

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

August 14, 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: 8/28/2023**

**A. CALL TO ORDER**

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

**B. ROLL CALL**

Attendee Name	Title	Status	Arrived
Judy Casper	Councilor Ward 3	Present	
Riley Hoagland	Councilor Ward 2	Present	
Rick Mark	Councilor Ward 3	Present	
Mitch Parsons	Councilor Ward 1	Present	
Susan Wahlke	Mayor	Present	

*Staff Present: Daphnee Legarza, City Manager; Richard Appicello, City Attorney; Chief Broderick, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Seth Lenaerts, Project Manager; Kim Cooper Findley, Explore Lincoln City Director; Tyrell Trainor, Explore Lincoln City; Cole Finley, Explore Lincoln City; Stephanie Reid, Public Works Director; Jamie Young, City Recorder.*

**C. PLEDGE OF ALLEGIANCE**

*Mayor Wahlke led The Pledge of Allegiance.*

Mayor Wahlke pulled items (J) 3 and 4 from the agenda.

**D. CONSENT AGENDA**

<b>MOTION:</b>	<b>Consent Agenda</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed</b>

1. Regular Meeting – Minutes of Regular Meeting – July 24, 2023, 6:00 PM
2. Regular Meeting – Minutes of Work Session – July 26, 2023, 5:00 PM

**E. COUNCIL DELIBERATIONS**

*None*

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

*Ms. Legarza summarized an email from Scott Buck regarding the tree ordinance.*

*Marie McFarland spoke regarding VRD in Roads End and employees living out of state.*

*Rick Metz and Jane Mulholland spoke regarding the Lincoln City Pickleball Club.*

*Scott Buck of Chapel by the Sea Church, spoke regarding defensible space at commercial properties and changing the ordinance.*

*MerryAnn Blanchard spoke regarding the fireworks and potential fires.*

**G. PRESENTATIONS**

*None*

**H. PUBLIC HEARING / ORDINANCE**

*None*

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Nelscott Urban Renewal (Tax Increment Finance) Area

Mayor Wahlke opened the public hearing at 6:19 PM.

*Alison Robertson Urban Renewal and Economic Development Director and Elaine Howard of Elaine Howard Consulting presented the staff report for the new Nelscott Urban Renewal Plan.*

*Council and Staff discussed the Staff report presented.*

*Rob Dahlman, Fire Chief with North Lincoln Fire and Rescue testified on behalf of the board. The North Lincoln Fire and Rescue is against the new Nelscott Urban Renewal area.*

*Barbe Jenkins-Gibson testified in favor of the new Nelscott Urban Renewal area.*

*Gail and Doug Miller testified regarding the new Nelscott Urban Renewal area.*

*Genevieve Atwood testified in favor of the new Nelscott Urban Renewal area.*

*Alison Robertson Urban Renewal and Economic Development Director and Seth Lenaerts, Urban Renewal and Economic Development Project Manager, returned to answer questions that were asked. Council and Staff had more discussion.*

Mayor Wahlke closed the public hearing at 7:22 PM.

**2. PUBLIC COMMENT ON RESOLUTION NO. 2023-21**

*Mayor Wahlke opened the public hearing at 7:22 PM. No Citizens were present to comment on this hearing. Council and Staff discussed the noise variance. Mayor Wahlke closed the public hearing at 7:25 PM.*

**J. ORDINANCES**

- 3. ORDINANCE NO. 2023-15 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 13 (PUBLIC SERVICES), CHAPTER 13.12 (WATER AND SEWER SYSTEM RATES AND CHARGES), AMENDING SECTION 13.12.050 (WATER SERVICE EXTENSIONS, CONNECTIONS AND EQUIPMENT- INSTALLATION AND MAINTENANCE RESPONSIBILITY) AND AMENDING SECTION 13.12.100 (BILLING – DISCONNECTION FOR NONPAYMENT- RECONNECTION FEES) TO DEFINE THE OFFENSE OF FAILURE TO REPAIR WATER LEAK.**

<b>MOTION:</b>	<b>ORDINANCE NO. 2023-15 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 13 (PUBLIC SERVICES), CHAPTER 13.12 (WATER AND SEWER SYSTEM RATES AND CHARGES), AMENDING SECTION 13.12.050 (WATER SERVICE EXTENSIONS, CONNECTIONS AND EQUIPMENT- INSTALLATION AND MAINTENANCE RESPONSIBILITY) AND AMENDING SECTION 13.12.100 (BILLING – DISCONNECTION FOR NONPAYMENT- RECONNECTION FEES) TO DEFINE THE OFFENSE OF FAILURE TO REPAIR WATER LEAK.</b>
<b>RESULT:</b>	<b>Withdrawn</b>

