

CITY OF LINCOLN CITY

LINCOLN CITY COUNCIL AGENDA

MONDAY FEBRUARY 28, 2022 6:00 PM

6:00 PM - The Lincoln City Council meeting for February 28, 2022, will be held via Zoom. The City Council Chambers will be open and the meeting will be broadcast live in the Council Chambers. It will also be live on Channel 4 and through streaming on the web at www.lincolncity.org.

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

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.

Citizens present in the Council Chambers will be given the opportunity to comment via Zoom. Citizens present in the Council Chambers will be required wear a face covering and must observe social distancing. A member of the Information Technology staff will be present during the meeting to assist with any technical issues.

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 Zoom screen name the person intends to use for the meeting. A Zoom invitation will be sent to the person requesting prior to the meeting. Persons who will give public comment via Zoom will need to leave the video off and microphone muted 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 the City Recorder, 541-996-1203.

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 "Public Meeting Calendar". This meeting will be televised on Channel 4. For additional rebroadcast times, please consult the Channel 4 guide on the hour.

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. CONSENT AGENDA**
 - 1. Regular Meeting – Minutes of Regular Meeting – February 14, 2022 6:00 PM
 - 2. Proposed Joint Annual Meeting Date
- E. COUNCIL DELIBERATIONS**
- F. COMMENTS FROM CITIZENS PRESENT ON AGENDA/NON-AGENDA ITEMS**
- G. PRESENTATIONS**
 - 3. Mid-Coast Water Planning Update
- H. PUBLIC HEARING / ORDINANCE**
- I. PUBLIC HEARINGS / PUBLIC COMMENTS**
- J. ORDINANCES**
- K. RESOLUTIONS**
 - 1. RESOLUTION NO. 2022-05 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING PARKING AND TRAFFIC CONTROL MEASURES FOR NE DEVIL'S LAKE BOULEVARD AND VOYAGE AVENUE WITHIN THE VILLAGES AT CASCADE HEAD DEVELOPMENT
 - 2. RESOLUTION NO. 2022-06 A RESOLUTION OF THE CITY OF LINCOLN CITY ORDERING THE TEMPORARY CLOSURE OF SW 9th STREET FOR A TWO WEEK PERIOD TO FACILITATE UTILITY WORK AND CONSTRUCTION OF THE SINGLE FAMILY HOME AT 1122 SW 9th STREET
- L. SPECIAL ORDER OF BUSINESS**
 - 3. High School Drive Improvement Project Construction Contract Award
- M. CITY MANAGER/CITY ATTORNEY REPORTS**
- N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION**
- O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS**
- P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL**
- Q. ADJOURNMENT**

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

February 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 6:01 PM. Mayor Wahlke advised the public that there are now three ways to provide public comment.

1. Comments can be made through email to publiccomment@lincolncity.org;
2. Comments can be made via Zoom if a request is emailed to publiccomment@lincolncity.org by noon on the meeting day;
3. Comments can be made in person at the Council Chambers (COVID-19 precautions are taken).

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: Tony LaSoya, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Stephanie Reid, City Engineer; Anne Marie Skinner, Planning and Community Development Director; Kirsten Brodbeck-Kenney, Library Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA

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

1. Regular Meeting – Minutes of Regular Meeting – January 24, 2022, 6:00 PM
2. Oregon Liquor Control Commission - Request for Full On-Premises Liquor License for Seadogs
3. Oregon Liquor Control Commission - Request for Full On-Premises, Commercial Brewery/Public House Liquor License for Pelican Brewing -Siletz Bay
4. ORDER NO. 2022-01 AN ORDER APPROVING A SIX MONTH GROUND LEASE EXTENSION FOR NEWPORT PACIFIC CORPORATION (MO'S RESTAURANT).

E. COUNCIL DELIBERATIONS

None

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

Trudi Yoshikawa spoke against Lincoln Palisades subdivision HOA.

William Ferrill spoke against Lincoln Palisades subdivision HOA.

Melissa Janicek spoke against Lincoln Palisades subdivision HOA.

Tim Stoelb supports the people speaking against the HOA and spoke regarding the traffic at Lincoln Palisades.

Linda Falch spoke regarding flashing lights at the pedestrian crossing from 11th to 18th. Ms. Falch spoke about the light at 101 and Logan Road.

Margaret Powell spoke against Lincoln Palisades subdivision HOA.

Mike Vial an attorney with Alpha Building spoke regarding the HOA at Lincoln Palisades.

Billie Jo Smith asked Lincoln City to join the newly formed Lincoln County Water System Alliance.

