

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

August 10, 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 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: August 24, 2020

A. CALL TO ORDER

Mayor Anderson called the meeting to order at 6 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	Excused	
Rick Mark	Councilor Ward 3	Present	6:00 PM
Mitch Parsons	Councilor Ward 1	Present	6:00 PM

Staff Present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Richard Townsend, Interim Planning Director; David Mattison, Senior Planner; Alison Robertson, Urban Renewal and Economic Development Director; Jodi Mescher, Economic Development Coordinator; David Twigg, I.T. Support Specialist.

NOTE: Councilor Kusz resigned her position tonight. Councilor Kusz's letter of resignation was read prior to the Special Order of Business section. For these minutes, Councilor Kusz will be listed as "Excused" in vote results for the Consent Agenda and Ordinances. Councilor Kusz will not be listed in vote results for Special Order of Business items.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was skipped because the meeting was held remotely.

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – July 27, 2020 6:00 PM

Councilor Hinton had sent Mr. Twigg some changes to the minutes. These were made prior to the August 10 meeting.

MOTION:	Motion to Approve the July 27 minutes with changes.
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

E. COUNCIL DELIBERATIONS

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

Rebecca McBee-Wilson, Lincoln County Community Health Center Director, wanted to recognize and celebrate Health Center week. Ms. McBee-Wilson described how Lincoln County Community Health tries to remove barriers to care for people with no or limited insurance. Ms. McBee-Wilson advised Council of the services provided by Lincoln County Community Health Center, including primary care and behavioral health. Ms. McBee-Wilson noted there are 8 Community Health centers throughout Lincoln County, with two locations in Lincoln City- one at 4422 NE West Devils Lake Boulevard and one at Taft High School. Both of these sites have a variety of health care providers, are integrated with each other, and offer primary care, maternal health care, and behavioral health services. The NE West Devils Lake Boulevard location had 7,000 visits last year, with 617 primary care patients and 484 behavioral health patients. The Taft High School location had 872 visits last year, with 84 primary care patients and 91 behavioral health patients. Ms. McBee-Wilson said that Lincoln County Community Health was still providing medical services during the pandemic, with a variety of individual, telehealth, and virtual appointments being offered. In-person appointments are spaced out to allow for social distancing, and the facilities are being appropriately disinfected between appointments. Ms. McBee-Wilson wanted to remind the public to take care of their mental and physical health during these difficult times. To make an appointment, call 541-265-4196 for behavioral health or 541-265-4947 for primary care.

Mr. Chandler read a summary of public comments regarding mandatory composting, parking difficulties in Roads End, using Economic Aid funds provided by Explore Lincoln City, and having the Police Department investigate the number of vehicles spilling into public streets. These will be attached to the minutes once they are approved by Council.

Mr. Chandler introduced David Mattison, newly-hired Senior Planner, to the Council. Mr. Mattison was the Planner for the City of Tillamook for 17 years; he has been a Planning Consultant for 3 years, working with various cities (Garibaldi, Manzanita, Wheeler) in Tillamook County and also with the City of Yachats. With Yachats he worked on their Municipal Code, on obtaining grants and on their Comprehensive Plan.

G. PRESENTATIONS

2. Economic Development: Report - RARE (Resource Assistance for Rural Environments) Program 2019-20 Service Year with Jodi Mescher

Ms. Robertson presented this item to Council. RARE (Resource Assistance for Rural Environments) is an AmeriCorps program funded through the University of Oregon. