

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

February 8, 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: 2/22/2021

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 |
| Anne Marie Skinner | Councilor Ward 2 | Present | 6:00 PM |
| Vacant | Mayor | | |

Staff Present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Abigail Edwards, Human Resources Director; Jeanne Sprague, Parks and Recreation Director; Lila Bradley, Public Works Director; Sungman "Simon" Kim, Planning and Community Development Director;

Kirsten Brodbeck-Kenney, Library Director; Debbie Bridges, Finance Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Skipped due to the meeting being held remotely.

AGENDA CHANGES:

Councilor President Casper moved items L 4, 5, & 6 on the agenda to be after item F, Comments from Citizens Present on Agenda/Non-Agenda Items.

D. CONSENT AGENDA

Councilor Hinton sent a few edits on the minutes for January 25th to the City Recorder, The City Recorder made those changes prior to the meeting.

1. Regular Meeting – Minutes of Regular Meeting – January 25, 2021, 6:00 PM
2. Regular Meeting – Minutes of Work Session – February 1, 2021, 9:30 AM
3. Oregon Liquor Control Commission - Request for a Temporary Sales License for Oregon Coast Community College (OCCC) Foundation

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| MOTION: | Motion to Approve Consent Agenda Items One & Three |
| MOVER: | Anne Marie Skinner, Councilor Ward 2 |
| SECONDER: | Mitch Parsons, Councilor Ward 1 |
| AYES: | Casper, Hinton, Hoagland, Mark, Parsons, Skinner |
| RESULT: | Passed by Voice Vote |

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| MOTION: | Motion to Approve Consent Agenda Item Two |
| 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 |

E. COUNCIL DELIBERATIONS

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

No citizens present for comment.

Mr. Chandler read an email that was sent from Daniel Wentz prior to the work session on February 1st. The email will be submitted for the record as well.

AGENDA CHANGE

6. EXPLORE LINCOLN CITY COMMITTEE APPOINTMENTS

MOTION: Motion to Appoint Laura Joki to Explore Lincoln City Committee, Term Expires 11/5/2023.
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

MOTION: Motion to Appoint Alanna Miel to Explore Lincoln City Committee, Term Expires 11/5/2023.
MOVER: Judy Casper, Councilor Ward 3,
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Voice Vote

5. BUDGET COMMITTEE APPOINTMENTS

Council interviewed applicants Nancy Oksenholt and Ty Guadagno for the Budget Committee.

MOTION: Motion to Appoint Applicants Nancy Oksenholt and Ty Guadagno to the Budget Committee.
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Anne Marie Skinner, Councilor Ward 2
AYES: Casper, Hinton, Mark, Parsons, Skinner
NAYS: Hoagland
RESULT: Passed by Roll Call Vote

8. RE-APPOINTMENT & APPOINTMENT TO PARKS AND RECREATION BOARD - APPLICANTS BARBARA HAHN & JANE MULHOLLAND

MOTION: Motion to Appoint Barbara Hahn to Parks and Recreation Board City Resident Position for a Three Year Term, Expiring December 31, 2023.
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

MOTION: Motion to Appoint Jane Mulholland to Parks and Recreation Board City Resident Position for a Three Year Term, Expiring December 31, 2023.
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Voice Vote

G. PRESENTATIONS

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. PUBLIC HEARING: ALTERNATIVE CONTRACTING METHOD: NE 14TH STREET PROJECT

Lila Bradley, Public Works Director, spoke about the NE 14th Street Project. There will be pedestrian improvements, including curb, sidewalk, and gutter improvements. Councilor Hoagland asked how staff determine if a contractor can effectively communicate with the public regarding the construction concerns. Ms. Bradley said that contractors are interviewed by City staff. In addition, contractors provide references. Ms. Bradley will provide Council with a list of the questions asked of the contractors.

No Citizens Present for public comment.

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| MOTION: | Motion to Close the Public Hearing - NE 14th Street Project |
| MOVER: | Riley Hoagland, Councilor Ward 2 |
| SECONDER: | Diana Hinton, Councilor Ward 1 |
| AYES: | Casper, Hinton, Hoagland, Mark, Parsons, Skinner |
| RESULT: | Passed via Voice Vote |

J. ORDINANCES

2. ORDINANCE NO. 2021-05 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 8 (HEALTH AND SAFETY), AMENDING CHAPTER 8.11 (NUISANCE – POLYSTYRENE FOAM), MODIFYING SECTION 8.11.040 (ENFORCEMENT) TO ADD A NINETY (90) DAY WARNING PERIOD AFTER THE EFFECTIVE DATE OF THE ORDINANCE 2020-09

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| MOTION: | Motion to Adopt Ordinance 2021-05 Polystyrene Ban Warning Period, First Reading |
| MOVER: | Riley Hoagland, Councilor Ward 2 |
| SECONDER: | Rick Mark, Councilor Ward 3 |
| AYES: | Casper, Hinton, Hoagland, Mark, Parsons, Skinner |
| RESULT: | Passed by Roll Call Vote |

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| MOTION: | Motion to Adopt Ordinance 2021-05 Polystyrene Ban Warning Period, Second Reading |
| MOVER: | Anne Marie Skinner, Councilor Ward 2 |
| SECONDER: | Riley Hoagland, Councilor Ward 2 |
| AYES: | Casper, Hinton, Hoagland, Mark, Parsons, Skinner |
| RESULT: | Passed by Roll Call Vote |

K. RESOLUTIONS

3. RESOLUTION NO. 2021-09 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACT EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR NE 14th STREET IMPROVEMENT PROJECT.

MOTION: Motion to Approve Resolution 2021-09 Alternative Contracting Method NE 14th Street Project
MOVER: Anne Marie Skinner, Councilor Ward 2
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

L. SPECIAL ORDER OF BUSINESS

4. REPORT BY PARKS AND RECREATION DIRECTOR ON THE USE OF COMMUNITY CENTER SPACE/SENIOR CITIZENS SPACE; MOTION CONCERNING USE OF CITY PARK FACILITY SPACES.

Jeanne Sprague spoke about the use of the Community Center by the seniors and a forthcoming agreement. Councilor Hinton asked about the date of April 30th in the packet. Ms. Sprague said they have been given three months to bring the Senior Center into compliance. Mr. Appicello said that if the Senior Center is not willing to come to an agreement they will enforce the ordinance.

MOTION: Motion to Direct Staff to Enforce the Existing Parks Regulations as Related to Exclusive Use of Parks Facilities. If Compliance is Not Achieved By April 30, 2021, the City Manager and City Attorney are Directed to Enforce the Ordinance.
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

8. SPYGLASS PUMP STATION CONSTRUCTION AWARD

MOTION: Motion to Award the Spyglass Pump Station construction contract be to Bateson Enterprise, LLC. for \$399,998.00 with a construction contingency of \$39,999.00 (10 percent of bid amount) for a total amount of \$439,997.00
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Rick Mark, Councilor Ward 3
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed by Roll Call Vote

9. FIREWORKS MANAGEMENT PLAN

Jerry Palmer, Chief of Police, spoke regarding the fireworks enforcement plan on the fourth of July. Chief Palmer told Council about the staffing levels used on the day of the holiday. Council had many suggestions for improving compliance.

10. DEPARTMENT REPORT - FINANCE

Debbie Bridges, Finance Director, gave an update on the Finance Department.

11. CITY COUNCIL GOALS AND PRIORITIES FOR THE FISCAL YEAR 2021-2022

*Goal: Code Enforcement – To Educate, Inform and Protect the Residents of Lincoln City.
 Goal: Community Engagement – Increase Participation in and Develop Skills for Civic Involvement.
 Goal: Economic Development and Workforce Housing – Provide Support, Opportunities, and Expansion for Residential and Commercial.*

Goal: Emergency Preparedness – Maintain and Expand Emergency Preparedness for the Safety of Our Community.

Goal: Infrastructure – Long Range Planning – Maintain, Restore and Create On-going Long-Range Projects for the City.

Goal: Parks and Recreation – Provide and Maintain Natural Resources and Recreational Opportunities.

Goal: Sustainability – Provide Direction for a Healthy Community that is Sustainable and Environmentally Friendly.

Goal: Financial – Maintain and Monitor, State and Local Budgetary Obligations to Support Fiscal Responsibilities of the City.

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| MOTION: | Motion to Accept the Goals, Including the Additional Goal of Financial Added. |
| MOVER: | Diana Hinton, Councilor Ward 1 |
| SECONDER: | Anne Marie Skinner, Councilor Ward 2 |
| AYES: | Casper, Hinton, Hoagland, Mark, Parsons, Skinner |
| RESULT: | Passed by Roll Call Vote |

Councilor Hoagland would like to see the specific activities and tasks listed under the goals.

M. CITY MANAGER/CITY ATTORNEY REPORT

Mr. Chandler gave an update about the task assigned to cease the advertising and promoting of The Thumb. Jeanne Sprague, Parks and Recreation Director, said that parking instructions for The Knoll have been redirected to the dead-end at the end of NE West Devils Lake Blvd. Ms. Sprague read a statement from Bill Conroy of the Hebo Ranger District. Councilor Hinton expressed frustration with the amount of time it's taking to address The Thumb. Ms. Sprague said that she will continue to be a part of the CHSRA (Cascade Head Scenic Research Area) team. Councilor Hinton would like Bill Conroy invited to a council meeting. Councilor Hoagland asked how many websites were contacted, then mentioned that the City website is still advertising The Thumb.

Mr. Appicello said there was an issue brought up in training that would be better brought up in an executive session.

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| MOTION: | Motion to Schedule an Executive Session to Review Options and Recommendations Relative to Meetings Involving Less Than a Quorum of the City Council. |
| MOVER: | Anne Marie Skinner, Councilor Ward 2 |
| SECONDER: | Riley Hoagland, Councilor Ward 2 |
| AYES: | Casper, Hinton, Hoagland, Mark, Parsons, Skinner |
| RESULT: | Passed by Voice Vote |

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

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

No citizens present for comment.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Skinner asked about future work session dates. Mr. Chandler said he will provide those in the near future. Councilor Skinner asked if looking at a shortened version of committee appointments would be on a future work session. Mr. Chandler confirmed it would. Councilor Hoagland said that having the meeting continue after 8:00 PM isn't helpful for making difficult decisions. Councilor Hoagland would like to see about meetings ending by 10 PM. Councilor Hinton talked about the compost bins. She would like her motion from the last Council meeting to be reconsidered. Councilor Hinton said the overall goal is to reduce the amount of waste to the landfill. There isn't any recycling of yard woody debris and now with this program, there is. The composting bins cost \$0.23 per day. Members of the public could order a smaller bin or request less frequent pick-ups to cover the cost of the compost bin.

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| MOTION: | Motion to Reconsider the Motion for Exemption on the Compost Bins. |
| MOVER: | Diana Hinton, Councilor Ward 1 |
| SECONDER: | Anne Marie Skinner, Councilor Ward 2 |
| AYES: | Casper, Hinton, Mark, Parsons, Skinner |
| NAY: | Hoagland |
| RESULT: | Passed by Voice Vote |

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| MOTION: | Motion to Remove Discussion of Options to Opt-Out or Exceptions to the Compost Bin. Amending the Agenda of the Upcoming Meeting and Move Forward with the Ordinances as Approved. |
| MOVER: | Diana Hinton, Councilor Ward 1 |
| SECONDER: | Anne Marie Skinner, Councilor Ward 2 |
| AYES: | Casper, Hinton, Mark, Parsons, Skinner |
| NAY: | Hoagland |
| RESULT: | Passed by Voice Vote |

Councilor Hoagland stated if we don't allow for any exception we are discrediting onsite composting abilities. Councilor Hinton said the idea is to try this for one year and see if it works. Councilor Mark would like this to stay on the agenda for further discussion. Councilor Mark also thanked Tina French for the letter that she wrote explaining the whole point of the composting is because there is a State mandate requiring a reduction in the amount of waste going to the landfills. Mr. Appicello said that section four of the adopted Resolution 2020-07, directs him to process an amended to Chapter 8.16 to expressly include mandatory composting within the accepted exceptions for exemptions from mandatory garbage collection. Mr. Appicello apologized for the request at the last meeting was something he was already directed to do by the approved resolution. The resolution, not the motion controls. Councilor Skinner said that she spoke to Tina French and the fee is set. Councilor Skinner is concerned that any opting out at this late stage will greatly increase the cost for all the rest of the people.

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| MOTION: | Motion to Withdraw Motion to Remove Discussion of Options to Opt-Out or Exceptions to the Compost Bin. Amending the Agenda of the Upcoming Meeting and Move Forward with the Ordinances as Approved. |
| MOVER: | Diana Hinton, Councilor Ward 1 |
| SECONDER: | Anne Marie Skinner, Councilor Ward 2 |

Q. ADJOURNMENT

Councilor President Casper adjourned the meeting at 10:17 PM

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JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

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JAMIE YOUNG, CITY RECORDER