G. PRESENTATIONS

5. Homeless Pilot Project Awarded to Lincoln County

Amanda Cherryholmes presented on behalf of Coastal Support Services and the Homeless Coordination Pilot Project Grant. Mayor Wahlke asked what days of the week they are open. Ms. Cherryholmes said Monday through Friday. Councilor Mark asked if there was anything immediate, the Council could do or if it was too late. Ms. Cherryholmes said it was past that point but Ms. Hall and Councilor Casper represented Lincoln County. Councilor Casper said this is a million-dollar grant. Councilor Kasner said that she was very proud of all of the work being done. Ms. Cherryholmes said they just signed a new lease at their current location next to Candyland and have about 4 years guaranteed.

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1.

MOTION:	Motion to Close the Public Hearing and Record for Zoning Ordinance Amendment (ZOA) 2022-01 (Ordinance 2022-05) Annexation
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Voice Vote

Ms. Skinner said when the procedures were redone; the portion of City initiated annexations was omitted. Ms. Skinner said this would correct the omission. No public comments were received.

2.

MOTION:	Motion to Close the Public Hearing and Record for Zoning Ordinance Amendment (ZOA) 2022-02 (Ordinance 2022-06) Urban Growth Boundary
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Voice Vote

7:17 PM public hearing was opened for public comment and testimony.

Ms. Skinner said this action will correct a mapping error discovered by the GIS Coordinator. Ms. Skinner said this would correct the mapping issue. No public comment were received.

3.

MOTION:	Motion to Close the Public Hearing and Record for Zoning Ordinance Amendment (ZOA) 2022-06 (Ordinance 2022-07) Initiation Authority
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Voice Vote

7:22 PM public hearing was opened for public comment and testimony.

Ms. Skinner said this action would add the authority for the Planning Director to initiate code changes. No public comment were received.

4.

MOTION:	Motion to Close the Public Hearing and Record for Zoning Ordinance Amendment (ZOA) 2021-07 (Ordinance 2022-08) EMC Signs
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Voice Vote

7:25 PM public hearing was opened for public comment and testimony.

Ms. Skinner said this proposed amendment would allow for a conditional use permit for internally illuminated signs. Ms. Skinner listed the conditions of approval. Councilor Mark asked about full-screen illumination. Ms. Skinner said that would be the full screen lit up; for example, if the background was white and the letters were blue that would be a fully lit up screen. Councilor Casper asked how would determine color. Ms. Skinner said red is recommended.

Dr. Karen Gray spoke with Susan Graves in favor of the reader board for Taft High School.

J. ORDINANCES

5. ORDINANCE NO. 2022-04 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), CHAPTER 15.04 (ADOPTION AND ENFORCEMENT OF CONSTRUCTION AND CONSTRUCTION-RELATED CODES) AMENDING SECTION 15.04.040 (DEFINITIONS) AND SECTION 15.04.140 (APPEALS) TO ADDRESS SB 866 CONCERNING USE OF CONTRACTED BUILDING OFFICIAL SERVICES; AMENDING CHAPTER 12.12 (BUILDING BOARD OF APPEALS)

MOTION:	Motion to Approve First Reading of Ordinance 2022-04- Amend Building Code per SB 866
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

6.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2022-04- Amend Building Code per SB 866
MOVER:	Elaine Starmer, Councilor Ward 1
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

7. ORDINANCE 2022-05 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), AMENDING CHAPTER 17.77 (APPLICATIONS) 17.77.020 (ANNEXATION)

MOTION: Motion to Approve First Reading of Ordinance 2022-05 Annexation
MOVER: Sydney Kasner, Councilor Ward 2
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

8.

MOTION: Motion to Approve Second Reading and Approval of Ordinance 2022-05 Annexation
MOVER: Elaine Starmer, Councilor Ward 1
SECONDER: Judy Casper, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

9. ORDINANCE 2022-06 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY COMPREHENSIVE PLAN, ORDINANCE 84-01, AS AMENDED, TOGETHER WITH ORDINANCE 84-02, AS AMENDED, TO AMEND THE LINCOLN CITY COMPREHENSIVE PLAN MAP AND ZONING MAP TO CONFORM THE CITY'S URBAN GROWTH BOUNDARY LINE TO MATCH THE LINE ADOPTED BY LINCOLN COUNTY IN ORDINANCE 183 ON SEPTEMBER 22, 1982

MOTION: Motion to Approve First Reading of Ordinance 2022-06 Urban Growth Boundary
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

10.

