

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

January 11, 2021, 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: January 25, 2021

A. CALL TO ORDER

B. ROLL CALL

Council President Casper called the meeting to order. Council President Casper 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 12 pm on the meeting day;*
- 3. Comments can be made in person at the Council Chambers (COVID-19 precautions are taken).*

Attendee Name	Title	Status	Arrived
Judy Casper	Councilor Ward 3	Present	6:00 PM
Diana Hinton	Councilor Ward 1	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
VACANT	Mayor		

NOTE: Anne Marie Skinner was sworn in as City Councilor for Ward 2 after Roll Call was taken.

Staff Present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Alison Robertson, Economic Development and Urban Renewal Director; Ed Dreistadt, ELC Director; Jeanne Sprague, Parks and Recreation Director; Lila

Bradley, Public Works Director; Debbie Bridges, Finance Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

SKIPPED DUE TO MEETING BEING HELD REMOTELY

D. CONSENT AGENDA

Mr. Appicello asked that Council add Resolution 2021-04 to the agenda. Council President Casper moved the following items:

Oath of Office to Agenda Section E;

Comments from Citizens Present to Agenda Section F;

Council Deliberation to Agenda Section G;

Mayor Vacancy (M10), move to Council Deliberations, Agenda Section G.

Council President Casper also added Resolution 2021-04 to Agenda Section L.

Councilor Hinton pulled items three and four for discussion; also, she provided slight edits to the meeting minutes for December 14 and December 21. Council President Casper also added slight edits to the December 21 meeting minutes. Councilor Mark added one change to the December 14 minutes.

1. Regular Meeting – Minutes of Regular Meeting – December 14, 2020 6:00 PM

2. Special Meeting - Minutes of Special Meeting - December 21, 2020 10:00 AM

MOTION:	Motion to Accept Consent Agenda Items One & Two
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

3. Oregon Liquor Control Commission - Request for Brewery / Public House Liquor License for Autobahn 101 / Waggy Dog Brewing

Councilor Hinton stated that as long as there are no issues with the Police Department, the Council cannot reject an offer through OLCC. Councilor Hoagland asked about the acronyms and the hours for minors. Chief Palmer spoke about the application and the steps taken to approve the application. Mr. Appicello said that we are only making a recommendation based on problems at the facility. Mr. Appicello will be checking on the acronyms for Councilor Hoagland.

MOTION:	Motion to Approve OLCC Request for Brewery/Public House Liquor License for Autobahn 101/Waggy Dog Brewing
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

E. OATH OF OFFICE CEREMONY AND SEATING OF CITY COUNCILORS DIANA HINTON, RILEY HOAGLAND, ANNE MARIE SKINNER AND JUDY CASPER AND COMMENTS BY NEWLY ELECTED CITY COUNCILORS

Councilor Casper, Councilor Hoagland, Councilor Hinton, and Councilor Skinner were sworn into office by the City Recorder.

F. COUNCIL DELIBERATIONS

Councilor Hinton made a motion to appoint Susan Wahlke for Mayor. Councilor Casper made a second to that motion. Councilor Mark agreed with Councilor Hinton that Susan Wahlke is highly qualified, but he feels there is a desire to hold a special election and will vote against this motion. Councilor Skinner was against this motion in favor of a new motion to call for a special election.

MOTION:	Motion to Appoint Susan Wahlke as Interim Mayor
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Casper, Hinton
NAYS:	Hoagland, Mark, Parsons, Skinner
RESULT:	Failed via Voice Vote

MOTION:	Motion to Call for Special Election to be held in May 2021
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

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

2. Public Comments

Public Comment via Zoom:

Marci Baker, resident and business owner, commented on the closures of businesses during COVID-19 and the curfews. Also, Ms. Baker commented to the timeliness of COVID-19 notices received by business owners.

Fran Lonnon: Ms. Lonnon congratulated the newly-elected councilors on their election victories. Ms. Lonnon commented that she has been asking the City about the evacuation process for emergency events since September 2020. Ms. Lonnon received correspondence from Ken Murphy, Emergency Preparedness Coordinator, regarding the emergency evacuation process.

Susan Wahlke commented that she was disappointed that Council did not hold public comment before the deliberation but thanked everyone for the kind words. Ms. Wahlke said that she will be running for Mayor. Ms. Wahlke thanked the Council for making the purchase of the School District property in Taft a reality. Also, Ms. Wahlke thanked the Council for reinstating the practice of Department Heads reporting to the Council on a regular basis.

Public Comment via email prior to the meeting, received before the Agenda was published:

Fran Lonnon submitted a comment regarding pedestrian accidents and the need for flashing lights at all crosswalks in the downtown area.

Joan Erlanger, Liza Corzine, and Caroline Nguyen submitted in support of an election.

Joan Erlanger submitted regarding an exemption for the compostable curbside pickup.

Public Comment via email prior to the meeting, received after the Agenda was published:

Laura Joki, Elaine Starmer, Cindy Thompson and Elaine Walsh submitted comments expressing support for the appointment of Susan Wahlke for Mayor.

H. PRESENTATIONS

I. PUBLIC HEARING / ORDINANCE

J. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Public Hearing for an Alternative Bid Method for the Water Treatment Plant Generator Replacement

Lila Bradley spoke about replacing the Water Treatment Plant's existing 400 kW generator with an 800 kW generator, which will run the full plant. The current generator is about 30 years old and replacement parts for the current generator cannot be obtained. Mr. Appicello clarified the purpose of the public hearing is to take public input on whether or not to exempt this from competitive bidding and use an alternative contracting method.

No Public Comments were received.

MOTION:	Motion to Close Public Hearing for Water Treatment Plant Generator
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Roll Call Vote

2. Public Hearing for an Alternative Contracting Method for the City Hall HVAC Upgrade Project

Ms. Bradley said the HVAC upgrade would include two rooftop units and a control system. The control system was last upgraded in 2015- it is not working properly. Councilor Casper asked if the upgrade would take care of air filtration. Ms. Bradley said that the air filters were able to remove the smell of the

September fires (they had to be replaced after that event) but she was unable to say whether the filters would work against COVID-19.

No Public Comments were received.

MOTION:	Motion to Close Public Hearing for City Hall HVAC Upgrade
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

K. ORDINANCES

3. ORDINANCE 2021-01 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.04 (CITY COUNCIL), AMENDING SECTION 2.04.020 (ORDER OF BUSINESS)

Mr. Appicello explained this is a housekeeping amendment to clarify the City Council has different kinds of meetings, and the rules/order of business for regular meetings do not apply to special meetings.

MOTION:	Motion to Approve Ordinance 2021-01; Amending Title 2 (Administration and Personnel), Chapter 2.04 (City Council), Amending Section 2.04.020 (Order of Business), First Reading.
MOVER:	Anne Marie Skinner, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Roll Call Vote

MOTION:	Motion to Approve Ordinance 2021-01; Amending Title 2 (Administration and Personnel), Chapter 2.04 (City Council), Amending Section 2.04.020 (Order of Business), Second Reading.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Roll Call Vote

4. ORDINANCE NO. 2021-02 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 1 (GENERAL PROVISIONS), AMENDING CHAPTER 1.16 (VIOLATIONS), AMENDING SECTION 1.16.030 (DEFINITIONS) TO UPDATE THE DEFINITION OF ENFORCEMENT OFFICER

Mr. Appicello explained this is a housekeeping item. In the past, Mr. Chandler has written an order appointing the Planning Director and the Floodplain Administrator to issue citations. This ordinance codifies the Planning Director and Floodplain Administrator's right to issue citations, thus negating the need for future Orders.

MOTION: Motion to Approve Ordinance 2021-02 Enforcement Officer, To Update the Definition of Enforcement Officer, First Reading.
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

MOTION: Motion to Approve Ordinance 2021-02 Enforcement Officer, To Update the Definition of Enforcement Officer, Second Reading
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

5. ORDINANCE NO. 2021-03 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 12 (STREETS, SIDEWALKS, AND PUBLIC PLACES), ADDING CHAPTER 12.02 (PUBLIC RIGHT OF WAY) AND RELOCATING EXISTING TEXT FROM CHAPTER 12.26

Mr. Appicello explained that when he prepared the ordinance for small telecommunications, he intended to put general authority at the beginning of title 12. Instead, a clerical error led to the authority being put in Chapter 12.26. This ordinance moves the authority section to the beginning of title 12 as initially intended.

MOTION: Motion to Approve Ordinance 2021-03 Chapter 12.02 and Relocating Existing Text from Chapter 12.26, First Reading
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

MOTION: Motion to Approve Ordinance 2021-03 Chapter 12.02 and Relocating Existing Text from Chapter 12.26, Second Reading
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

L. RESOLUTIONS

6. RESOLUTION NO. 2021-01 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACTING EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR THE WATER TREATMENT PLANT GENERATOR REPLACEMENT PROJECT.

MOTION: Motion to Approve 2021-01 Alternative Contracting Method - Water Plant Generator
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

7. RESOLUTION NO. 2021-02 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACT EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR THE CITY HALL HVAC UPGRADE PROJECT.

MOTION: Motion to Approve Resolution 2021-02 Alternative Contracting Method HVAC
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

8. RESOLUTION NO. 2021-03 A RESOLUTION OF THE CITY OF LINCOLN CITY, DECLARING AN EMERGENCY AS A RESULT OF A HOUSING SHORTAGE CAUSED TO THE ECHO MOUNTAIN COMPLEX FIRE AND AUTHORIZING EMERGENCY OPERATIONS USES (TEMPORARY HOUSING) ON LISTED TRIBE - OWNED PROPERTIES IN ACCORDANCE WITH THIS RESOLUTION

Mr. Appicello said that Councilor Skinner had emailed him to suggest that the code section be shortened. Mr. Appicello agrees with Councilor Skinner's comments. This resolution allows FEMA to use tribal land for emergency housing, subject to compliance with Lincoln City environmental requirements. Councilor Mark asked about the distinction of tribal sovereignty within the City limits. Mr. Appicello stated he spoke with the Tribe's attorney and learned that the property is not held in trust. Councilor Hinton said she had mentioned this property to FEMA during a meeting.

MOTION: Motion to Approve Resolution 2021-03 Resolution of Declaration of Emergency - FEMA Housing Displaced Residents with Corrections to the Cross-Reference
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

9. Mayor Vacancy Discussion / Resolution

MOTION: Motion to Approve Resolution 2021-04 Calling for a Special Election to Fill the Vacant Mayor Position
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Anne Marie Skinner, Councilor Ward 2
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

M. SPECIAL ORDER OF BUSINESS

10. Request to set hearing - NE 14th Street Sidewalk Project

Lila Bradley spoke about the NE 14th Street project. There will be pedestrian improvements on the North side of NE 14th Street from Highway 101 to NE Port Drive. The improvement will include a new sidewalk, curb, and gutter. Councilor Hinton asked if ODOT is involved in the project. Ms. Bradley said that ODOT is only involved at the intersection portion. Council President Casper asked if there was a time projection to begin and end the project, Ms. Bradley said she would like to see it complete by June of 2021. Councilor Hoagland stated he saw there was a LID and wondered if there was a cost to the residents. Ms. Bradley stated there will be a LID associated with these improvements. Council President Casper confirmed that tonight's action would only be for setting a hearing date.

MOTION:	Motion to Approve Request to set hearing - NE 14th Street Sidewalk Project for January 25, 2021
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Motion to Continue - Passed

11. Election of Council President

Councilor Hoagland opened nominations for Council President. Councilor Hinton nominated Council President Casper. Council Mark moved to close nominations.

MOTION:	Motion to Elect Councilor Judy Casper as Council President
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Anne Marie Skinner, Councilor Ward 2
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

12. Outside City Committee Appointments

Lincoln County State Transportation Improvement Fund Advisory Committee: Councilor Hoagland and Councilor Mark, as Alternate.

Lincoln City Driftwood Public Library Board: Councilor Parsons brought up that a previous Council removed the requirement for a Council member to be on this board. Council President Casper said this should be on the City committees. Mr. Appicello agreed that the requirement for Council member to serve on the Library Board has been removed. Council President Casper directed the City Recorder to remove Lincoln City Driftwood Public Library Board from the list.

Lincoln County Solid Waste Disposal Service District Advisory Committee (SWAC): Councilor Judy Casper and Councilor Skinner, as Alternate.

Lincoln County Solid Waste Consortium (Agate Beach Landfill Closure): Debbie Bridges (City Staff) and Scott Morgan (City Staff), as Alternate.

Oregon Coastal Zone Management Association (OCZMA): Councilor Mark and Councilor Hoagland, as Alternate

Cascade West Area Commission on Transportation (CWACT): Councilor Mark and Councilor Parsons, as Alternate.

Cascade West Council of Governments (CWCOG) - Executive Board: Councilor Hoagland and Councilor Skinner, as Alternate.

Villages at Sitka Woods Homeowner's Association (VSWHOA): Councilor Hinton and Councilor Parsons, as Alternate.

Mid-Willamette Valley Area Commission on Transportation (MWWACT): Councilor Hoagland and Councilor Mark, as Alternate.

MOTION:	Motion to Approve Outside City Committee Appointments
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

13. Motion to Approve City Boards and Committees

Arts Committee: Councilor Hoagland and Councilor Parsons

Library Board: Councilor Casper and Councilor Mark

Parks Board: Councilor Hinton and Councilor Parsons

Sustainability Committee: Councilor Hoagland and Councilor Hinton

Transient Room Tax Committee: On hold, Mr. Appicello looking for information on appointing a Hearings Officer.

ELC Committee: Councilor Skinner and Councilor Mark.

Interviews for candidates applying to serve on the Budget and Planning Committee are performed by the whole Council.

MOTION:	Motion to Approve Council Interviewers for City Boards and Committees
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Anne Marie Skinner, Councilor Ward 2
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Voice Vote

15. Schedule of Proposed City Council Meetings

Mr. Chandler said there are several meetings outside the regular meeting schedule. Council discussed and agreed to the following meetings:

Work Session, Tuesday, January 19, 2021, at 4:00 PM.

Goal Setting and Priority Meeting, February 1st, 9:30 AM-1:30 PM.

Joint Session with the Planning Commission, scheduled for February 2nd, 6:00 PM-8:00 PM.

Joint meeting with North Lincoln Fire and Rescue, along with their Board. Chief Dahlman will bring it before the Board and get back to Mr. Chandler.

Annual joint meeting with the Lincoln County Board of Commissioners, June 9th, 6:00 PM.

Joint Meeting with the Tribal Council, August 2nd, 6:00 PM

16. Department Report- Parks and Recreation

Jeanne Sprague, Parks and Recreation Director, presented a review of 2020.

17. Department Report - Explore Lincoln City

Ed Dreistadt, ELC Director, updated Council on the events of 2020.

18. COVID-19 Update

Mr. Chandler did not present additional information on COVID-19.

19. Echo Mountain Complex Fire Update

