms. Reid explained the process of the outfall.

8. Holmes Pump Station Upgrade

MOTION:	Motion to Award the Construction Contract to Bateson Enterprises, LLC in the Amount of \$803,256.00 with a Construction Contingency of \$80,325.00 for a Total Amount of \$883,581.00
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

9. NE 14th Sidewalk Project Phase 2

MOTION:	Motion to Award the Contract to K&E Excavating, Inc. in the Amount of \$522,632.00 with a Construction Contingency of \$52,632.00 for a Total of \$574,895.00
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Legarza said Strategic Visioning is scheduled for March 1, 2023. Please contact Ms. Legarza to schedule one on one with the consultant if needed.

10.

MOTION:	Motion to Authorize Mayor or City Manager to Sign the Safe Routes to School Grant Agreement with ODOT
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

Ms. Legarza reported that we received a grant for Safe Routes to School. She reported on the status of the project. \$755,027.20, total project cost is \$943,784. The City will give \$188,756.80. Ms. Legarza said that it was a standard grant agreement with ODOT. Public works would meet the terms of the agreement.

11.

MOTION:	Motion to Approve the Ground Lease with the Changes as Presented
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Mr. Appicello explained the need for the agreement to Council.

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

None

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

None

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Starmer said composting time is coming up in April, watch for information in the North Lincoln Sanitary newsletter.

Mayor Wahlke thanked Ms. Francis for covering for the City Recorder's absence. Mayor Wahlke recognized Jeanne Sprague, Parks and Recreation Director for the cover shot on the Oregon Coast Community College catalog cover.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 7:09 PM.

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SUSAN WAHLKE, MAYOR

ATTEST:

//S//

JAMIE YOUNG, CITY RECORDER