MOTION: Motion to Approve Second Reading and Approval of Ordinance 2022-06 Urban Growth Boundary
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

11. ORDINANCE 2022-07 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.76 (ADMINISTRATIVE PROVISIONS), SECTION 17.76.080 (INITIATION OF APPLICATION) TO AUTHORIZE THE PLANNING DIRECTOR TO INITIATE TYPE 4 APPLICATIONS ON BEHALF OF THE CITY

MOTION: Motion to Approve First Reading of Ordinance 2022-07 Initiation Authority
MOVER: Elaine Starmer, Councilor Ward 1
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

12.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-07
Initiation Authority
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

13. ORDINANCE 2022-08 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.72 (SIGN REGULATIONS), SECTION 17.72.090 (PERMANENT SIGNS IN THE R-1-5, R-1-7.5, R-1-10, R-1-RE, R-M, RR, VR, AND NP-NCR ZONES), PARAGRAPH C, TO CREATE AN EXCEPTION OF ELECTRONIC MESSAGE SIGNS.

MOTION: Motion to Approve the First Reading of Ordinance 2022-08 EMC Signs
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Elaine Starmer, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

14.

MOTION: Motion to Approve the Second Reading and Adoption of Ordinance 2022-08 EMC Signs
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

K. RESOLUTIONS

15. RESOLUTION 2022-04 A RESOLUTION OF THE CITY OF LINCOLN CITY SPECIFYING THE PORTIONS OF THE CITY-OWNED VILLAGES AT CASCADE HEAD PROPERTY AVAILABLE FOR INTERIM RECREATION USE, REPEALING RESOLUTION 2013-20

Councilor Parsons asked to see the maps. Mr. Appicello said he would ask that they be placed on the website.

MOTION: Motion to Approve Resolution 2022-04 - Clarification of Villages Interim Park Use
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Elaine Starmer, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

L. SPECIAL ORDER OF BUSINESS

16.

MOTION: Motion to Award the Soffit Proposal Change Order to Roof Toppers Inc in the Amount of \$63,218
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

Ms. Sprague said after the award of the contract the City found the soffits also need replacing at an additional cost of \$63,218. Councilor Starmer asked about the materials being used. Ms. Sprague explained.

17. Appointment to Sustainability Committee - Applicant Leonard Folino

MOTION: Motion to Appoint to Sustainability Committee - Applicant Leonard Folino
MOVER: Riley Hoagland, Councilor Ward 2
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

Mr. LaSoya acting Interim City Manager thanked Council for selecting him. Mr. LaSoya said that the City has great staff and thanked the staff for their hard work.

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

18.

MOTION: Motion to Advise Seller City is not Interested in Making an Offer on the Coast Avenue Lots.
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Parsons
ABSTAIN: Mark
RESULT: Passed by Roll Call Vote

*Councilor Mark stated he recused himself for all discussion and voting.
 Councilor Hoagland said that he is a Realtor and this is done with no bias.*

19.

MOTION: Motion to Proceed with Litigation/Enforcement on Waterline and Right-of-Way Encroachment Issues. Staff to Make Appropriate Budget Adjustments via City Process to Make Funds Available
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

20.

MOTION: Motion to Proceed with Conveyance of Draft Contract Offer for City Manager
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

21.

MOTION: Motion to Authorize Interested Party to Make Application for Development/Site Plan Review on City-owned Property. [Inform interested Party motion does not grant any land use approval nor does it convey any interest in the property].
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Voice Vote

22.

MOTION: Motion to Include Floodplain Jurisdictional Complaint in Future Executive Session Notice
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Voice Vote

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

City Recorder mentioned Patrick Dunne emailed public comment regarding the Lincoln Palisades that was previously missed.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark spoke about the Ed Johann dedication and thanked the Parks Department. Councilor Mark spoke about being on a Statewide Council for improving emergency communications, and he will start traveling around the State to explain opportunities for Cities to take advantage of. Councilor Mark said that he and his wife hiked the Spyglass Open Space Trail. Councilor Mark is looking forward to the sign dedication. Councilor Mark will be absent from the second meeting in March as he is on vacation.

Councilor Kasner said she is very excited about the presentation that was given and how it rolls out. Councilor Kasner said there is an emergency service communication that Washington does and she will get a copy for Councilor Mark.

Councilor Hoagland gave a reminder of Black History Month. Councilor Hoagland spoke about the straw vote. Councilor Hoagland spoke about revising the tree ordinance. Ms. Skinner said that is on her list of things. Ms. Skinner said that she is also going to increase the notification distance to 500 feet.

