

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

April 11, 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: 4/25/2022

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;
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: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; LT. Broderick, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Alison Robertson, Economic Development and Urban Renewal Director; Ed Dreistadt, Explore Lincoln City Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, Public Works Director; Anne Marie Skinner, Planning and Community Development Director; Kirsten Brodbeck-Kenney, Library Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA ITEMS 1 & 2

Mayor Wahlke moved the Planning Commission interview before the presentations with unanimous consent.

Mayor Wahlke pulled item 4 for discussion. Councilor Hoagland pulled item 3 for discussion.

1. Regular Meeting – Minutes of Regular Meeting – March 28, 2022, 6:00 PM

MOTION:	City Council - Regular Meeting - Mar 28, 2022, 6:00 PM
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

**2. Oregon Liquor Control Commission - Request for Limited On-Premises & Off-Premises Sales License-
Surfland Hotel**

MOTION:	OLCC - Request for Limited On-Premises & Off-Premises Sales License_ Surfland Hotel
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

**3. Oregon Liquor Control Commission - Request for Limited On-Premises Sales License-
Tastebuds Bistro**

MOTION:	Motion to Approve OLCC - Request for Limited On-Premises Sales License_ Tastebuds Bistro
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed

Councilor Hoagland asked about the names crossed out on the application. The City Recorder confirmed they would operate under the name Tastebuds LLC.

**4. INTERGOVERNMENTAL AGREEMENT FOR THE IMPROVEMENT AND OPERATION OF D RIVER PARK
BETWEEN THE STATE OF OREGON, OREGON PARKS, AND RECREATION DEPARTMENT, AND THE CITY
OF LINCOLN CITY, OREGON**

MOTION:	Motion to Continue IGA D-River to the April 25th Meeting
MOVER:	Elaine Starmer, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Motion to Continue - Passed

Mayor Wahlke asked about the funding for the project. Mr. Appicello confirmed the funding would not be completely covered by the money from the State.

E. COUNCIL DELIBERATIONS

NONE

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

Billie Jo Smith emailed a request for public comment via Zoom but was not present.

Trudy Rowland, Lincoln City, signed up for comment but did not speak.

Linda VanHaste, Lincoln City resident, spoke regarding Taxi 101 and against changing the taxi ordinance.

Susan Palmer, Otis resident, spoke regarding TNC and against changing the taxi ordinance.

Chriss Opperud, Lincoln City resident, spoke regarding TNC and against changing the taxi ordinance.

Sonja Houx, Otis resident, spoke regarding TNC and against changing the taxi ordinance.

G. PRESENTATIONS

5. Lincoln County Library District Formula Revision

MaryKay Dahlgreen, Director of the Lincoln County Library District, gave a presentation regarding the Lincoln County Library District updated funding model. Councilor Hoagland asked about the two openings on the board. Ms. Dahlgreen confirmed these spots are open.

6. Economic Development Alliance of Lincoln County (EDALC) Update on Activities

Paul Schuytema, Executive Director of the Economic Development Alliance of Lincoln County, gave an update on the Alliance. Councilor Mark said the two areas that he would like to see enhanced in this County are broadband and vocational training for trades. Mr. Schuytema said with the CARES act there is an EDA grant for broadband feasibility studies in a four-county region. Mr. Schuytema said, in addition, there is a broadband capacity initiative launching in early May that will allow individual families and businesses to test their broadband for mapping to see where the holes are.

H. PUBLIC HEARING / ORDINANCE

NONE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. PUBLIC COMMENT ON FEE RESOLUTION NO. 2022-13

NONE

J. ORDINANCES

- 2. ORDINANCE NO. 2022-16 AN ORDINANCE AMENDING THE LINCOLN CITY COMPREHENSIVE PLAN MAP TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL AND AMENDING THE LINCOLN CITY ZONING MAP TO CHANGE THE ZONING MAP DESIGNATION FROM R-M (MULTIPLE-UNIT RESIDENTIAL) TO R-1-7.5 (SINGLE-FAMILY RESIDENTIAL) FOR THE TAX LOT 07-11-02-AC-00800-00 [CPA 2022-01/ ZC 2022-01]**

MOTION: Motion to Approve First Reading of Ordinance 2022-16 Map and Zone Change
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

3.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-16 Map and Zone Change
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

4. ORDINANCE NO. 2022-17 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 12 (STREETS, SIDEWALKS, AND PUBLIC PLACES), CHAPTER 12.08 (GRADING AND EROSION CONTROL) TO CONFORM THE CHAPTER 12 REQUIREMENTS TO THE REQUIREMENTS OF CHAPTER 15 (BUILDINGS AND CONSTRUCTION)

MOTION: Motion to Approve First Reading of Ordinance 2021-17 Amend Chapter 12 to conform to Chapter 15
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Judy Casper, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

5.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2021-17 Amend Chapter 12 to Conform to Chapter 15 with the Removal of the Word "The"
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

6. ORDINANCE 2022-18 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING TITLE 5 (BUSINESS LICENSES TAXES AND REGULATIONS), CHAPTER 5.14 (VACATION RENTAL DWELLING LICENSE), AMENDING SECTIONS 5.14.060 (CRITERIA FOR APPROVAL OF A LICENSE AND LICENSE RENEWAL), PARAGRAPH B.4. (HEALTH AND SAFETY STANDARDS) TO REMOVE REFERENCE TO BUILDING CODE DEFINITION OF LODGING HOUSE.

MOTION: Motion to Approve First Reading of Ordinance 2021-18 Amend Chapter 5.14 to Remove Reference to Lodging House
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Elaine Starmer, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

7.

MOTION:	Motion to Approve Second Reading and Adoption of Ordinance 2021-18 Amend Chapter 5.14 to Remove Reference to Lodging House with Changes as Read
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

K. RESOLUTIONS

8. RESOLUTION NO. 2022-13 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING CITY ADMINISTRATION LICENSE AND APPLICATION FEES AND CHARGES FOR VEHICLES FOR HIRE AND APPROVAL OF STANDARD FORMS

MOTION:	Motion to Approve Resolution 2022-13 Vehicles for Hire License and Application fees
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Hoagland, Mark, Parsons
NAYS:	Casper
RESULT:	Passed by Roll Call Vote

Councilor Casper asked about the questions submitted as public comment. Mr. Appicello said none of the questions submitted had to do with fees.

9. RESOLUTION NO. 2022-14 A RESOLUTION OF THE CITY OF LINCOLN CITY AMENDING RESOLUTION 2021-45 PROVIDING FOR EXTENSION OF THE STREET CLOSURE OF A PORTION OF NW 34TH COURT

MOTION:	Motion to Approve Resolution 2022-14 to Close 34th Court Until the End of the Year
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Councilor Mark asked if there has been confirmation with State Parks. Mr. Appicello said Ms. Francis has been in contact with the State. Ms. Bradley said that she has received emails in favor of the closure.

L. SPECIAL ORDER OF BUSINESS

10. Planning Commission Interview - Kroen

Council interviewed Ms. Kroen for the Planning Commission.

M. CITY MANAGER/CITY ATTORNEY REPORTS

NONE

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

11. Discussion of Fireworks Ban

MOTION:	Motion to Approve the Ban the Retail Sale of All Fireworks Immediately and Place on the Ballot for November to Ban Use
RESULT:	Failed for Lack of a Second

Mr. Appicello said that Councilor Mark brought up a ban on the sale of fireworks. Mr. Appicello said he looked at other jurisdictions and he likes the City of Bend the best and drafted an ordinance. Council had a lengthy discussion regarding the use and sale of fireworks, including input from Chief Palmer and Lt. Broderick of the Lincoln City Police Department.

12.

MOTION:	Motion to Direct the City Attorney to Bring Back an Ordinance Banning the Retail Sale and Use of Fireworks Immediately Under an Emergency Declaration and Bring Back a Referral for the November Ballot for the Sale and Use in 2023
MOVER:	Elaine Starmer, Councilor Ward 1
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Mark
NAYS:	Hoagland, Parsons
RESULT:	Passed by Roll Call Vote

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

NONE

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Mark asked about the taxis and being able to get an Uber in Lincoln City via the app., Councilor Mark said that he was able to use his app to get two separate Ubers to the Casino. Councilor Parsons said that he went through the app as well and when you select further into the app it will tell you there are no drivers in your area. Councilor Hoagland said it shows the standard defaulted positions Uber/Uber XL. Councilor Mark recanted that statement. Councilor Mark said he was not getting the logic behind the local cab companies having to raise their rates if Uber/Lyft come to town.

Councilor Casper said she spoke with an Uber driver, that said cell service can be problematic and the service is set up to benefit the rider, not the driver. Councilor Casper said that driver continued to tell her that the company has a history of shady behavior with driver fees. Councilor Casper said she has reservations about Uber being a very profitable mode of transportation in our area.

Councilor Kasner said from the hospital perspective with Uber/Lyft, she wants to see people have more opportunities for a ride and that was her thought for voting.

Councilor Parsons said Thursday the 14th, the League of Women Voters will have their first County Commissioner forum and more information can be located on their Facebook page.

Councilor Starmer thanked all Council members and the public for their patience with Zoom meetings and she is now able to meet in person. Councilor Starmer said this would be the first time for her and Councilor Kasner to have an in-person meeting.

Councilor Hoagland said while attending the National League of Cities conference, he learned that our City is not as diverse, equitable, and inclusive (DEI) as other Cities. Councilor Hoagland said that as a person of color with a Hispanic background he has experienced racism publically and here from people.

Councilor Hoagland would like Staff to begin the process of a DEI Committee to incorporate into everything. Councilor Hoagland said that many states across the Nation pay their City Councilors and this Council has never been paid. Councilor Hoagland said he would like to see the process changed for giving points to businesses that have done business with the City previously. Councilor Hoagland said that he spoke with a member of Wave Broadband who has recently been awarded contracts with Newport and Waldport to do a build-out to go to residential homes. Councilor Hoagland said there is only Spectrum for fiber and only two providers for phones. Councilor Hoagland asked if we are looking to be more inclusive with competitors. Councilor Hoagland said that April is Sexual Assault Awareness Month and this week is 9-1-1 Public Safety Week. Mayor Wahlke said she would be reading that information. Councilor Hoagland said it is also Arbor Month and the Lincoln City Parks and Recreation is having a special program and community helpers. Ms. Sprague said that Tree City USA has changed from Arbor week to Arbor month and the Parks and Recreation staff has put up a mini arboretum. Ms. Sprague explained that there were eight trees selected in the Community Center Park and posted with their scientific name as well as the common name. Ms. Sprague said there is a 2-page tree activity guide and when the youth completes it, there is a free five-visit pass. Ms. Sprague also spoke about the flyers that Councilor Hoagland found at the Newport Library that will be displayed at the Lincoln City Community Center for those that have both physical and mental needs. Ms. Sprague said that Ms. Brodbeck-Kenney would have them at the Library as well. Councilor Hoagland said this also covers food, clothing, shelter, medication, and mental health through four organizations. Councilor Hoagland said that there are kits available at the Library for those that need hygiene supplies. Councilor Hoagland also took a moment for Chief Palmer for being there, his dedication, and continuing to support our community. Councilor Hoagland made a motion to direct staff to come back with information on how to create a DEI aspect for our City. Mayor Wahlke asked if Councilor Hoagland had a suggestion. Councilor Hoagland already gave it to Staff. Mayor Wahlke asked Ms. Edwards to forward that information to Council. No motion was needed, Council gave unanimous consent.

Mayor Wahlke would like the next meeting in person. Mayor Wahlke said that House Bill 2560 was passed last year for accessibility to make meetings available by telephone, video, or other means. Mr. Appicello said that he spoke with IT and there will be availability by speakerphone. Mr. Appicello said that Mr. Twigg and Ms. Skinner have already begun to make changes to the meeting notice. Mayor Wahlke asked about having the work sessions in person. Councilor Starmer said that is fine as long as they are at a regularly scheduled time. Mayor Wahlke said that next week she would be attending the League of Oregon Cities Conference in Hermiston. Mayor Wahlke read the email from Dispatch Supervisor Paul Compton about the 9-1-1 Public Safety Week.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 9:23 PM.

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER