

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

October 24, 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: ____ 11/14/2022 ____

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:05 PM.

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: Daphnee Legarza, City Manager; Richard Appicello, City Attorney; Lt. Winn, Lincoln City Police Department; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Anne Marie Skinner, Planning and Community Development Director; Bill Wyman, I.T. Support Specialist; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – October 10, 2022, 6:00 PM

MOTION: City Council - Regular Meeting - Oct 10, 2022, 6:00 PM as Corrected
MOVER: Elaine Starmer, Councilor Ward I
SECONDER: Mitch Parsons, Councilor Ward 1
RESULT: Passed

Mayor Wahlke said in the draft minutes, on the very last page, there was a motion made in the comments and she asked it to be put in a motion box.

E. COUNCIL DELIBERATIONS

NONE

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

Mr. Baird of Lincoln City spoke regarding the privacy of the Citizens and Ordinance 2022-28.

G. PRESENTATIONS

None

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. CPA ZC 2022-07- Spyglass Ridge

MOTION: Motion to Close the Public Hearing and Record for CPA ZC 2022-07
Spyglass Ridge
MOVER: Sydney Kasner, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

Mayor Wahlke opened the public hearing at 6:14 PM. Councilor Mark stated that he has had conversations while campaigning but it would not affect his views. No other Councilors had any conflicts. Ms. Skinner, Planning & Community Development Director, presented the criteria for this case. Ms. Skinner presented the staff report and read the comments received after the agenda was published. Council asked no questions of Ms. Skinner. Dwight Schwab and Lamoine Eiler gave a presentation on behalf of the applicant. Chris Jenkins spoke in opposition to CPA ZC 2022-07. No request to leave the hearing or record open was received. The Applicant waived the opportunity to submit final written arguments. Council gave comments regarding the testimony and presentation.

2.

MOTION: Motion to Direct Staff to Prepare an Ordinance Approving the Requested
Map and Zone Change in CPA 2022-07 for Adoption at a Future Meeting
MOVER: Sydney Kasner, Councilor Ward 2
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

3. Alternative Contracting Method for the Community Park in Taft

Ms. Reid explained the need for an alternate contracting method for the community park in Taft. Ms. Sprague thanked the Public Works Department for working with the Parks and Recreation Department on the alternative contracting method and explained the need and how it will help. Mayor Wahlke opened the public hearing at 8:03 PM. No testimony was received. Mayor Wahlke closed the hearing at 8:03 PM with unanimous consent.

4. ZOA 2022-10 Special Event Accessory Use

MOTION:	Motion to Close Public Hearing and Record for ZOA 2022-10 Special Event Accessory Use at 8:24 PM
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Mayor Wahlke opened the public hearing at 8:04 PM. No Councilors had any conflicts. Ms. Skinner, Planning & Community Development Director, presented the changes. Council asked questions of Ms. Skinner about the changes. No Citizens were present for comment.

J. ORDINANCES

5. ORDINANCE NO. 2022-38 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.08 (DEFINITIONS), SECTION 17.08.010 (DEFINITIONS), DEFINITION OF BOUTIQUE INN, HOTEL, MOTEL, RESORT, AND SPECIAL EVENT, AMENDING CHAPTER 17.12. (BOUNDARIES OF ZONES), AMENDING CHAPTERS 17.16, (SINGLE-UNIT RESIDENTIAL) 17.17, (SINGLE-UNIT RESIDENTIAL- ROADS END),17.18 (VACATION RENTAL ZONE), 17.20 (MULTI-UNIT RESIDENTIAL), AND 17.40 (RECREATION- RESIDENTIAL), TO ADD A SPECIAL EVENT AS AN ACCESSORY USE TO AN APPROVED CONDITIONAL USE IN THE ZONE; AMENDING CHAPTER 17.24 (PROFESSIONAL CAMPUS ZONE), CHAPTER 17.28 (RECREATION-COMMERCIAL ZONE), CHAPTER 17.32 (GENERAL COMMERCIAL ZONE), CHAPTER 17.34 (NELSCOTT PLAN DISTRICT); CHAPTER 17.45(TAFT VILLAGE CORE ZONE), CHAPTER 17.50 (OCEANLAKE PLAN DISTRICT) TO ADD SPECIAL EVENT AS AN ACCESSORY USE, AMENDING CHAPTER 17.42 (PARK ZONE), AMENDING CHAPTER 17.56 (OFF-STREET PARKING AND LOADING), AMENDING CHAPTER 17.74 (DESIGN STANDARDS), AMENDING CHAPTER 17.77 (APPLICATIONS)

MOTION:	Motion to Approve First Reading of Ordinance 2022-38 - ZOA 2022-10 as Amended
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

One change to add in paragraph number 4D, 5 instead of zero in the table.

6.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-38 - ZOA 2022-10 as Amended
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

7. ORDINANCE NO. 2022-39 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.52 (RETENTION OF RECORDS) AMENDING SECTION 2.52.010 (PERIOD OF RETENTION) PARAGRAPH A, TO CORRECT / UPDATE THE OREGON ADMINISTRATIVE RULE REFERENCE

Mayor Wahlke said the background is missing the word "now" in the final sentence.

MOTION: Motion to Approve First Reading of Ordinance 2022-39 Correct OAR for Records Retention
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

8.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-39 Correct OAR for Records Retention
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

9. ORDINANCE NO. 2022-40 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 15 (BUILDINGS AND CONSTRUCTION), AMENDING CHAPTER 15.14, TO REMOVE THE ADOPTION OF THE 2019 OREGON FIRE CODE, AND AUTHORIZE ENFORCEMENT OF THE 2022 FIRE CODE BY THE NORTH LINCOLN FIRE AND RESCUE DISTRICT AND THE OREGON OFFICE OF THE STATE FIRE MARSHAL

MOTION: Motion to Approve First Reading of Ordinance 2022-40 Fire Code
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

Mayor Wahlke asked how often the fire code is amended and why it could not say current instead. Mr. Appicello explained.

10.

MOTION: Motion to Approve Second Reading and Adoption of Ordinance 2022-40 Fire Code
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

11. ORDINANCE NO. 2022-41 AN ORDINANCE AMENDING LINCOLN CITY ORDINANCE 2022-36 TO MAKE CORRECTIONS TO SECTIONS 2, 3, AND 4

MOTION: Motion to Approve First Reading of Ordinance 2022-41 - Amending Ordinance 2022-36 to Make Corrections
MOVER: Elaine Starmer, Councilor Ward 1
SECONDER: Riley Hoagland, Councilor Ward 2
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 2022-41 - Amending Ordinance 2022-36 to make Corrections
MOVER: Elaine Starmer, Councilor Ward 1
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

K. RESOLUTIONS

13. RESOLUTION NO. 2022-41 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACT EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR THE LINCOLN CITY TAFT COMMUNITY PARK PROJECT

MOTION: Motion to Approve Resolution 2022-41 Exemption Taft Community Park
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

L. SPECIAL ORDER OF BUSINESS

14. Ratification of Beeman Sculpture Contract and Amendment

MOTION: Motion to Approve as the Local Contract Review Board, the Contract and Amendment for the Beeman Artworks LLC Sculpture to be Installed at the Cultural Center Totaling \$123,300.00).

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

15. Kirstis Park Parking Lot Construction Cost

Ms. Reid explained the need for additional funds. Mayor Wahlke recused herself due to a conflict of interest. Council asked Ms. Reid questions.

MOTION: Motion to Approve Increase Approved Construction Funds to RK Construction for the Kirtsis Park,

MOVER: Mitch Parsons, Councilor Ward 1

SECONDER: Riley Hoagland, Councilor Ward 2

AYES: Starmer, Kasner, Casper, Hoagland, Mark, Parsons

RECUSED: Wahlke

RESULT: Passed by Roll Call Vote

16. Ten (10) Years' Service Recognition

Mr. Humpert was unable to attend.

M. CITY MANAGER/CITY ATTORNEY REPORTS

NONE

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

17.

MOTION: Motion to Invite the Judge Candidate to an Interview and also a Meet and Greet on November 2, 2022

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Elaine Starmer, Councilor Ward I

AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons

RESULT: Passed by Voice Vote

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

None

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Kasner asked about a date for the gambling permit executive session. Ms. Legarza said she is looking at November 14th.

Councilor Hoagland asked about the tree ordinance. Ms. Skinner explained she would like to have it completed before the end of the year. Councilor Hoagland spoke about a board that he is on and active shooter scenarios. Councilor Hoagland said the School District is looking at options. Councilor Hoagland

said the Economic Development summit had great information. Mayor Wahlke said she would love to hear about the summit.

Mayor Wahlke said the ballots have been mailed and if you have not received your ballot contact the County Clerk. Mayor Wahlke said ballots need to be received by November 8th at 8 PM. Mayor Wahlke said there is a measure put forward by the City Council on the ballot and she would be happy to answer any questions.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 8:53 PM.

 //S//
SUSAN WAHLKE, MAYOR

ATTEST:

 //S//
JAMIE YOUNG, CITY RECORDER