

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](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: 2/28/2022

**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](mailto:publiccomment@lincolncity.org);
2. Comments can be made via Zoom if a request is emailed to [publiccomment@lincolncity.org](mailto: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**

<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>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed</b>

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 Commissioner 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.

<b>MOTION:</b>	<b>Motion to Close the Public Hearing and Record for Zoning Ordinance Amendment (ZOA) 2022-01 (Ordinance 2022-05) Annexation</b>
<b>MOVER:</b>	<b>Riley Hoagland, 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>

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.

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

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.

<b>MOTION:</b>	<b>Motion to Close the Public Hearing and Record for Zoning Ordinance Amendment (ZOA) 2022-06 (Ordinance 2022-07) Initiation Authority</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>

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.

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

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 color be determined. 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)

<b>MOTION:</b>	<b>Motion to Approve First Reading of Ordinance 2022-04- Amend Building Code per SB 866</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</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 Roll Call Vote</b>

6.

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

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 by Roll Call 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 by Roll Call 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 I  
**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 I  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

## L. SPECIAL ORDER OF BUSINESS

16.

<b>MOTION:</b>	<b>Motion to Award the Soffit Proposal Change Order to Roof Toppers Inc in the Amount of \$63,218</b>
<b>MOVER:</b>	<b>Riley Hoagland, 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 Roll Call Vote</b>

*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**

<b>MOTION:</b>	<b>Motion to Appoint to Sustainability Committee - Applicant Leonard Folino</b>
<b>MOVER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**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.**

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

*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.**

<b>MOTION:</b>	<b>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</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**20.**

<b>MOTION:</b>	<b>Motion to Proceed with Conveyance of Draft Contract Offer for City Manager</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</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 Roll Call Vote</b>

21.

<b>MOTION:</b>	<b>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].</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

22.

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

**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 Parsons 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.*

*//S//*

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SUSAN WAHLKE, MAYOR

ATTEST:

*//S//*

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JAMIE YOUNG, CITY RECORDER