Councilor Casper spoke about the Water Alliance. Council gave unanimous consent to request a work session on the Water Alliance. Mayor Wahlke said this could be discussed at small cities meeting on Wednesday.

Councilor Starmer said that she is getting concerned about the lack of funding for Parks and Recreation. Councilor Starmer said that there are many items for a work session. Mayor Wahlke said that she would be talking at the State of the City about Ms. Sprague testifying for funding in front of the legislature. Mayor Wahlke would like to thank her publicly for that.

Councilor Parson echoed what both Councilor Casper and Councilor Starmer said. Councilor Parson spoke about the ribbon cutting on the 25th. Councilor Parsons said the priorities need set before the budget.

Councilor Mark said that he agrees with the woman that spoke about the traffic light arrow at Logan Rd and Highway 101.

Councilor Hoagland spoke about the National League of Cities Spanish Elected Officials Board meeting in Washington DC. Ms. Bradley is checking the Budget.

Mayor Wahlke said thanks to Public Health and Ms. Brodbeck-Kenney there are free Covid tests available at the Library. Mayor Wahlke would like to think about in-person meetings.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 8:39 PM.

SUSAN WAHLKE, MAYOR

ATTEST:

JAMIE YOUNG, CITY RECORDER

Council Communication

Proposed Joint Annual Meeting Date

Meeting Date:	February 28, 2022	Primary Staff Contact:	Jamie Young
Department:	City Council	E-Mail:	JYoung@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 Minutes

Question:

The Confederated Tribes of Siletz Indians Tribal Council have asked to confirm the date for the 2022 Joint Annual Meeting with City Council.

Confederated Tribes of Siletz Indians Tribal Council

Monday August 01, 2022

Council Options:

- 1) Council approves the proposed date of August 01, 2022 for a joint meeting with the Confederated Tribes of Siletz Indians Tribal Council
- 2) Council does NOT approve the proposed date of August 01, 2022 for a joint meeting with the Confederated Tribes of Siletz Indians Tribal Council and requests staff to seek an additional date.

Council Communication

Mid-Coast Water Planning Update

Meeting Date:	February 28, 2022	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	

Council Communication

Resolution. 2022-06 SW 9th Street - Temporary Road Closure

Meeting Date:	February 28, 2022	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	10 minutes

Question:

Should the City Council approve Resolution 2022-06, a traffic control resolution concerning temporary road closure and approval of the submitted traffic control plan for construction necessary to develop the approved single-family residential permit at 1122 SW 9th Street?

Staff Recommendation:

Staff recommends approval of Resolution 2022-06.

Authority:

10.08.010 Powers of the city council.

A. Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated by this title or another ordinance.

*B. The powers of the council, which **may be exercised by resolution**, include, but are not limited to:*

- 1. Designation of through streets;*
- 2. Designation of one-way streets;*
- 3. Designation of truck routes;*
- 4. Designation of parking meter zones;*
- 5. Designation of certain streets as bridle paths and prohibition of horses and animals on other streets, parks or property;*
- 6. Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law;*

7. *Initiation of proceedings to change speed zones;*
 8. *Establishment and revision of speed limits and traffic regulations in parks;*
 9. *Temporary blocking or closing of streets;*
 10. *Establishment of bicycle lanes and paths and traffic controls for such facilities;*
 11. *Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage;*
 12. *Authorization of issuance of oversize or overweight vehicle permits;*
 13. *Establishment, maintenance, removal or alteration of the following classes of traffic controls:*
 - a. *Crosswalks, safety zones and traffic lanes,*
 - b. *Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns, and the time when such prohibitions apply,*
 - c. *Parking, including but not limited to truck parking areas, parking for disabled persons, parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal), prohibited parking areas (one or both sides of the street), parking permits and metered parking,*
 - d. *Loading zones and stops for vehicles,*
 - e. *Traffic-control signals.*
- C. Engineering Basis for Decisions. In exercising its municipal traffic authority pursuant to this chapter, the city council or its designee shall be guided by adopted street design and constructions standards, including but not limited to the 2015 Lincoln City Transportation Plan. Where appropriate, variations or alternatives to standard design and constructions standards may be approved in the discretion of the city engineer. Traffic control and parking measures are imposed based on the engineering considerations and public safety such as the adequacy of the right-of-way width and suitable shoulder base, and not on any other basis. (Ord. 2021-04 §§ 1, 2; Ord. 88-8 § 4.01)*

Background:

The owner of the property located at 1122 SW 9th Street is requesting a two week street closure affecting SW Galley Ave and SW 9th Street intersection. The closure is necessary for the owner to relocate a City water main and construct a driveway.

The City Engineer finds the closure necessary to construct the single-family residential dwelling. The City Engineer further finds the detour signage more than adequate and approves the traffic control plan.

Council Options:

Approve Resolution 2022-06.

Do not approve Resolution 2022-06.

Financial Impact

No financial impact to the City.

Potential Motions:

Move to approve Resolution 2022-06 to allow a temporary road closure to construct a single-family dwelling at 1122 SW 9th Street.

Move to approve Resolution 2022-06 with the following changes:_____.

Move to not approve Resolution 2022-06.

Attachments:

Resolution 2022-06 road closure (DOC)

HWY 101, SW 7th to SW 12th - TCP DV Notes (PDF)

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RESOLUTION NO. 2022-06

A RESOLUTION OF THE CITY OF LINCOLN CITY ORDERING THE TEMPORARY CLOSURE OF SW 9th STREET FOR A TWO WEEK PERIOD TO FACILITATE UTILITY WORK AND CONSTRUCTION OF THE SINGLE FAMILY HOME AT 1122 SW 9th STREET

RECITALS

Pursuant to LCMC 10.08.010, the City Council may exercise Traffic Control authority by Resolution of the Council; and

The Temporary blocking or closing of street is expressly listed as within the authority of the City Council; and

Utility line relocation and construction of a single family home at 1122 SW 9th Street necessitates the closure of 9th Street during construction; and

City Council or City Manager approval of the road closure is required; and

The City Council finds and determines that there is a public benefit in temporary closure to facilitate the above-referenced public improvement project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN CITY, AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. IMPOSING TRAFFIC CONTROL.

Effective upon issuance of a notice to proceed from the City Engineer, or designee, and for fourteen (14) days thereafter, authorizing the above-referenced work, is hereby approved as follows:

- SW 9th Street will be closed to through traffic for relocation of utility lines and construction of a single family home at 1122 SW 9th Street. Residents will be notified and the Contractor will coordinate access. The exact dates of closure will be determined when the Contractor develops a schedule. Updates about the project and closure will be posted on the City’s website under Public

1 Works. The submitted Traffic Control Plan, approved by the City Engineer is
2 hereby ratified and shall be implemented as proposed as a condition of this
3 closure.

4
5 **SECTION 3** . This Resolution is effective as of the date of its adoption.

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7 **PASSED AND APPROVED** by the City Council of the City of Lincoln City, Oregon, this
8 28th day of February 2022.

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11 _____
12 SUSAN WAHLKE, MAYOR

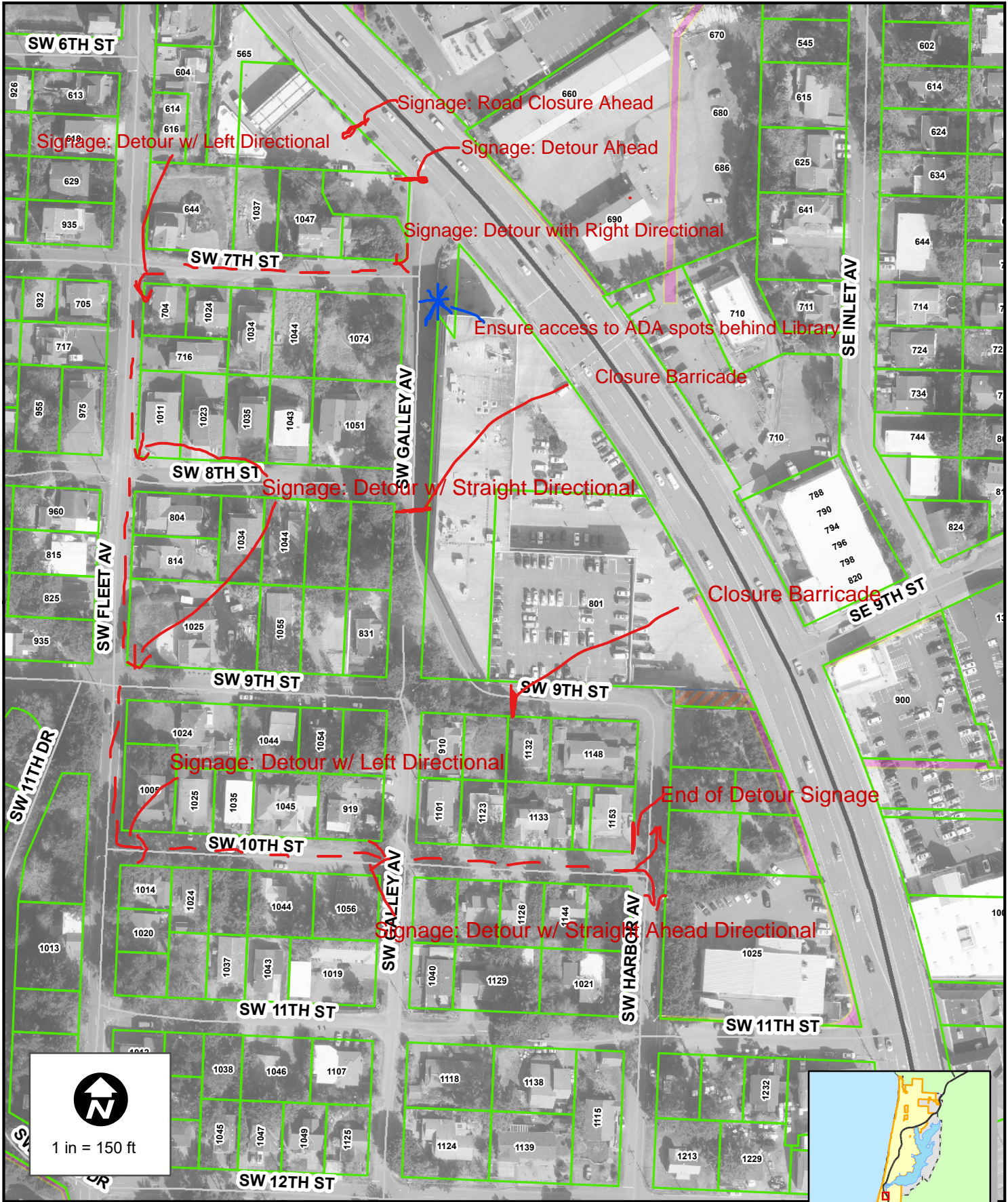
13
14 ATTEST:

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17 _____
18 JAMIE YOUNG, CITY RECORDER

19
20 APPROVED AS TO FORM:

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22
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24 RICHARD APPICELLO, CITY ATTORNEY

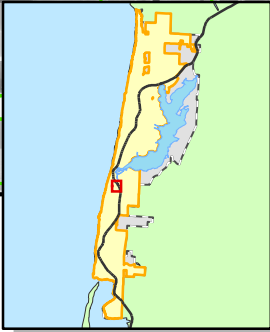
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Vicinity Map

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Date: 2/14/2022



Council Communication

High School Drive Improvement Project Construction Contract Award

Meeting Date:	February 28, 2022	Primary Staff Contact:	Stephanie Reid
Department:	Public Works	E-Mail:	SReid@lincolncity.org
Secondary Dept:		Secondary Contacts:	
Approval:	Lila Bradley	Estimated Time:	5 minutes

Question:

Should the City Council Award a construction contract to Cascade Civil Corp for the High School Dr. (Hwy 101 to Spyglass) Sidewalk Project?

Staff Recommendation:

Staff recommends City Council Award a construction contract to Cascade Civil Corp for the High School Dr. (Hwy 101 to Spyglass) Sidewalk Project.

Authority:

LCMC 2.05.060 (Public Improvement contracts shall be awarded by competitive bid or as provided by the Public Contracting Code or these rules)

Background:

Staff first started working on this project in 2016 and sent plans to ODOT for permits in April 2019. The City received the ODOT permit on December 22, 2021. Improving the SE corner of this intersection will allow vehicles traveling north on Hwy 101 to make the turn onto High School Drive without conflicts.

George Morlan Plumbing Supply has granted the City an easement to achieve the needed change in sidewalk and road alignment.

Project Description

The project includes improving the southeast corner of the intersection of Hwy 101 and High School Drive and adding 480 feet of sidewalk along the south side of High School Drive.

Bids

Public Works Department advertised the project for bid on January 18 & 19, 2022. The City Public Works Department opened bids for the project on February 10, 2022. Three bids were received:

Bidder	Bid Amount
Cascade Civil Corp	\$ 328,117.00
RK Construction	\$ 349,080.17
K&E Excavating Inc.	\$ 367,399.00

The lowest responsive and responsible bidder was Cascade Civil Corp. in the amount of \$328,461.00.

Financial Impact:

This project was approved in the FY21-22 budget, Street Capital Fund. The budgeted amount for this project is \$630,000.00. The budget included portions of sidewalk on High School Drive that coincide with the Nelscott Force Main Project and we plan to construct those sidewalks during the Force Main construction.

The following table shows design costs incurred in FY2016-21, and the estimated cost to construct and complete the project in FY2021-22.

Item	Project Cost in FY2016-21	Estimated Cost to Complete FY2021-22
Survey & CAD Services	\$20,703.10	
Design	In House	
Bid Advertisement (2021)	\$642.82	\$200.00
Bureau of Labor and Industries		\$328.12
Construction Bid		\$328,117.00
Art (1/2 of one percent of the construction bid)		\$1,640.85
Construction Contingency		\$30,383.00
Total	\$21,345.92	\$336,040.26

Council Options:

The Council may approve the construction award.

The Council may not approve the construction award.

Potential Motions:

Move to award the construction contract to Civil Cascade Corp. in the amount of \$328,117.00 with a construction contingency of \$32,000.00 (10 percent of bid amount) for a total amount of \$360,117.00.

Attachments:

Bid Tab

Attachments:

Bid Tab (PDF)

BID TAB

High School Drive Improvements			Engineer's Estimate		Cascade Civil Corp		RK Construction		K&E Excavating		
	ITEMS	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
GENERAL BID ITEMS											
00210	Mobilization	1	LS	\$20,000.00	\$20,000.00	\$31,000.00	\$31,000.00	\$18,400.00	\$18,400.00	\$36,000.00	\$36,000.00
00225	Temporary Work Zone Traffic Control, Complete	1	LS	\$30,000.00	\$30,000.00	\$6,500.00	\$6,500.00	\$28,186.00	\$28,186.00	\$36,000.00	\$36,000.00
00225	Tempary Pedestrian Access Route, (3" of 3/4"-0 with 1" Asphalt) & Signage	160	FT	\$30.00	\$4,800.00	\$8.00	\$1,280.00	\$25.58	\$4,092.80	\$45.00	\$7,200.00
	Temporary Access Route Removal	640	SF	\$3.00	\$1,920.00	\$3.00	\$1,920.00	\$2.65	\$1,696.00	\$5.00	\$3,200.00
00280	Inlet Protection	4	EA	\$200.00	\$800.00	\$85.00	\$340.00	\$125.00	\$500.00	\$90.00	\$360.00
00310	Demolition	1	LS	\$10,000.00	\$10,000.00	\$34,400.00	\$34,400.00	\$21,120.00	\$21,120.00	\$12,000.00	\$12,000.00
00320	Clear & Grubbing	1	LS	\$10,000.00	\$10,000.00	\$2,200.00	\$2,200.00	\$10,560.00	\$10,560.00	\$12,000.00	\$12,000.00
0330	General Excavation & Grading	1	LS	\$10,000.00	\$10,000.00	\$41,330.00	\$41,330.00	\$20,250.00	\$20,250.00	\$16,000.00	\$16,000.00
00470	Catch Basin , G-1, Over Existing 12"	3	EA	\$4,000.00	\$12,000.00	\$1,500.00	\$4,500.00	\$4,586.00	\$13,758.00	\$3,400.00	\$10,200.00
00470	Catch Basin, CG-3, Over Existing 12"	1	EA	\$5,000.00	\$5,000.00	\$1,800.00	\$1,800.00	\$4,815.00	\$4,815.00	\$4,200.00	\$4,200.00
00470	Ditch Inlet	1	EA	\$3,000.00	\$3,000.00	\$980.00	\$980.00	\$4,253.00	\$4,253.00	\$4,400.00	\$4,400.00
00470	Remove Catch Basin	3	EA	\$500.00	\$1,500.00	\$550.00	\$1,650.00	\$1,946.00	\$5,838.00	\$750.00	\$2,250.00
00470	Concrete Plug - 12"	1	EA	\$200.00	\$200.00	\$450.00	\$450.00	\$950.00	\$950.00	\$500.00	\$500.00
00470	Reconstruct Existing Storrowwater Vault with traffic rated solid lid	1	LS	\$5,000.00	\$5,000.00	\$2,100.00	\$2,100.00	\$6,490.00	\$6,490.00	\$4,500.00	\$4,500.00
00490	Minor Adjustment of MH	3	EA	\$3,000.00	\$9,000.00	\$450.00	\$1,350.00	\$990.00	\$2,970.00	\$1,500.00	\$4,500.00
00490	Adjusting Valve in Sidewalk	1	EA	\$1,000.00	\$1,000.00	\$110.00	\$110.00	\$875.00	\$875.00	\$300.00	\$300.00
00641	Aggregate Base Rock 3/4"-0	94	CY	\$120.00	\$11,280.00	\$78.00	\$7,332.00	\$100.13	\$9,412.22	\$110.00	\$10,340.00
00759	Standard Concrete Curb, 6" Reveal	102	FT	\$35.00	\$3,570.00	\$52.00	\$5,304.00	\$86.84	\$8,857.68	\$40.00	\$4,080.00
00759	Concrete Curb & Gutter (24"), 6" Reveal	591	FT	\$40.00	\$23,640.00	\$69.00	\$40,779.00	\$55.83	\$32,995.53	\$55.00	\$32,505.00
00759	Concrete Sidewalk & Ramps, 4" Thick	3064	SF	\$12.00	\$36,768.00	\$9.00	\$27,576.00	\$15.28	\$46,817.92	\$13.00	\$39,832.00
00759	Concrete Driveway, 6" Thick	646	SF	\$20.00	\$12,920.00	\$13.00	\$8,398.00	\$31.51	\$20,355.46	\$16.00	\$10,336.00
00759	Truncated Dome	2	EA	\$100.00	\$200.00	\$1,245.00	\$2,490.00	\$550.00	\$1,100.00	\$850.00	\$1,700.00
00744	Mill Existing asphalt, 2" depth	548	SQYD	\$11.00	\$6,028.00	\$19.00	\$10,412.00	\$20.70	\$11,343.60	\$12.00	\$6,576.00
00744	Level 2, 1/2" Dense ACP, 2" to 4" depth	24	Ton	\$200.00	\$4,800.00	\$196.00	\$4,704.00	\$225.00	\$5,400.00	\$290.00	\$6,960.00
00744	Level 3, 1/2" Dense ACP, 8" depth	48	Ton	\$220.00	\$10,560.00	\$196.00	\$9,408.00	\$245.00	\$11,760.00	\$270.00	\$12,960.00
00744	Asphalt Driveway Transition	146	SF	\$30.00	\$4,380.00	\$5.00	\$730.00	\$12.50	\$1,825.00	\$20.00	\$2,920.00
00641	Gravel Driveway Transition	168	SF	\$10.00	\$1,680.00	\$3.00	\$504.00	\$6.25	\$1,050.00	\$10.00	\$1,680.00
	Remove Striping	1	LS	\$500.00	\$500.00	\$1,560.00	\$1,560.00	\$4,187.00	\$4,187.00	\$1,500.00	\$1,500.00
00860	Thermoplastic, Extruded, Surface, Profiled, White, 4-Inch	137	FT	\$5.00	\$685.00	\$29.00	\$3,973.00	\$7.08	\$969.96	\$30.00	\$4,110.00
00860	Reflective Latex Striping, White, 1 Feet	90	FT	\$10.00	\$900.00	\$11.00	\$990.00	\$11.25	\$1,012.50	\$10.00	\$900.00
01040	Top Soil	10	CY	\$40.00	\$400.00	\$130.00	\$1,300.00	\$318.00	\$3,180.00	\$150.00	\$1,500.00
01040	Hydro-Seeding	1910	SF	\$2.00	\$3,820.00	\$1.20	\$2,292.00	\$0.85	\$1,623.50	\$1.00	\$1,910.00
01050	Chain Link Fence (6 feet)	288	FT	\$100.00	\$28,800.00	\$110.00	\$31,680.00	\$44.00	\$12,672.00	\$130.00	\$37,440.00
01050	Chain Link Fence, Gate (6 Feet)	88	FT	\$120.00	\$10,560.00	\$180.00	\$15,840.00	\$68.00	\$5,984.00	\$180.00	\$15,840.00
01140	Move Fire Hydrant	2	EA	\$750.00	\$1,500.00	\$6,400.00	\$12,800.00	\$2,780.00	\$5,560.00	\$3,600.00	\$7,200.00
01140	Extend Water Line Vent	1	LS	\$500.00	\$500.00	\$620.00	\$620.00	\$1,840.00	\$1,840.00	\$2,400.00	\$2,400.00
	Move Mail Box	1	EA	\$500.00	\$500.00	\$840.00	\$840.00	\$980.00	\$980.00	\$300.00	\$300.00
	Barkdust	5	CY	\$50.00	\$250.00	\$115.00	\$575.00	\$380.00	\$1,900.00	\$160.00	\$800.00
	Construction Surveying	1	LS	\$10,000.00	\$10,000.00	\$6,100.00	\$6,100.00	\$13,500.00	\$13,500.00	\$10,000.00	\$10,000.00
	TOTAL BID ITEMS				\$298,461.00		\$328,117.00		\$349,080.17		\$367,399.00