

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

March 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](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: 4/12/2021

**A. CALL TO ORDER**

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](mailto:publiccomment@lincolncity.org);
2. Comments can be made via Zoom if a request is emailed to [publiccomment@lincolncity.org](mailto: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).

**B. ROLL CALL**

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; Stephanie Reid, City Engineer; Debbie Bridges, Finance Director; Sungman "Simon" Kim, Planning and Community Development 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**

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

<b>MOTION:</b>	<b>Consent Agenda</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed</b>

**E. COUNCIL DELIBERATIONS**

*Council President Casper continued item L3 to the April 12th meeting.*

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

*No Citizens present for Comment.*

*Mr. Chandler said that there were seven citizens who requested to speak via Zoom. There are seven additional comments submitted since the agenda was published.*

*Alisa Dunlap, Regional Business Manager for Pacific Power, spoke about their operations in Lincoln City since 1960. Ms. Dunlap said that she submitted a letter for the record as well. Pacific Power has been engaged in a conversation with the Cultural Center that leases the property from the City of Lincoln City. Ms. Davis said that there would be a photo in slide 16 that was listed as taken in September of 2020 and wanted to remind everyone that was during the Echo Mountain Fire. Ms. Dunlap also commented regarding Alison Robertson, Economic Development Director. Ms. Dunlap spoke in support of the Economic Development, how the programs are connected.*

*Greg Berton, Board Member and past President of the Lincoln City Cultural Center stated that the Board is unanimously in agreement with the presentation by Niki Price that will be presented later. Mr. Berton's letter is added to the record.*

*Heather DeSart, Executive Director of Northwest Oregon Works, spoke in support of Lincoln City's Economic Development Department. Ms. DeSart said Northwest Oregon Works are here for the support of the community and have resources they can deploy to assist.*

*Paul Schuytema, Executive Director of the Economic Development Alliance of Lincoln County, spoke about the North Lincoln Economic Development Program and spoke in support of Lincoln City's Economic Development Department.*

*Janet Knipe, President of the Roads End Improvement Association, submitted a letter for the record and shared her letter regarding fireworks.*

*Dave Price, Oregon Coast Community College Small Business Development Center, spoke in support of Lincoln City's Economic Development Department. Mr. Price also spoke about the small business toolkit.*

*Lori Arce-Torres, Lincoln City Chamber of Commerce, spoke in support of Lincoln City's Economic Development Department.*

*Mr. Chandler said there were seven emails submitted to the public comment email after the agenda was published. Three of those testified via Zoom tonight. Mr. Chandler summarized the remainder.*

*Georgia Roelof sent an email regarding the departure of Mr. Chandler and hopes for the future hiring process.*

*Al Mortlock sent two emails; he is a Board Member of the Lake Villages Home Owners Association, asking questions about the canal and maintenance.*

*Alisa Dunlap sent an email and also testified.*

*Nancy Oksenholt sent an email about the scooter presentation.*

*Lori Arce-Torres sent an email and testified.*

## **G. PRESENTATIONS**

### **2. Presentation: New Business - Bird Rides, Inc. (Scooters), Michael Covato**

*Michael Cavato from Bird Rides gave a presentation regarding scooters being brought to Lincoln City.*

<b>MOTION:</b>	<b>Motion to Direct Staff to Further Discuss with Bird Rides and Bring Back to Council at a Work Session</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Mark, Parsons
<b>NAYS:</b>	Casper, Hinton Hoagland, Skinner
<b>RESULT:</b>	<b>Motion Fails</b>

### **3. Annual Update: Lincoln City Cultural Center**

*Alison Robertson, Economic Development and Urban Renewal Director, spoke about the window restoration project and gave an update on the Cultural Center's projects.*

*Dorcas Holzapfel, Lincoln City Cultural Center President, gave kudos to Alison Robertson. Ms. Holzapfel also extended best wishes to Mr. Chandler. Ms. Holzapfel also talked about the Cultural Plaza project.*

*Niki Price, Lincoln City Cultural Center Director, gave an update of 2020 and an update of the upcoming project. Mr. Appicello spoke about the terms of the lease for the Lincoln City Cultural Center. Councilor Skinner said that she would be interested in seeing the road easement when available. Councilor Casper said Council would work on a letter of support.*

<b>MOTION: Unanimous Consent to Direct Staff to Determine Rent Abatement and look into the Easement Deed</b>
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### **4. Mural Art in Parks - Public Art Donation**

*Jeanne Sprague introduced David Jamieson, Parks and Recreation Board Chair; Larry Stevens, Public Arts Committee member; and Crystal Akins, Founder and Executive Director of Activate Arts.*

*David Jamieson said the Parks and Recreation Board fully supports both projects that Ms. Akins will present tonight.*

*Larry Stevens said that the Public Arts Committee is in favor of both projects Ms. Akins is presenting as well.*

Crystal Akins gave a presentation on public art murals and said she is here to ask for approval of six more murals. The artist at the Lincoln City Community Center would be Krista Eddy. The artist at Josephine Young Park would be Katia Kyte. The artist at the NW 26th Street Beach Access would be Bryan Nichols. Ms. Akins would be the artist featured for two small murals at the Kids & Seniors Park in Cutler City and Wecoma Park. Ms. Akins would also be doing a larger mural located by Mo's on SW 51st Street.

<b>MOTION:</b>	<b>Motion to Approve Six Donated Art Murals From the Community Art Project at the Lincoln City Community Center, Josephine Young Park, NW 26th Street Beach Access, Kids &amp; Seniors Park in Cutler City, Wecoma Park, and SW 51st Street.</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

5. Last Words Art Installations - Public Art Donation

Crystal Akins, Founder and Executive Director of Activate Arts, gave a presentation about Last Words Art Installations. This project uses art to provide support to the community in time of grief or loss. The project will run April through June 2021 at Siletz Bay, Nesika Park, and Josephine Park.

<b>MOTION:</b>	<b>Motion to Approve to the Three Last Word Installations at Siletz Bay, Nesika Park, and Josephine Park.</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

**H. PUBLIC HEARING / ORDINANCE**

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

**J. ORDINANCES**

**K. RESOLUTIONS**

**L. SPECIAL ORDER OF BUSINESS**

1. Funding on Hold - Percentage of Public Arts Fund

<b>MOTION:</b>	<b>Motion to Release Funds from Account 193006301101 Expenditure of the City's Art Fund</b>
<b>MOVER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

2. Arbor Day 2021 Proclamation

Jeanne Sprague spoke about Arbor Day and Celebrating with Driftwood Public Library. Council President Casper read a proclamation. Councilor Parsons asked that SE 3rd be changed to Nesika Park.

**MOTION:** Motion to Approve Arbor Day 2021 Proclamation with Corrections  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Casper, Hinton, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed via Voice Vote

3. Order Approving Real Property Lease - McKay's Market Building

*Councilor Casper postponed until the meeting of April 12th.*

4. AFSCME Letter of Agreement--One-Year Union Contract Rollover

*Councilor Parsons asked who is covered by the contract and Ms. Edwards responded that it does not include the Police Department, Department Heads, or Supervisors.*

**MOTION:** Motion to Approve One-Year Rollover Agreement-AFSCME Union Contract  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Diana Hinton, Councilor Ward 1  
**AYES:** Casper, Hinton, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed via Voice Vote

5. City Hall HVAC Construction Award

*Councilor Hoagland asked if we have LEED (Leadership in Energy and Environmental Design) Certified Staff and if so are they involved with the selection process. Ms. Reid said that we do have LEED Certified Staff but they were not involved because they were working with Energy Trust. Councilor Hinton asked if two specific locations would see improvement from the new HVAC. Ms. Reid confirmed and said the Library as well should see improvements as they have experienced cold spots too.*

**MOTION:** Motion to Approve City Hall HVAC Construction Award to Point Monitor for \$176,593 with a Construction Contingency for \$17,700 for a Total of \$194,293.  
**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

6. Input for TCB contract at Beach Accesses on 4th of July

*Chief Palmer said that he reached out to TCB Security and they might be able to supply five individuals at \$35.25 per hour, which equates to a little over \$2700. Richard Appicello said there are four options right now and they are not asking Council to approve a contract, just provide some direction. Option one is not to do anything; Option two, hire TCB to create presence and observing only; Option three, Violation/Citation level enforcement; Option four, bring them under the level of the police department. Councilor Skinner asked if this method of having private security will help eliminate illegal fireworks. Chief Palmer was not able to say for sure, a uniform presence may help deter. Chief Palmer also cautioned Council that this year's holiday would be different; COVID stress release can already be seen at Spring break across the nation. Councilor Skinner asked the Chief what information could be provided to help make a decision. Chief Palmer said that trying a uniform presence without citation issuing authority would be the best option. If that does not work, then maybe next year citation issuing authority. Councilor Hinton asked the Chief about changing the schedule from 12 pm-12 am to 2 pm-2 am; the fireworks go long after midnight. Chief Palmer said that he can look at it, but he has to have*

adequate coverage for the day shift. Councilor Hinton also stated the fireworks generally start around June 30th and run through the summer and is hoping that the ATVs will still be out. Chief Palmer says that would be a topic that requires direction from Council, it will require direct overtime. Councilor Hinton asked about the confiscation of fireworks and asked if TCB security would be able to do that. Chief Palmer confirmed that is possible with enforcement duties assigned. Councilor Hinton said that she is in favor of TCB Security writing citations. Councilor Hoagland said that we have no guarantee that we have any officers coming and if we do, they will be brand new. Councilor Hoagland said he worked private security and people are not going to listen to an unarmed security officer. Councilor Hoagland has some serious concerns about giving TCB Security authority to remove items from people. Councilor Hoagland suggested having a committee willing to volunteer to help or having Chief Palmer check with other agencies for assistance with vehicles. Councilor Mark is in favor of hiring uniformed help.

