

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

March 23, 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: May 11, 2020

**A. CALL TO ORDER**

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

*Mayor Anderson provided rules of etiquette due to the change in circumstances, as a result of COVID-19.*

**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** - *None*

**E. COUNCIL DELIBERATIONS** - *None*

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

*Mr. Chandler read comments submitted by citizens:*

*Stacey Baird - requests Lincoln City Council allow a private family cemetery on his property.*

*Jill Townsend - Concerned that the City is actively promoting tourism, and notes the huge influx of tourists into Lincoln City.*

*Kathy Aha - Asks that the beach accesses not be closed noting it is against the law to close them without posting the ordinance number.*

*Kimberly Kabow - Asks the City to support Governor Brown's message and asked that immediate action be taken to close the motels and vacation rental dwellings.*

*Doreen Thirkel - Asks the City to close the hotel, motels and vacation rental dwellings.*

*Gina Garcia - Asks that Lincoln City close to visitors by closing hotels, motels and vacation rental dwellings, noting the visitors are cleaning off the shelves in our stores.*

*Richard Townsend - Two emails were read asking that specific parks and beach accesses (listed) be closed, and allow pedestrian access to the beaches and to reopen the open spaces and particularly leave open the beaches and open spaces to hikers.*

*Eric Anderson - Asks the City to suspend or curtail the commercial activity to avoid bringing COVID-19 to the community, noting the stores shelves are now empty.*

*Jan Dempster - Two emails were read asking that the City consider that beach accesses remain open, and that the City post social distancing notices.*

*Meredith Olsen - Beaches do not belong to the City and suggested they remain open.*

*June Murkowski - Expressed concerns with a Meredith Lodging rental in her neighborhood that has multiple vehicles at the house, and a house cleaner going in and out without protection. Very concerned with allowing tourists into Lincoln City bringing the virus, and workers not receiving knowledge of the seriousness of the virus by the lodging owners.*

*Elizabeth Reyes, Executive Director of Family Promise - Asks for additional funding of the hotel voucher program during the COVID-19 crisis.*

*Councilor Hinton added that Ms. Reyes's request is in addition to the donation that Lincoln City already provides.*

**G. PRESENTATIONS - None**

**H. SPECIAL ORDER OF BUSINESS**

**1. COVID-19 Update and City Response**

*Mr. Chandler advises it has been a busy (spring break) weekend, and listed the following actions taken by the City with regard to COVID-19 crisis:*

*March 23 - City Hall closed with limited staff. The Driftwood Public Library and Lincoln City Community Center closed last week. Effective March 23 all City Parks and open spaces closed to the public, including bathrooms. Mr. Chandler notes the City does not have authority to close the beaches, however has the authority to close the parks that includes the parking lots at the beach entrances, which those parking lots have closed.*

*The City has suspended utility billing shut-offs until further notice, and late fees with regard to utility billing and arrears are also suspended until further notice. The City is contributing to the*

*Lincoln County voucher program for unsheltered individuals and families, and the City Finders Keepers program is suspended until further notice.*

*Representatives from Lincoln County, including all cities in the County, are working on a Joint draft Declaration of Emergency Order proposing a countywide closure that takes effect on March 24, 2020. Mr. Chandler read the draft Lincoln County Order Number 3-23-85. Mr. Chandler also notes that the Order would cost the City an estimated \$900,000 in loss of revenue, and listed a breakdown on the losses to the City.*

*Discussion held as to the logistics of keeping hotels open to shelter the homeless, and that the residents would like to keep the beaches open. Mr. Chandler explained the voucher program administered by Lincoln County Health Department, and Lincoln City added an additional \$2500. The issue of hotels remaining open for the homeless will be reviewed and addressed by those involved. Mayor Anderson advised that Lincoln City has no authority over the beaches, noting the City has barricaded access points, and parking is not available.*

*Mr. Chandler also asked Council if they would like to petition the Governor to close the beaches. Discussed was the beach and if it is defined as a State Park.*

*Mr. Appicello notes a motion is needed to ratify the Order.*

*Discussed was the Governor's Order from this date, and Councilor Hinton asked for clarification that the City does not need an additional ordinance or resolution to mimic the action by Lincoln County. Mayor Anderson apologized to the citizens who felt the City was not taking action, when the City was actually monitoring the situation, and added that with Lincoln County taking the action, the cities are consistent with the County's actions.*

*Councilor Hinton acknowledged the work that Mayor Anderson and that Ron Chandler, City Manager have done over the last week. Councilor Casper spoke with grave concerns of a lack of consistent communication with the community, with citizens believing the City was not listening to their concerns which resulted in frustration and anger, noting it needs to be improved. Councilor Casper also asked about beaches with regard to enforcement and a fine or jail, however it was determined the concern and fine was for Oregon State Parks and not the beach. Mayor Anderson spoke of the issue with day-trippers, noting the City has closed off the beach accesses to address it. It was confirmed from the Governor's Order that the beaches are not closed, and that individuals may go outside for outside recreation such as walking, hiking, etc., but must comply with social distancing.*

*Discussion was held with regard to the closure of City public restrooms, and Mr. Chandler notes the restrooms were closed to discourage tourists. Concerns were then expressed with closure of the restrooms and particularly with regard to locals walking to the beach, and for the homeless having access to the restrooms. Consensus is to keep the restrooms open during the day and close at dusk, which is the current policy. Discussed was an issue of closing the City parks, and yet the bathrooms inside the closed parks are open. After considerable discussion, it was decided to keep restrooms open at all beach accesses, and on 17th Street for those traveling through town. Councilor Hoagland asked that the homeless shelter be notified of the locations of the specific restroom closures, and notes that he wishes only the beach accesses along the beach be left open. Concerns were expressed for staff safety in cleaning the restrooms.*

Councilor Hinton provided information from constituents on suggestions and issues with regard to the current crisis. Mayor Anderson reminded all that even essential services need to respect and comply with social distancing.

Mentioned was suggestions of delaying payments for utility bills, requests by the Chamber of Commerce to adopt a payment to businesses affected by COVID-19, and the possibility of refunding money that was paid by the "Rec Kids", to assist people on unemployment.

Councilor Hoagland advised that people working from home need the dog care facilities classified as an essential business, and also discussed was the possibility for those providing food for the public to receive assistance with food expenses. Also asked was if the old hospital facility can be used during the crisis. Mr. Chandler asked that suggestions be emailed to [publiccomment@lincolncity.org](mailto:publiccomment@lincolncity.org).

<b>MOTION:</b>	<b>Motion to ratify Lincoln County's Order number 3-23-85 and Ron Chandler's concurrence with such.</b>
<b>MOVER:</b>	<b>Diana Hinton, 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 by Roll Call Vote</b>

## **2. INTERGOVERNMENTAL AGREEMENT FOR MID-COAST WATER CONSERVATION CONSORTIUM**

Mr. Appicello presented this item. City has a staff member attending the meetings. Discussed was if there are additional financial obligations with the IGA, a goal to protect the City's watershed, and that the intention is that this document actually gets this project moving forward.

<b>MOTION:</b>	<b>Motion to approve the Intergovernmental Agreement.</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 by Roll Call Vote</b>

## **3. ECONOMIC DEVELOPMENT: ROADS END/VILLAGES AT CASCADE HEAD URBAN RENEWAL AREA DRAFT PLAN**

Alison Robertson, Urban Renewal and Economic Development Director presented this item, asking for approval of the draft Urban Renewal new boundary area, for approval of the proposed timeline of 25 years, and for approval of the list of projects pursued in the Roads End/The Villages at Cascade Head Urban Renewal area.

Discussed was if the boundary can be adjusted at a later date, and Elaine Howard responded that you can add up to 1% of the original boundary with a minor amendment to the Urban Renewal Plan, and can add up to 25% of the original boundary with a substantial amendment to the Urban Renewal plan.

Discussed was emergency preparedness on the project list, what items can be considered as capital improvements for emergency preparedness, and assigning a dollar amount to each for a placeholder. Also discussed was concerns with sorting through the dollar amounts and how to prioritize the projects on the list, and Ms. Robertson responded that it is difficult to draft a "flexible" plan, and there are many factors to take into consideration that are available now for decisions on future projects.

*Discussion held with regard to under-levy scenarios, and ways to reduce the impact on all of the taxing districts.*

<b>MOTION:</b>	<b>Motion to approve Boundary A of the draft Roads End/The Villages at Cascade Head Urban Renewal Area Draft Plan.</b>
<b>MOVER:</b>	<b>Diana Hinton, Councilor Ward 1</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>

*Discussion held on the list of projects. There is a reference to a sidewalk on Logan Road, and it is requested that the motion be amended to call it a pathway. Ms. Robertson suggests that she can revise the reference throughout the plan to refer to a sidewalk/pathway. The document will be revised to reflect the reference to "pathway/sidewalk" in all locations.*

<b>MOTION:</b>	<b>Motion to approve the project list with estimated costs for emergency preparedness to be included in the draft Urban Renewal Plan.</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 Voice Vote</b>

*Discussion held with regard to the extension of time and the lost revenue to the districts. Ms. Robertson confirmed with Council that staff needs to make adjustments in the estimated project costs to accommodate the duration of the levy.*

<b>MOTION:</b>	<b>Motion to approve the under-levy of 15% of the total increment value, and to direct staff to work to extend the duration of time to make up for lost revenue.</b>
<b>MOVER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>SECONDER:</b>	<b>Rick Mark, Councilor Ward 3</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

#### **4. New Name for the Villages at Cascade Head**

*Mr. Appicello presented this item noting the costs and extensive costs associated with changing the name, noting he does not feel it would be an efficient use of City resources, noting that it could cost as much as \$200,000 to change the name. Discussion continued on changing the name, and the many documents that would need to have the name changed, and whether or not a "doing business as" can be used, and the next steps. Mr. Appicello advises that a dba does not change the name on the official documents. Confirmed is that It was confirmed that the City does not have the money to change the name. Mr. Appicello suggested a Work Session. Council consensus is not to spend the money on the matter at this time.*

### **I. PUBLIC HEARINGS / PUBLIC COMMENTS**

Mr. Appicello provided information as to the public comments on the two resolutions, and Council wishes to continue both of the resolutions to allow more time for public comment.

**5. An opportunity for public comment on proposed fee or rate change. See agenda item 9 below (Resolution 2020-07) below.**

*Discussion held with regard to the need for this item not to be on hold for too long as North Lincoln Sanitary Service to have lead-time to order the composting truck, and for the public to receive more information about the \$6.58 flat fee vs. the 10% charge on the current monthly bill.*

<b>MOTION:</b>	<b>Motion to delay both resolutions and public comment until the next City Council meeting.</b>
<b>MOVER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Diane Kusz, Councilor Ward 2</b>
<b>AYES:</b>	Anderson, Casper, Hinton, Hoagland, Kusz, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Voice Vote</b>

**6. An opportunity for public comment on proposed fee or rate change; See agenda item 10 below (Resolution 2020-05) below.**

*See motion under above agenda item.*

**J. ORDINANCES**

**7. ORDINANCE NO. 2020-09 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 8 (HEALTH AND SAFETY), ADDING CHAPTER 8.11 (NUISANCE – POLYSTYRENE FOAM)**

*Mr. Appicello completed first reading of Ordinance 2020-09. Discussion was held on deferring the approval of this ordinance during the COVID-19 crisis, involvement of the Sustainability with regard to the ordinance, delaying the effective date of the ordinance, and the effect on businesses if this goes into effect during the COVID-19 crisis.*

*Due to a no vote on first reading, the ordinance will come back for second reading at the next meeting.*

<b>MOTION:</b>	<b>Motion to approve first reading and delay second reading until April 13, 2020.</b>
<b>MOVER:</b>	<b>Riley Hoagland, Councilor Ward 2</b>
<b>SECONDER:</b>	<b>Judy Casper, Councilor Ward 3</b>
<b>AYES:</b>	Casper, Hinton, Hoagland, Kusz
<b>NAYS:</b>	Anderson, Mark, Parsons
<b>RESULT:</b>	<b>Passed by Roll Call Vote</b>

**8. ORDINANCE NO. 2020-08 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE), CHAPTER 9.34 (SIGNAGE), SECTION 9.34.020 (TEMPORARY SIGNAGE EXEMPT FROM LAND USE PERMITTING), PARAGRAPH F, TO AFFIRM, EXTEND AND REINSTATE THE ALLOWANCE FOR FEATHER BANNERS FOR AN ADDITIONAL SIX MONTHS**

*Richard Appicello completed first reading by title only noting that the 6-month extension should be adequate time.*

<b>MOTION:</b>	<b>Motion to approve first reading of Ordinance 2020-08 regarding the extension of feather banners for six months.</b>
<b>MOVER:</b>	<b>Judy Casper, 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>

*Mr. Appicello completed second reading by title only.*

<b>MOTION:</b>	<b>Motion to approve second reading of Ordinance 2020-08 regarding feather banners six-month extension.</b>
<b>MOVER:</b>	<b>Judy Casper, 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>

**K. RESOLUTIONS**

**9. RESOLUTION NO. 2020-07 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING THE ESTABLISHMENT OF A MANDATORY RESIDENTIAL COMPOSTABLES COLLECTION PROGRAM AND ADOPTING RATES**

See agenda item 5 above.

**10. RESOLUTION NO. 2020-05 A RESOLUTION OF THE CITY OF LINCOLN CITY, ADOPTING APPLICATION FEES AND CHARGES FOR MOBILE FOOD UNITS (LICENSE AND LAND USE) AND ESTABLISHING PARKS CONCESSION FEES AND CHARGES**

See agenda item 5 above.

**L. CITY MANAGER/CITY ATTORNEY REPORTS - None**

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

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

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

*Councilor Hoagland commented on the wastewater discharge asking if a sink or dam can hold the water where the City dumps out so the water is deeper. Mayor Anderson asked Councilor Hoagland to share his ideas with the Wastewater Treatment department.*

*Councilor Mark thanked the Mayor, City Manager, and staff for working on the crisis; and notes he has been receiving comments from the citizens.*

*Councilor Kusz thanked Council for the email during the crisis.*

*Councilor Parsons concurs with the comments above with regard to the crisis.*

*Councilor Hoagland spoke to the citizens, reminding the citizens not to be angry with those that are going outside.*

*Councilor Casper notes she is glad the beaches and restrooms are open.*

*Councilor Hinton commented on social media and has been correcting comments and statements, and that the Council should continue to provide positive comments and correct the errors. Councilor Hinton appreciates the emails and calls received from the citizens.*

*Mayor Anderson commented as to a statement he made on the Mayor's page noting there were 7,000 reviews. The Council's role is to educate and remain patient and calm, and thanked City staff.*

**P. ADJOURNMENT**

**/S/ DICK ANDERSON, MAYOR**  
**DICK ANDERSON, MAYOR**

**ATTEST:**

**/S/ CATHY STEERE, MMC**  
**CATHY STEERE, MMC**  
**CITY RECORDER**