

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

June 28, 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: 7/12/2021

**A. CALL TO ORDER**

Mayor Wahlke called the meeting to order at 6:01 PM. Mayor Wahlke 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 noon 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
Susan Wahlke	Mayor	Present	6:00 PM
Judy Casper	Councilor Ward 3	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	Councilor Ward 1		

Staff Present: Lila Bradley, Interim City Manager; Richard Appicello, City Attorney; LT. Broderick, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Stephanie Reid, City Engineer; 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.*

Mayor Wahlke amended the agenda to add resolution 2021-31 as 14 under resolutions and renumber Special Order of Business. Unanimous consent from Council.

**D. MOTION TO ACCEPT THE CONSENT AGENDA**

1. Regular Meeting – Minutes of Regular Meeting – June 14, 2021, 6:00 PM
2. Initiation of Amendments to Adopted City Comprehensive Plan Map regarding the UGB
3. Initiation of Amendments to restore Administrative Adjustment to Title 17.

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

**E. COUNCIL DELIBERATIONS- NONE**

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

*No Citizens present for comment.*

*Ms. Bradley summarized public comments from Ms. Kaisner regarding personal fireworks; Mr. Riegelmann against no parking on SW Beach; Ms. Chadwell, Mr. Chadwell, Mr. Garrison in favor of the order banning parking.*

**G. PRESENTATIONS - NONE**

**H. PUBLIC HEARING / ORDINANCE- NONE**

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

1. Public Hearing: Amendment to LCMC Title 17, to Restore Administrative Adjustment (or some version other than site design review adjustment) removed in Ordinance 2020-15.

<b>MOTION:</b>	<b>Motion to Close Public Hearing and Record for Ordinance 2021-09 COVID Time Extension</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>	Wahlke, Casper, Hoagland, Mark, Parsons, Skinner
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

*Mayor Wahlke opened the public hearing at 6:14 PM. Mr. Appicello said the Lincoln City City Council initiated this amendment to the zoning code in February 2021. The rationale is that the COVID pandemic has stalled development (especially lending) and an extension process is warranted for those with valid approvals. An 18-month extension is proposed as a ministerial act; it is not an opportunity to revisit the prior approval. No Citizens were present for comment or written testimony received. Councilor Skinner asked which project this would assist. Mr. Appicello said they did not want to influence the decision and did not say.*

2. Public Hearing: Alternative Contracting method - ESTER LEE PUMP STATION IMPROVEMENT PROJECT

**MOTION:** Motion to Close Hearing and Record for Ester Lee Pump Station Project  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed via Voice Vote

*Mayor Wahlke opened the public hearing at 6:21 PM Stephanie Reid, City Engineer, presented the Ester Lee Pump Station Project. No Citizens were present for comment or written testimony received.*

3. Public Comment: Resolution 2021-29 Setting Water/Sewer Rates

*Mayor Wahlke opened the public hearing at 6:26 PM. Debbie Bridges, Finance Director, said that they like to get public comment upon presenting new rates. No Citizens present for comment or written testimony received.*

**MOTION:** Motion to Close Public Hearing and Record for Resolution 2021-29 Setting Water /Sewer Rates  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed via Voice Vote

4. Public Hearing: Resolution 2021-30 Supplemental Budget FY2020-2021

*Mayor Wahlke opened the public hearing at 6:29 PM. Debbie Bridges, Finance Director, presented the staff report for the budget. No Citizens present for comment or written testimony received.*

**MOTION:** Motion to Close Public Hearing and Comment for Resolution 2021-30 Supplemental Budget FY2020-2021  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed via Voice Vote

5.

*Mayor Wahlke opened the public hearing at 6:32 PM. Mr. Appicello presented the information for the public hearing for Ordinance 2021-10. No Citizens present for comment or written testimony received.*

**MOTION:** Motion to Close the Public Hearing and Record for Ordinance 2021-10 Chapter 15.16 Variance and Appeal  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Voice Vote

**J. ORDINANCES**

6. ORDINANCE NO. 2021-09 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.76 (ADMINISTRATIVE PROVISIONS), ADDING A NEW SECTION LCMC 17.76.155, (COVID TIMETABLE EXTENSION) TO CREATE A PROCESS TO GRANT ALL ELIGIBLE APPROVALS AN 18 MONTH TIMETABLE EXTENSION DUE TO THE ECONOMIC IMPACT OF COVID 19

**MOTION:** Motion to Approve First Reading Ordinance 2021-09 COVID Time Extension  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons  
**NAYS:** Skinner  
**RESULT:** Passed via Roll Call

*The vote was not unanimous, the second reading will be held at the next meeting on July 12, 2021, at 6 PM.*

7. ORDINANCE NO. 2021-10 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, CHAPTER 15.16 (FLOOD DAMAGE PREVENTION); SECTION 15.16.450 TO SPECIFY APPLICABLE PROCEDURES FOR APPEALS AND VARIANCES

**MOTION:** Motion to Approve First Reading Ordinance 2021-10 Amends Chapter 15.16  
**MOVER:** Riley Hoagland, Councilor Ward 2  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

8.

**MOTION:** Motion to Approve Second Reading Ordinance 2021-10 Amends Chapter 15.16  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

9. ORDINANCE 2021-11 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING ORDINANCE 2019-42, CONCERNING THE VACATION OF A PORTION OF NW 44th PLACE, TO CORRECT AN ERROR IN EXHIBIT A

**MOTION:** Motion to Approve First Reading of Ordinance 2021-11 Amending Ordinance 2019-42 to Correct an Error in Exhibit A  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Anne Marie Skinner, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

10.

**MOTION:** Motion to Approve Second Reading of Ordinance 2021-11 Amending Ordinance 2019-42 to correct an error in Exhibit A  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Anne Marie Skinner, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

**K. RESOLUTIONS**

11. RESOLUTION NO. 2021-22 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING FINDINGS FOR A PUBLIC CONTRACT EXEMPTION AND AUTHORIZING AN ALTERNATIVE CONTRACTING METHOD FOR THE ESTER LEE PUMP STATION IMPROVEMENT PROJECT.

**MOTION:** Motion to Approve Resolution 2021-22 Alternative Contracting Method Ester Lee Pump Station Project  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

12. RESOLUTION NO. 2021-29 A RESOLUTION SETTING FORTH WATER/SEWER RATES

**MOTION:** Motion to Approve Resolution 2021-29 Setting Water/Sewer Rates  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Rick Mark, Councilor Ward 3  
**AYES:** Wahlke, Casper, Hoagland, Mark, Skinner  
**NAYS:** Parsons  
**RESULT:** Passed by Roll Call Vote

13. RESOLUTION 2021-30 A RESOLUTION ADOPTING THE SUPPLEMENTAL BUDGET OF THE CITY OF LINCOLN CITY, OREGON, FOR THE FISCAL YEAR 2020-2021, AS APPROVED BY THE CITY COUNCIL, AND MAKING APPROPRIATIONS

**MOTION:** Motion to Approve Resolution 2021-30 Supplemental Budget FY2020-21  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Anne Marie Skinner, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

14. RESOLUTION NO. 2021-32 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING PARKING AND TRAFFIC CONTROL MEASURES FOR A PORTION OF SW BEACH AVENUE

**MOTION:** Motion to Approve Resolution 2021-32- Parking and Traffic Control SW Beach  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

15. RESOLUTION 2021-33 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING STAFF TO APPLY FOR AN HB 2003 PLANNING ASSISTANCE GRANT FROM THE OREGON STATE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT TO PRODUCE THE LINCOLN CITY HOUSING PRODUCTION STRATEGY.

**MOTION:** Motion to Approve Resolution 2021-33 Authorizing Staff to Apply for an HB 2003 Planning Assistance Grant  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

16.

*Council would like staff to notify State Parks about the closures.*

**MOTION:** Motion to Approve Resolution 2021-31 Establishing Parking and Traffic Controls NW 15th and NW 36th Street, Effective June 29th, 2021, at Noon Until July 13, 2021, at Noon.  
**MOVER:** Anne Marie Skinner, Councilor Ward 2  
**SECONDER:** Mitch Parsons, Councilor Ward 1  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

## L. SPECIAL ORDER OF BUSINESS

17. Reestablishing Late Fees and Water Shutoffs

**MOTION:** Motion to Direct Staff to Remove Moratorium and Collect Late Fees for Past Due Water Billings and Occupational Tax Permits  
**MOVER:** Rick Mark, Councilor Ward 3  
**SECONDER:** Anne Marie Skinner, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed by Roll Call Vote

*Ms. Bridges would like to return to the standard billing practices. The Finance Department has not been charging interest or late fees.*

18. Appointment to Sustainability Committee - Applicant Victoria McOmie

*Councilor Casper and Councilor Hoagland interviewed Ms. McOmie and both recommend the appointment for a term expiring October 2023. Ms. Skinner asked about the work session Council asked to have scheduled with the Sustainability Committee.*

**MOTION:** Motion to Appointment to Sustainability Committee - Applicant Victoria McOmie  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Wahlke, Casper, Hoagland, Mark, Parsons, Skinner  
**RESULT:** Passed via Voice Vote

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

*Ms. Bradley said they would set up meetings with the Sustainability Committee and a work session with Code Enforcement. Ms. Bradley said in regards to Ms. Skinner’s question about the wetlands and canals, there is a joint meeting with The Devils Lake Water Improvement District. Ms. Bradley said the DLWID (Devils Lake Water Improvement District) would be able to give some advice. Councilor Hoagland said there is a large tree down by SE 3rd Pump Station. Ms. Bradley said that Ms. Reid is working on getting that taken care of. Ms. Reid said that she sent an email to the homeowners association of the canal regards grants and stream funding.*

*Mr. Appicello said that he does not have anything at this time.*

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

**19.**

<b>MOTION:</b>	<b>Motion to Approve Option 3 as discussed in Executive Session on the Continuing Code Violations</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Anne Marie Skinner, Councilor Ward 2</b>
<b>AYES:</b>	Casper, Hoagland, Mark, Parsons, Skinner
<b>NAYS:</b>	Wahlke
<b>RESULT:</b>	<b>Passed by Roll Call 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 Mark is concerned about cars blocking the highway at Dutch Bros. and Starbucks. Ms. Bradley said that ODOT has been contacted; they do not have a solution. Ms. Reid said that ODOT suggested barricade signs. Councilor Parsons said that ticketing is an option. Ms. Skinner also said this is an issue at Dairy Queen as well.*

*Councilor Mark said that he is disappointed about the fireworks sales and would like to look at next year prohibiting the fireworks tents. Councilor Skinner agrees and said if we need to get it on the ballot, then we need to do that. Councilor Hoagland asked if this would be tent only or other retailers as well. Councilor Parsons said there is already an issue with illegal fireworks and it could take away Police resources, a bigger discussion is needed.*

*Councilor Parsons would like to know if the artwork on NE Port Lane would be reinstalled. Ms. Bradley said that art would be removed, repaired, and placed elsewhere. A painting or similar would be installed at NE Port Lane.*

*Councilor Casper gave kudos to the City workers that kept the trash under control in her neighborhood.*

*Mayor Wahlke said she would like everyone to have a safe weekend and there is a moderate drought. She also gave a reminder of fireworks and fire safety. Ms. Bradley said there would be two rented signs to display safety messages at each end of town. Mayor Wahlke read a safety message about fireworks and consequences from Sargent Winn in partnership with North Lincoln Fire and Rescue. Mayor Wahlke also listed the professional shows available to the public.*

**Q. ADJOURNMENT**

*Mayor Wahlke Adjourned the meeting at 8:01 PM*

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SUSAN WAHLKE, MAYOR

ATTEST:

***//S//***

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JAMIE YOUNG, CITY RECORDER