<b>MOTION:</b>	<b>Motion to Direct Staff to Consult with TCB About Violation/Citation Level Enforcement for the 4th of July.</b>
<b>MOVER:</b>	<b>Diana Hinton, Councilor Ward 1</b>
<b>RESULT:</b>	<b>Failed for Lack of a Second</b>

<b>MOTION:</b>	<b>Motion to Direct Staff to Contract with TCB for Option Two, Unarmed Security Without Enforcement Authority</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Mark, Parsons, Skinner
<b>NAYS:</b>	Hinton, Hoagland
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

**7. Council Consideration for Purchase of Four ATV's for Beach Patrol**

<b>MOTION:</b>	<b>Motion to Purchase Two ATV This Budget Year</b>
<b>MOVER:</b>	<b>Diana Hinton, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Hinton, Hoagland
<b>NAYS:</b>	Casper, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Failed by Roll Call Vote</b>

**8. Canyon Park Bollard information**

Jeanne Sprague, Parks and Recreation Director, spoke about placing a bollard at Canyon Drive Park at the entrance to the beach. Ms. Sprague states there is currently a sign stating, "motor vehicles prohibited". Chief Palmer said that in discussions with Chief Dahlman of North Lincoln Fire & Rescue that unless they are maintained daily they will rust into place and will not be able to be removed. Chief Palmer recommends that there is not a bollard installed at that location, for the ease of emergency access.

**9. Comprehensive Plan Update - Schedule**

Sungman "Simon" Kim, Planning and Community Development Director, gave an update on the comprehensive plan. Mr. Appicello said that Planning Commission would have separate meetings for the different goals. Councilor Skinner asked about the timing of meetings and notices. Mr. Appicello mentioned that one of the suggestions was slowing down the process. Councilor Skinner provided feedback from a Planning perspective. Councilor Mark asked if there would be information available ahead of time. Mr. Kim said there would be.

**10. Department Update: Economic Development**

*Mr. Chandler suggested a move to the work session on 3/29/21.*

**11. COVID-19 Update**

*Mr. Chandler has nothing more to report other than what is in the packet.*

**12. Echo Mountain Complex Emergency Update**

*Mr. Chandler has nothing more to report other than what is in the packet. Councilor Mark asked about providing water to Echo Mountain. Mr. Chandler said he would send Councilor Mark a note after he looks at it.*

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

*Mr. Chandler said that he is proposing his final day will be April 30, 2021.*

*Mr. Appicello said that he sent an email with three motions.*

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

**13.**

<b>MOTION:</b>	<b>Motion to Take Personnel Option Two Presented in the Executive Session Contract Memo Dated March 22, 2021.</b>
<b>MOVER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

**14.**

<b>MOTION:</b>	<b>Motion to Authorize the City Attorney to Negotiate for Acquisition/Purchase of Wetland Parcel Identified in Executive Session with Not to Exceed Amount Discussed</b>
<b>MOVER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

**15.**

<b>MOTION:</b>	<b>Motion to Direct City Attorney to Negotiate a Fair Share Reimbursement Agreement for a Proposed Public Improvement to be Granted/Dedicated to the Public within a Public Easement</b>
<b>MOVER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

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

*No Citizens present for Comment.*

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

*Councilor Parsons said that the local youth theater will be performing "Alice in Wonderland, Steampunk Edition" April 2-4, 2021 at the Cultural Center. The shows are at 2 PM and 7 PM.*

*Councilor Hoagland replaced Councilor Casper as Council Representative for the Oregon Cascade West Council of Governments; Community Services Consortium is not getting the number of people seeking assistance that they anticipated. Community Services Consortium can help with rent, utilities, and such.*

*Councilor Hinton asked Mr. Chandler to release the funds for the wayfinding signs for Parks and Open Spaces.*

*Councilor Casper asked Mr. Chandler to have the Executive Assistant help with a letter of endorsement for the bond funding for the Cultural Center. Also, Councilor Casper asked for Councils suggestions for a Pro Tem City Manager.*

**Q. ADJOURNMENT**

*Meeting adjourned at 10:19 PM*

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JUDY CASPER, COUNCIL PRESIDENT

ATTEST:

*//S//*

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JAMIE YOUNG, CITY RECORDER