

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF THE MEETING

November 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: 1/9/2023

**A. CALL TO ORDER**

Mayor Wahlke called the meeting to order at 6:00 PM.

**B. ROLL CALL**

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Remote	6:00 PM
Elaine Starmer	Councilor Ward 1	Remote	6:00 PM
Sydney Kasner	Councilor Ward 2	Remote	6:00 PM
Judy Casper	Councilor Ward 3	Remote	6:00 PM
Riley Hoagland	Councilor Ward 2	Remote	6:00 PM
Rick Mark	Councilor Ward 3	Remote	6:00 PM
Mitch Parsons	Councilor Ward 1	Remote	6:00 PM

Staff Present: Daphnee Legarza, City Manager; Richard Appicello, Lt. Broderick, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

**C. PLEDGE OF ALLEGIANCE**

Mayor Wahlke led The Pledge of Allegiance.

**D. CONSENT AGENDA**

**MOTION:** Consent Agenda  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed

1. Regular Meeting – Minutes of Work Session – October 19, 2022, 2:00 PM
2. Regular Meeting – Minutes of Regular Meeting – October 24, 2022, 6:00 PM

**E. COUNCIL DELIBERATIONS**

NONE

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

*William Novorolsky of Cutler City spoke regarding the speed limit in Cutler City and submitted a signed petition.*

*Ms. Legarza summarized a comment sent by Brenda Scotton regarding the bollards at NW 35th Street. Ms. Scotton said thank you and ask to keep the access closed.*

**G. PRESENTATIONS**

3. *Marie Laper, Deputy Director of Lincoln County Behavior Health, gave a presentation regarding the system of mental health care focusing on Adults. Ms. Laper invited everyone to the mental health symposium on January 26th at the Health Education Center in Newport starting at 11:30.*

**H. PUBLIC HEARING / ORDINANCE**

NONE

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

NONE

**J. ORDINANCES**

1. ORDINANCE NO. 2022-42 AN ORDINANCE AMENDING THE LINCOLN CITY COMPREHENSIVE PLAN MAP TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FROM MEDIUM-DENSITY RESIDENTIAL TO HIGH-DENSITY RESIDENTIAL AND AMENDING THE LINCOLN CITY ZONING MAP TO CHANGE THE ZONING MAP DESIGNATION FROM R-1-7.5 (SINGLE UNIT RESIDENTIAL) TO RM (MULTIPLE UNIT RESIDENTIAL) FOR TAX LOTS: 07-11-22-DC-06100-00 AND 07-11-22-DD-00200-00 [CPA / ZC 2022-07]

**MOTION:** Motion to Approve First Reading of Ordinance 2022-42 CPA / ZC 2022-07  
**MOVER:** Spyglass Ridge  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Judy Casper, Councilor Ward 3  
**RESULT:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
Passed by Roll Call Vote

- 2.

**MOTION:** Motion to Approve Second Reading and Adoption of Ordinance 2022-42 CPA / ZC 2022-07 Spyglass Ridge  
**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

3. ORDINANCE NO. 2022-43 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 10 (VEHICLES AND TRAFFIC), CHAPTER 10.12 (GENERAL REGULATIONS) SECTION 10.12.040 (PROHIBITED STORAGE ON CITY PROPERTY, CITY STREETS, OR CITY RIGHTS-OF-WAY), TO CREATE A LIMITED EXEMPTION FOR LICENSED, INSURED AND OPERABLE PASSENGER VEHICLES AND TO CLARIFY THE PROHIBITION.

**MOTION:** Motion to Continue to December 12, 2022- Ordinance 2022-43 Amend Chapter 10.12 Storage Prohibition  
**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

*Council and Staff had a discussion regarding the details of the ordinance.*

#### K. RESOLUTIONS

4. RESOLUTION NO. 2022-42 A RESOLUTION OF THE CITY OF LINCOLN CITY AMENDING RESOLUTION 2022-32 TO CLARIFY THE LENGTH OF THE SDC DEFERRAL.

**MOTION:** Motion to Approve Resolution 2022-42 - Amend SDC Deferral for Wecoma Place  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Sydney Kasner, Councilor Ward 2  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

*Councilor Mark said he was concerned about the number of SDC deferrals given.*

#### L. SPECIAL ORDER OF BUSINESS

5. Planning Commission Interview- Brian Bunnnett

*Council Interviewed Mr. Bunnnett for a position on the Planning Commission.*

6. Appointment to the Nelscott URA Ad Hoc Committee - Applicants Shawnn Kehr & Barbara Jenkins-Gibson

**MOTION:** Motion to Continue the Appointment to December 12th and Direct Staff to Bring back a Resolution to Expand the Committee.  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Sydney Kasner, Councilor Ward 2  
**AYES:** Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons  
**RESULT:** Passed via Voice Vote

*Council and Staff had a discussion regarding expanding the committee.*

7. Community Center Large Pool Regrout

<b>MOTION:</b>	<b>Motion to Award the Best Value Construction Contract for Community Center Large Pool Regrout to Michael Bradley Enterprises in the Amount of \$138,000</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>

*Ms. Sprague spoke regarding the large pool regrout, there was one bid that came in under the bid amount. Council and Staff had a discussion regarding the advertisement for bids and the scope of the project.*

8. Economic Development Brownfields Program: EPA Grant 4-Year Cooperative Agreement

<b>MOTION:</b>	<b>Motion to Direct Staff to Enter into a Cooperative Agreement with the EPA for a Community-Wide Assessment Grant</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</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>

*Council and Staff had a discussion regarding the grant and local properties with their locations.*

9. Cutler District BayWalk Sidewalk Gap Update & ODOT Grant Funding Agreement

<b>MOTION:</b>	<b>Motion to Direct Staff to Enter into a Local Agency Pedestrian and Bicycle Program Project Agreement with ODOT to Receive Construction Funding in the Amount of \$540,000 for the Cutler District BayWalk Sidewalk (Highway 101) Gap Project.</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>

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

*Ms. Legarza said that there was great feedback received from the Planning Commission at the November 12th work session on the 2043 Comp Plan. Ms. Legarza also said the Lincoln City Parks and Recreation Department Staff would be partnering with the Senior Center to provide a free Thanksgiving dinner to Seniors on Thursday, November 17th. Ms. Legarza said the Senior Center received a grant from the Siletz Tribal Charitable Contribution Fund. Ms. Legarza spoke about the IGA for HB4123 and said it's in the final stretch of legal review. Ms. Legarza said they are working on a date with IHI (Innovative Housing Inc.) for a potential start and kick-off party. Ms. Legarza said she is working with the League of Oregon Cities and the Oregon Mayors Association; we are one of the partner Cities to be included in the 2023 legislative session budget package and explained the budgeting packages.*

*Mr. Appicello spoke about reappointment to boards and committees along with the code.*

10.

<b>MOTION:</b>	<b>Motion to Direct the City Recorder to Process a Background Check and Add Steve Griffiths to the December 12th Agenda for Reappointment to the Arts Committee</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 Voice Vote</b>

11.

<b>MOTION:</b>	<b>Motion to Direct the City Recorder to Process a Background Check and Add Kevin Hohnbaum to the December 12th Agenda for Reappointment to the Budget Committee</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

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

12.

<b>MOTION:</b>	<b>Motion to Direct Staff to Notify the Senior Center the City will not be amending the Social Gaming Ordinance</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, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

13.

<b>MOTION:</b>	<b>Motion to Offer Municipal Judge Position to the Applicant and Authorize Staff to Negotiate a Contract and Associated IGA's for Mayor's Signature</b>
<b>MOVER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</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**

*NONE*

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

*Councilor Mark asked about the Cutler City speed limit request and the electronic sign. Council and Staff had a discussion regarding the speed and the process. Ms. Reid said she would like to come back to Council with a comprehensive plan for Cutler City, Council gave consensus. Councilor Hoagland asked that we start with Cutler City and then address other areas as well. Ms. Reid agreed and said she would take that into consideration. Councilor Mark asked about the status of NW 15th Street after there was a car in the ocean over the weekend. Mr. Appicello said he was going to bring back information on*

December 12th. Councilor Hoagland asked that any of these discussions of the beach accesses involve the Fire Department and mentioned the mobi-mats also hinder their ability to save lives. Council gave consensus to bring forward to the December 12<sup>th</sup> meeting.

Councilor Hoagland gave a shout-out to IT for 99.999% uptime. Councilor Hoagland spoke about the SW 3rd Street flashing beacon project. Councilor Hoagland spoke about Sandcastle Park which is Regatta Park and the community-build model that will be done. Mr. Hoagland said the net revenue at the Community Center increased and gave kudos to them. Councilor Hoagland said the new 2023 logo looks good and good job Finders Keepers. Mayor Wahlke asked if there was a 2023 poster. Councilor Hoagland confirmed and described.

<b>MOTION:</b>	<b>Motion to Appoint Brian Bunnett to the Planning Commission for a Term Beginning 1/1/2023 and Expiring 12/31/2026</b>
<b>MOVER:</b>	<b>Sydney Kasner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Elaine Starmer, Councilor Ward I</b>
<b>AYES:</b>	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

Councilor Kasner made a motion to appoint Brian Bunnett.

Councilor Casper gave great kudos to City Manager Legarza for her work on HB4123 and acknowledged the hard work it takes.

Mayor Wahlke congratulated the Councilors who were re-elected. Mayor Wahlke wished all a good Thanksgiving.

**Q. ADJOURNMENT**

Mayor Wahlke adjourned the meeting at 8:24 PM

//S//  
SUSAN WAHLKE, MAYOR

ATTEST:

//S//  
JAMIE YOUNG, CITY RECORDER