

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

July 25, 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: 8/8/2022**

**A. CALL TO ORDER**

*Mayor Wahlke called the meeting to order at*

**B. ROLL CALL**

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	6:00 PM
Elaine Starmer	Councilor Ward 1	Remote	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; 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; Stephanie Reid, City Engineer; Anne Marie Skinner, Planning and Community Development Director; Tony LaSoya, I.T. 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>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed</b>

1. Regular Meeting – Minutes of Work Session – July 6, 2022, 3:30 PM
2. Regular Meeting – Minutes of Regular Meeting – July 11, 2022, 6:00 PM
3. Regular Meeting – Minutes of Work Session – July 13, 2022, 3:30 PM
4. SW Harbor Emergency Construction Award

**E. COUNCIL DELIBERATIONS**

*NONE*

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

*Doug Green of Lake Oswego, spoke supporting resolution 2022-11.*

*Dr. Jennifer Malter of Lincoln City, spoke against resolution 2022-11.*

*Nancy Koetz of Lincoln City, spoke supporting resolution 2022-11.*

*Mr. Baird of Lincoln City spoke regarding multiple resolutions.*

*Ms. Legarza summarized eight public comments regarding NW Quay no parking.*

**G. PRESENTATIONS**

5. Employee Service Awards

*Mayor Wahlke recognized two employees for their milestones with the City. Sgt. Randy Weaver for 30 years and Boone Marker for 5 years of service.*

**H. PUBLIC HEARING / ORDINANCE**

*NONE*

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Continuance - Public Hearing: Approval of Disposition and Development Agreement for City Properties located in the vicinity of NE 25th Street for Affordable Workforce Housing Development

Mayor Wahlke opened the public hearing at 6:27 PM

<b>MOTION:</b>	<b>Motion to Approve the Continuance of Public Hearing on Resolution 2022-27 - Approval of DDA (IHI) to August 8, 2022</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 via Voice Vote</b>

2. Public Comment Public Works Plan Review Fee

*Mr. Baird of Lincoln City gave public comment regarding the fees during the public comment portion of the meeting. No comments from Council were given.*

3. Public Comment North Lincoln Sanitary Rate Increase - request to be continued to August 8, 2022  
*Council continued to August 8, 2022 with unanimous consent.*

**J. ORDINANCES**

NONE

**K. RESOLUTIONS**

4. RESOLUTION NO. 2022-11 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING PARKING AND TRAFFIC CONTROL MEASURES FOR A PORTION OF NW QUAY DRIVE

<b>MOTION:</b>	<b>Motion to Continue Resolution 2022-11 NW Quay, No Parking to August 8, 2022</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 Roll Call Vote</b>

*Stephanie Reid, Public Works Director, spoke regarding resolution 2022-11. Ms. Legarza read a comment from Mr. Bural. Councilor Mark asked about the parking requirements. Mr. Appicello said he would look those up in the code. Councilor Starmer asked staff for other options beside a parking ban. Ms. Skinner spoke regarding the off-street parking requirements. Mayor Wahlke said she was concerned about staff giving incorrect information to the public. Councilor Hoagland said that he would like to see people working together.*

5. Resolution 2022-28 (Public Works Plan Review Fee Revisions)

<b>MOTION:</b>	<b>Motion to Approve Resolution 2022-28 Public Works Plan Review Fee Revisions</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</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>

*Ms. Reid explained the plan review fee revision. Councilor Hoagland asked about the number of revisions. Ms. Reid explained the rejection process. Mayor Wahlke asked about the new calculation. Ms. Reid said the previous amount was \$200.*

6. Resolution 2022-29: Ad Hoc Urban Renewal Committee for Nelscott Area

*Mr. Baird gave comment regarding 2022-29. Councilor Casper said she was on a similar committee and two members will add a lot to a committee. Ms. Robertson said this will be noticed to the public and then go through an application process.*

<b>MOTION:</b>	<b>Motion to Approve Resolution 2022-29: Ad Hoc Urban Renewal Committee for Nelscott Area</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 via Voice Vote</b>

7. RESOLUTION NO. 2022-30 A RESOLUTION OF THE CITY OF LINCOLN CITY IMPLEMENTING LCMC 13.08.095 REGARDING DEFERRAL OF SYSTEM DEVELOPMENT CHARGES; APPROVING AN APPLICATION FOR THE DEFERRAL OF PAYMENT OF SYSTEM DEVELOPMENT CHARGES FOR LINCOLN 25 LIMITED PARTNERSHIP (MANAGING MEMBER INNOVATIVE HOUSING INC.) FOR DEVELOPMENT OF A 107 UNIT AFFORDABLE HOUSING APARTMENT PROJECT ON THREE PARCELS OF LAND ADJOINING 2510 NE HIGHWAY 101, LINCOLN CITY, OREGON, REPLACING RESOLUTION 2022-22.