- 4. ORDINANCE NO. 2023-16 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 ENFORCEMENT OFFICER**

<b>MOTION:</b>	<b>ORDINANCE NO. 2023-16 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 ENFORCEMENT OFFICER</b>
<b>RESULT:</b>	<b>Withdrawn</b>

- 5. ORDINANCE NO. 2023-18 AN ORDINANCE OF THE CITY OF LINCOLN CITY, MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE NELSCOTT URBAN RENEWAL (TAX INCREMENT FINANCE) PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED**

**MOTION:** Motion to Approve First Reading of Ordinance 2023-18 with a Rejection of the North Lincoln Fire and Rescue Districts Recommendation  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Casper, Hoagland, Mark, Wahlke  
**NAYS:** Parsons  
**RESULT:** Passed via Voice Vote

*Council and Staff discussed the process of the County approving the plan. Councilor Parsons explained the reasoning for a no-vote.*

**K. RESOLUTIONS**

6. RESOLUTION 2023-21 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING REVISIONS TO CITY ADMINISTRATION (ADMINISTRATIVE FEES - NOISE VARIANCE) FEE SCHEDULE

**MOTION:** Motion to Approve Resolution 2023-21: Noise Variance Application Fee  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Voice Vote

7. RESOLUTION NO. 2023-23 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING TRAFFIC CONTROL MEASURES FOR THE INTERSECTION OF SE 8TH STREET AND SE OAR AVENUE.

**MOTION:** Motion to Approve Resolution 2023-23 Traffic Control at SE 8th Street and SE Oar Ave.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Voice Vote

**L. SPECIAL ORDER OF BUSINESS**

8. Contract: 2023-2024 Paid Media Services through Marketing Agency of Record

**MOTION:** Motion to Approve Staff Recommendation to Award the Expanded Paid Media Services for Fiscal Year 2023-2024 to Borders, Perrin & Norrandor, Inc, in the Amount of \$570,000  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Casper, Hoagland, Mark, Parsons, Wahlke  
**RESULT:** Passed via Roll Call Vote

9. Water Master Plan Contract Award

<b>MOTION:</b>	<b>Motion to Award the Water Master Plan Update Contract to HBH Consulting Engineers in the amount of \$200,000.00</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

10. Construction Contract Award SW 13th to SW 17th Overlay

<b>MOTION:</b>	<b>Motion to Award a Construction Contract to Road &amp; Driveway Co. in the Amount of \$402,582.75 with a Construction Contingency of \$80,500.00 for a Total Amount of \$483,098.75</b>
<b>MOVER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed via Roll Call Vote</b>

11. EPA Community-Wide Assessment Brownfields Contract Award

<b>MOTION:</b>	<b>Motion to Approve the Professional Consulting Services Contract to Maul Foster Alongi (MFA) and Direct Staff to Carry Out the Contract Negotiations with MFA</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

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

*City Manager gave an update on the current events and introduced the new Explore Lincoln City Director, Kim Cooper Finley. Ms. Legarza said that she will be appearing remotely for the August 28th City Council meeting.*

*Mayor Wahlke updated about fire danger.*

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

*None*

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

*Carolyn Nguyen spoke regarding employees working remotely.*

*Lana Elmore spoke against an all-gender bathroom at an establishment that was visited with her Granddaughter.*

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

*Councilor Parsons spoke about the future meetings on Wednesdays. Mayor Wahlke suggested the alternate Mondays of the Council Meeting. Councilor Parsons suggested meeting with the Fire Service yearly.*

Councilor Hoagland spoke about the Siletz Pow-Wow and also the Grand Ronde Pow-Wow. Councilor Hoagland spoke about the two shows at the Cultural Center and Teen Night. Councilor Hoagland gave an update on the events at the Driftwood Library. Councilor Hoagland mentioned John Force and his recent passing. Councilor Hoagland mentioned there is a streaming issue per IT.

Councilor Mark mentioned he liked the idea of meeting with the Fire Board and he may be out of town in September.

Councilor Casper spoke about the homeless committee and the strategic plan and she gave statistics.

Mayor Wahlke also gave an update on events at the Library. Mayor Wahlke congratulated the new Mayor in Newport. Mayor Wahlke spoke about the Small Cities Meeting in Dune City.

12.

<b>MOTION:</b>	<b>Motion to Change the Work Session from August 23rd</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

13.

<b>MOTION:</b>	<b>Motion to Direct the City Manager to Seek Options for Interim Legal Counsel and Report back to Council</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**Q. ADJOURNMENT**

Mayor Wahlke adjourned the meeting at 9:05 PM.

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER