

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

February 22, 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: 3/8/2021

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; 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; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Skipped due to the meeting being held remotely.

D. CONSENT AGENDA

Councilor Casper asked to pull item number 2 for discussion.

1. Regular Meeting – Minutes of Regular Meeting – February 8, 2021, 6:00 PM

MOTION:	MOTION TO ACCEPT CITY COUNCIL MINUTES - REGULAR MEETING - FEB 8, 2021, 6:00 PM
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed

2. Ordinances addressing the use of Lyft/Uber

MOTION:	MOTION TO DIRECT STAFF TO LOOK AT OTHER OREGON CITIES ORDINANCES PERTAINING TO LYFT/UBER AND RETURN WITH OPTIONS
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Anne Marie Skinner, Councilor Ward 2
AYES:	Hinton, Hoagland, Mark, Parsons, Skinner
NAYS:	Casper
RESULT:	Passed

3. Oregon Liquor Control Commission - Request for Full On-Premises and Off-Premises Liquor License for 88 Grains Asian Fusion Bar LLC

MOTION:	MOTION TO ACCEPT OREGON LIQUOR CONTROL COMMISSION - REQUEST FOR FULL ON-PREMISES AND OFF-PREMISES LIQUOR LICENSE
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed

E. COUNCIL DELIBERATIONS

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

4. Public Comments

Mr. Chandler said there are three public comments that were submitted before the publishing of the agenda; they are in the packet.

Tina French spoke regarding the rollout of the compostable carts.

G. PRESENTATIONS

H. PUBLIC HEARINGS / PUBLIC COMMENTS

1. NE 14th Street Local Improvement District Public Hearing

Mr. Chandler read comments from Timothy Tuffield and Daron Wilson regarding the local improvement district (LID).

MOTION:	MOTION TO CLOSE THE PUBLIC HEARING AND PUBLIC RECORD FOR NE 14TH STREET LOCAL IMPROVEMENT DISTRICT
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Anne Marie Skinner, Councilor Ward 2
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

I. **ORDINANCES**

2. ORDINANCE NO. 2021-06 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 8 (HEALTH AND SAFETY), AMENDING CHAPTER 8..16 (SOLID WASTE), MODIFYING SECTION 8.16.110and 8.16.115 TO RECOGNIZE COMPOSTING AS INCLUDED IN RECOGNIZED EXEMPTIONS.

MOTION:	MOTION TO DIRECT STAFF TO RETURN WITH A RESOLUTION IN 90 DAYS
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

Councilor Mark said that the composting is a result of the state mandate. Councilor Mark asked if the Council rejects the ordinance is there a penalty. Ms. French said yes, but she is not sure what the penalty would be. Ms. French said that the penalty could be picking more programs to meet the goal. Ms. French said the exemption is for full garbage service, you cannot select which services; you can be exempt or file for a reduction. You can file an affidavit with the City if you meet the requirements. Mr. Appicello said that it is a code violation to not have solid waste service. Councilor Skinner asked Mr. Appicello about comparing the City's list with North Lincoln Sanitary and setting a deadline. Mr. Appicello is going to bring it up at the next Code Enforcement meeting. Ms. Bridges commented that it's a very complicated project and time-consuming and it has been done a few times before.

MOTION:	FIRST READING ORDINANCE NO. 2021-06 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 8 (HEALTH AND SAFETY), AMENDING CHAPTER 8..16 (SOLID WASTE)
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

MOTION:	SECOND READING ORDINANCE NO. 2021-06 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 8 (HEALTH AND SAFETY), AMENDING CHAPTER 8..16 (SOLID WASTE)
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed by Roll Call Vote

J. RESOLUTIONS

5. RESOLUTION NO. 2021-10 A RESOLUTION OF THE CITY OF LINCOLN AMENDING RESOLUTION 2021-06 CONCERNING DISPLACED LINCOLN COUNTY RESIDENTS CAUSED BY THE ECHO MOUNTAIN COMPLEX FIRE

Mr. Appicello said that he wanted to add the TurnKey property to the list authorized for extended stay for the duration of the emergency.

MOTION:	MOTION TO ADOPT RESOLUTION NO. 2021-10 A RESOLUTION OF THE CITY OF LINCOLN AMENDING RESOLUTION 2021-06 CONCERNING DISPLACED LINCOLN COUNTY RESIDENTS CAUSED BY THE ECHO MOUNTAIN COMPLEX FIRE
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

6. RESOLUTION NO. 2021-11 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FEES AND CHARGES FOR CHAPTER 12.16 (PARK USE REGULATIONS AND EXCLUSIVE USE PERMITS) ESTABLISHING FEES AND CHARGES

No Citizens present for comment. Councilor Hoagland asked how the amounts are determined. Ms. Sprague said that the price is comparable to the same space in the large meeting room in the other part of the Community Center. Mr. Chandler pointed out that based on having use for eight hours a day, for a year, would be approximately \$1000 per week. The City Council has the right to waive the fee on annual basis or to pay the fees on behalf of a non-profit. That discussion comes up during the budget process.

MOTION:	MOTION TO ADOPT RESOLUTION NO. 2021-11 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FEES AND CHARGES FOR CHAPTER 12.16 (PARK USE REGULATIONS AND EXCLUSIVE USE PERMITS) ESTABLISHING FEES AND CHARGES
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT:	Passed via Voice Vote

K. SPECIAL ORDER OF BUSINESS

7. Appointment to Arts Committee - Applicants Niki Price & Krista Eddy

MOTION: MOTION TO RE-APPOINT TO ARTS COMMITTEE APPLICANTS NIKI PRICE & KRISTA EDDY
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

8. Appointment to Arts Committee - Applicant Carolyn Wilson

MOTION: MOTION TO APPOINT TO ARTS COMMITTEE APPLICANT CAROLYN WILSON
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

9. Continued Municipal Court Discussion

Mr. Appicello said that his recommendation has not changed on this matter. The Finance staff is concerned about cost and the Police Department is concerned with the increased time. Mr. Appicello recommends continuing to move forward and objects to the document from the Sheriff's office. Councilor Hinton asked if there is another way to get tickets paid. Chief Palmer explained that the Circuit Court and District Attorney's office went through a similar issue. They implemented a program that required agencies to submit paperwork within ten days and then the trial court makes contact with the defendant right away, to get the process moving. Chief Palmer said that he spoke with Mr. Appicello about increasing the efficiency of our Court and would like to mirror the Circuit Court. Ms. Bridges commented that we saved \$150,000 in 1996 and did not lose any revenue when the court cases were transferred to Circuit Court. Councilor Hinton asked if a failure to appear would turn a traffic ticket into a criminal offense, Mr. Appicello confirmed that was correct.

MOTION: MOTION TO DIRECT STAFF TO IMPROVE CURRENT PROGRAM; INCLUDING ADDITIONAL TIME FOR MUNICIPAL COURT JUDGE AND STAFF, TO REDUCE FAILURE TO APPEAR
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Anne Marie Skinner, Councilor Ward 2
AYES: Casper, Hinton, Hoagland, Mark, Parsons, Skinner
RESULT: Passed via Voice Vote

10.

MOTION: MOTION TO DIRECT CITY ATTORNEY TO DRAFT AN ORDINANCE TO BECOME A COURT OF RECORD
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Anne Marie Skinner, Councilor Ward 2
AYES: Hoagland, Parsons, Skinner
NAYS: Casper, Hinton, Mark
RESULT: Failed by Voice Vote

11. Driftwood Public Library Departmental Report

Kirsten Brodbeck-Kenney, Driftwood Public Library Director, gave a departmental report.

12. COVID-19 Update

Mr. Chandler said that the Governor will be being reviewing the risk level and he is hopeful to see that status drop lower. With a new classification, the Community Center indoor capacity could increase to 100, still using masks and social distancing. Outdoor capacity at the Community Center would increase to 150.

13. Echo Mountain Complex Update

Mr. Chandler said the FEMA temporary housing for displaced families on Logan Road is scheduled to be completed at the end of February with mobile homes arriving the first week of March. Mr. Chandler said the Grange in Otis continues to do marvelous work helping Echo Mountain Fire victims. Last Saturday several people provided meals for volunteers working at the Grange.

L. CITY MANAGER/CITY ATTORNEY REPORTS

14. Proposed Schedule for City Council Work Meeting

Mr. Chandler asked to schedule work sessions. Council selected March 15th and March 29th at 4:30 PM.

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

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

No Citizens present for comment

O. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Parsons said that the Newport News-Times is reporting that Lincoln County will move to a low-risk COVID-19 category. Councilor Mark says that he reviews the COVID rates by state and county and that Lincoln County has been reporting very low COVID case counts.

Councilor Hoagland commented that the plaque at the Police Department is plastic. Councilor Hoagland asked for a price quote to get a brass plaque made.

Councilor Hoagland said that during the king tides about a month ago, there were several residents on SE 2nd Street having to use canoes to access their homes due to the road being underwater. Councilor Hoagland would like to see about dredging the canal.

Councilor Hoagland said that there have been reports of cars accessing the beach at Canyon Way and would like to see about preventing that from happening.

Councilor Hoagland said he would like to see some decorative metalwork on the two bridges that are being repaired.

Councilor Hoagland spoke with Sheriff Landers about evacuation routes. Councilor Hoagland suggested permanent reader boards along the highway. Sheriff Landers and Senator Kurt Schrader were in support of this idea.

Councilor Casper said that Pearls of Wisdom, the fundraiser for Oregon Coast Community College, is coming up on March 6, 2021, 5-6:30 PM. It will be held live via Zoom. The cost is \$75. More information can be found at foundation@oregoncoast.edu.

P. ADJOURNMENT

Meeting adjourned at 8:49 PM

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JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

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JAMIE YOUNG, CITY RECORDER