<b>MOTION:</b>	<b>Motion to Approve Resolution 2022-30 SDC Deferral - Innovative Housing Inc. 30 Year</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>AYES:</b>	Wahlke, Kasner, Casper, Hoagland, Mark, Parsons
<b>NAYS:</b>	Starmer
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**L. SPECIAL ORDER OF BUSINESS**

8. Police Parking Lot Construction Award

<b>MOTION:</b>	<b>Motion to Approve Police Parking Lot Construction Award to RK Concrete Construction in the Amount of \$549,259.72</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>AYES:</b>	Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RECUSED:</b>	Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

9. Lincoln Square Parking Lot Project Additional Cost

<b>MOTION:</b>	<b>Motion to Increase Approved Construction Funds to RK Construction for the Lincoln Square ADA Improvements, Phase II from a Total Amount of \$334,217.26 to \$406,033.51</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>AYES:</b>	Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RECUSED:</b>	Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

Ms. Reid explained the error in calculation and the request for additional cost. Councilor Hoagland asked how much was miscalculated. Ms. Reid said there were a few items and listed.

**10. S 3rd Street Flashing Beacon and Plaza Construction Award**

<b>MOTION:</b>	<b>Motion to Approve South 3rd Street Flashing Beacon and Plaza Construction Award to RK Concrete Construction in the Amount of \$522,945.68</b>
<b>MOVER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RECUSED:</b>	Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

Councilor Hoagland asked if the tribe could be contacted. Ms. Reid said she would do an archeologist study.

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

Ms. Legarza gave the statistic for the 4th of July. Councilor Mark asked about the beach closure at 15th St. Ms. Legarza explained. Ms. Legarza said the garbage barrels were a great success. Councilor Hoagland asked about the cars ticketed on SE 3rd St. Lt. Broderick said there were tickets issued for vehicles in the roadway. Mayor Wahlke asked for an email of the statistics.

Ms. Legarza said that she spoke with Tamara Staples from the Senior Center and she indicated she is okay with the August 22nd date.

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

**11.**

<b>MOTION:</b>	<b>Motion to Amend the City Attorney’s Employment Contract to Provide the Annual Cost of Living Adjustment (COLA) on July 1st Each Year, and to Authorize a Pay Increase, Effective July 1, 2022, as Discussed in Executive Session</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Parsons
<b>NAYS:</b>	Mark
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

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

Mr. Baird spoke regarding public defecation laws and trespassing. Mr. Baird also spoke about fireworks, and the rate review report from North Lincoln Sanitary.

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

Councilor Hoagland asked about protection for the Four Brothers in the bay and the sand cliffs from rapid erosion, adding a swinging gate at NW 15th St, and spoke about Staff errors and recourse.

*Councilor Mark agrees with the staff error issue. Councilor Mark spoke about the agenda on the website and finding it. Councilor Mark spoke about limited parking and cars parked in the yard with expired tags. Mr. Appicello said he would check into that.*

*Councilor Casper said the public is taking advantage of the SW 33rd St beach access. Councilor Casper said there are a lot of unofficial no parking signs and other parking issues.*

*Councilor Starmer asked about the City liability if an emergency vehicle is blocked or delayed.*

*Councilor Kasner spoke about employee mistakes. Councilor Kasner said that the agendas are hard to find.*

*Councilor Parsons spoke about National Night Out at the Community Center on August 2nd.*

*Mayor Wahlke said she was reading the News-Times and found several items of interest; Newport is considering a shopping cart ordinance, Newport 60+ Activity Center has been nationally recognized and she has set up a visit.*

**Q. ADJOURNMENT**

*Mayor Wahlke adjourned the meeting at 8:03 PM.*

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER