

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

January 27, 2020, 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: March 9, 2020

A. CALL TO ORDER

Mayor Anderson called the meeting to order at 6:00 pm.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor	Present	6:00 PM
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
Diane Kusz	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

C. PLEDGE OF ALLEGIANCE - Mayor Anderson led The Pledge of Allegiance.

D. CONSENT AGENDA

Councilor Mark mentioned a statement in the minutes that if the property is not used as designated; it would revert to the City. The City Attorney will check the video.

1. Regular Meeting – Minutes of Regular Meeting – December 9, 2019 6:00 PM

**MOTION:** Motion to approve the Consent agenda after review by the City Attorney for minor edifications.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Riley Hoagland, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Passed

**E. COUNCIL DELIBERATIONS - None**

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

*Randy Mallette, Otis, OR - Spoke of concerns on the Helping Hands transitional housing project.*

*Mr. Chandler announced an open house on Thursday, January 30, 2020, 5:30 pm to meet the representatives of Helping Hands to offer a more in depth look at their operation.*

**G. PRESENTATIONS - None**

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

**I. PUBLIC HEARINGS / PUBLIC COMMENTS**

**2. Public Hearing: Comprehensive Plan Amendment and Zone Change (CPA & ZC 2019-04) Sutton Property**

*Mayor Anderson opened the public hearing.*

*Councilor Casper disclosed that she read an article in The News Times and does not feel that it influenced her in any way. Mr. Appicello, City Attorney, advised the article will be included in the record, is available to the public, and can be rebutted by anyone who wishes.*

*There were no challenges to the qualifications of a Councilor, and no challenges to the jurisdiction.*

*Anne Marie Skinner, Planning and Community Development Director, read the applicable substantive criteria. Ms. Skinner used a PowerPoint to present information.*

*There were concerns expressed as to the pronunciation of Quay. Discussion held with regard to the appropriateness of time for the reversion clause, and if a development agreement can be used. Mr. Appicello added that a development agreement needs to be consistent with the Comprehensive Plan.*

*Applicant John Sutton provided comment in favor of his application.*

*Discussion held on non-conforming and gaining approval for parking on another site.*

<b>MOTION:</b>	<b>Motion to close the public hearing and the record.</b>
<b>MOVER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

<b>MOTION:</b>	<b>Motion to deny based upon the evidence and applicable criteria for the request of comprehensive plan map and zoning map change for 2126 NE Quay Place from Family RM to General Commercial (GC), and a directive to staff to prepare a final order for the next City Council Meeting.</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

**3. Public Hearing: Zoning Ordinance Amendment (ZOA 2019-14) Accessory Dwelling Unit Ordinance**

*Mayor Anderson opened the public hearing. There were no challenges to the qualifications of a Councilor, no challenges to the jurisdiction, and no abstentions or disqualifications based on personal bias. Anne Marie Skinner, Senior Planner presented the staff report.*

*Discussion was held as to the State's claim that the City code is subjective on Accessory Dwelling Units (ADU'S), separation distances between buildings, how to remove discretionary language, HB 2001 and issues with it, any zones that allow single family dwellings now has to allow an ADU unit. Also discussed was a suggestion of requiring the same design features as single-family dwellings. Public comment received from Greg Berton who spoke in favor of ADU's.*

*Consensus is for staff to return with Ordinance language revisions, and continue the hearing to February 10, 2020, 6:00 pm.*

<b>MOTION:</b>	<b>Motion to continue the public hearing and record to February 10, 2020, 6:00 pm.</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

**4. Public Hearing: Zoning Ordinance Amendment (ZOA 2019-16) to create a new Resort Community Commercial (RCC) Zone**

*Mayor Anderson opened the public hearing. There were no challenges to the qualifications of Councilors, no challenges to the jurisdiction, and no abstentions or disqualifications based on personal bias. Anne Marie Skinner, Senior Planner presented the staff report.*

*Discussed was the uses permitted and specifically "animal sales" grooming and retail, outdoor stores with outdoor display of merchandise, building height, and landscaping requirements. No public comment received.*

**MOTION:** Motion to close the public hearing and the record.  
**MOVER:** Judy Casper, Councilor Ward 3  
**SECONDER:** Diane Kusz, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Passed via Voice Vote

**J. ORDINANCES**

5. ORDINANCE 2020-02 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.12 (ZONING DISTRICTS ESTABLISHED),SECTION 17.12.010 (CLASSIFICATION OF ZONES) ADDING A NEW RESORT COMMUNITY COMMERCIAL ZONING DISTRICT; CREATING NEW CHAPTER: CHAPTER 17.29 (RCC) (RESORT COMMUNITY COMMERCIAL)

Mr. Appicello completed first reading by title only.

**MOTION:** Motion to approve first reading of Ordinance 2020-02.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Judy Casper, Councilor Ward 3  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Parsons  
**ABSTAIN:** Mark  
**RESULT:** Passed by Roll Call Vote

**MOTION:** Motion to approve second reading and adoption of Ordinance 2020-02.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Diane Kusz, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Withdrawn

*Motion withdrawn to allow for revote on first motion as a "roll call vote" was not used.*

**MOTION:** Motion to approve second reading and adoption of Ordinance 2020-02.  
**MOVER:** Mitch Parsons, Councilor Ward 1  
**SECONDER:** Diane Kusz, Councilor Ward 2  
**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons  
**RESULT:** Passed by Roll Call Vote

6. ORDINANCE 2020-03 AN ORDINANCE AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17, (ZONING), AMENDING CHAPTER 17.08 (DEFINITIONS); AMENDING CHAPTER 17.80 (PROVISIONS APPLYING TO SPECIAL USES); SECTION 17.80.110 (ACCESSORY DWELLING UNIT STANDARDS) TO REMOVE DISCRETIONARY STANDARDS; AMENDING THE FOLLOWING CHAPTERS TO REFLECT THE REVISION: CHAPTER 17.16 (SINGLE FAMILY RESIDENTIAL (R-1) ZONE); 17.17 (SINGLE FAMILY RESIDENTIAL ROADS END (R-1-RE) ZONE); CHAPTER 17.18 (VACATION RENTAL (VR) ZONE); CHAPTER 17.20 (MULTI-FAMILY RESIDENTIAL (R-M) ZONE); CHAPTER 17.28 (RECREATION COMMERCIAL (RC) ZONE); CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE); CHAPTER 17.34 (NELSCOTT PLAN (NP) DISTRICT); CHAPTER 17.40 (RECREATION RESIDENTIAL (R-R) ZONE); CHAPTER 17.45 (TAFT VILLAGE CORE (TVC) ZONE) AND CHAPTER 17.50 (OCEANLAKE PLAN (OP) DISTRICT); CHAPTER 17.52 (SUPPLEMENTAL REGULATIONS AND EXCEPTIONS).

*Unanimous consent is to continue this to the meeting date of February 10, 2020, 6:00 pm.*

**K. RESOLUTIONS**

7. RESOLUTION NO. 2020-03 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING A STANDARD FORM DEVELOPMENT AGREEMENT IN COMPLIANCE WITH ORDINANCE NO. 2019-30

*Discussion occurred on an area in the form that was blank, to which Mr. Appicello clarified.*

<b>MOTION:</b>	<b>Motion to approve Resolution 2020-03.</b>
<b>MOVER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>SECONDER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed via Voice Vote</b>

**L. SPECIAL ORDER OF BUSINESS**

8. Bard Road Sewer Construction Contract Award

*Stephanie Reid, City Engineer, presented the staff report. Nine bids were received and the lowest responsible and responsive bidder was Jesse Rodriquez Construction LLC in the amount \$143,005. The engineer's estimate was \$192,000.*

<b>MOTION:</b>	<b>Motion to award the Bard Road L.I.D. Sewer Contract to Jesse Rodriquez Construction LLC for \$143,005 with a construction contingency for \$14,300.50 for a total amount of \$157,305.50.</b>
<b>MOVER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Mitch Parsons, Councilor Ward 1</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**9. Economic Development Toolbox for City: Update, Committee, New Tools, Discussion**

*Alison Robertson, Director of the Urban Renewal Agency, and Jodie Mescher, Economic Development Coordinator presented the staff report providing an update on economic development tools and associated program criteria. A handout was presented to Council/staff that was mentioned in the staff report, however was not included in the attachments.*

*Discussed were the four phases of adopting the tools;*

- 1) Phase 1 - reformatting the existing Urban Renewal tools and bringing to City Council;*
- 2) Phase 2 - To adopt new tools for Urban Renewal and City Council for the infrastructure partner tool and the pre-development assistance tool; and*
- 3) Phase 3 - Housing tools which will be energy efficiency for residential, facade improvement for residential, mixed use housing, and workforce housing for both Urban Renewal and City tools box; and*
- 4) Phase 4 - building rehabilitation grant for both Urban Renewal and City Council.*

*After completion of review of these phases, the remaining tools will be reviewed. One goal is to have identical economic development toolboxes with the City and Urban Renewal Agency. Discussion held as to the funding available for the toolboxes.*

*The motion was amended to add the language, ". . . with the authority for staff to make minor administrative changes as needed."*

*Seconder, Councilor Parsons, approved the amendment to the motion.*

*Mayor Anderson expressed concerns with the how the information is presented to the loan committee, and that the loan committee should receive the information unredacted. Mayor Anderson expressed concerns with making the loan approval without the financial information they are making a decision on. Mr. Appicello advised an executive session meeting could be held to discuss the confidential financial information on loans. Council consensus is to hold an executive session meeting receiving unredacted information. When the loan goes before the Urban Renewal Committee or City Council, a redacted version is used.*

*Ms. Robertson reviewed questions for Council consideration. (See packet page 163). Discussion was held as to Council needing help with processing of the loans, a work session was suggested, rehabilitation of older buildings, the design standards and how to get a private entity to make a change (incentives), is there data available as to existing wages in town and employment numbers, and a measurement tool would be helpful for Council. Ms. Robertson advised that more information would be available at a work session meeting.*

**MOTION:** Motion to approve the application and four tools as submitted, with the authority for staff to make minor administrative changes as needed.

**MOVER:** Riley Hoagland, Councilor Ward 2

**SECONDER:** Mitch Parsons, Councilor Ward 1

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed via Voice Vote

**MOTION:** Motion to accept the current members of the Urban Renewal Agency Loan and Grant Committee (Mayor Dick Anderson, and Councilors Diana Hinton and Diane Kusz) as a City Loan Grant Committee who will meet in Executive Session for the committee meetings.

**MOVER:** Diana Hinton, Councilor Ward 1

**SECONDER:** Mitch Parsons, Councilor Ward 1

**AYES:** Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons

**RESULT:** Passed by Voice Vote

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

*Mr. Chandler provided a follow up to a complaint on NW 8th Court, noting that a survey is necessary, and is scheduled. Mr. Chandler provided information on the work session on February 3, 2020, 9:00 am that will be to review the Council Priorities.*

*City Recorder advised that the Confederated Tribes of Siletz provided a new tentative date for the annual meeting which is on July 20, 2020, at 5:00 pm dinner and 6:00 pm meeting. Lincoln City will host the meeting this year.*

**N. ACTIONS, IF ANY, BASED ON WORK SESSION OR EXECUTIVE SESSION - None**

**O. ADDITIONAL COMMENTS FROM CITIZENS PRESENT ON NON-AGENDA ITEMS - None**

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

*Councilor Hoagland advised that he was contacted by business owners in the Nelscott Strip, whose businesses are negatively affected with regard to parking spaces, including ADA parallel spaces. The businesses would like to maximize spaces along the strip and in the parking areas. Councilor Hoagland asked for an update as to where the City is on banning plastic [clamshell containers] and polystyrene. Also discussed was the Senior Center, noting that the City does not have a current Memorandum of Understanding. Councilor Hoagland would like to see a list of the contributions the City has made for the Senior Center, what the total square footage is that the Senior Center utilizes including the cost, and the monthly fees that the City pays for utilities for the Senior Center. Councilor Hoagland mentioned the Sutton property issue and asked if Council could initiate the rezone of the entire strip, and Mayor Anderson advised that typically someone that owns property in that area generally would initiate the rezone.*

Mayor Anderson thanked Councilor Mark for bringing up the childcare issue with Senator Kurt Schrader.

Councilor Mark mentioned Helping Hands and that one of the requirements is the installation of a playground.

Councilor Hinton reminded all of the LOC Small Cities Regional Meeting on February 20, 2020, and asked to invite Ed Dreistadt to provide Council a visual update.

Councilor Parsons announced the Family Promise is holding their annual Tsunami Run (adult jog-a-thon) and they need teams of three.

Mayor Anderson asked if Planning could provide Council with a copy of all public notices. Mayor Anderson also announced the vocational training welding program through the Oregon Coast Community College in Toledo at 2:00 p.m. and on Friday at Taft High School at 2:00 pm. On February 7, 2020, 6:00 pm, Chinook Winds Casino will hold the Charitable Giving Ceremony where the Confederated Tribes of Siletz Indians gives away funds to non-profits. Also, this Wednesday, 9:00 am is "Coffee With the Mayor" to be held at the 60's Cafe.

**Q. ADJOURNMENT**

Mayor Anderson adjourned the meeting at 8:23 pm.

**/S/ DICK ANDERSON, MAYOR**

**DICK ANDERSON, MAYOR**

**ATTEST:**

**/S/ CATHY STEERE, MMC**

**CATHY STEERE, MMC  
CITY RECORDER**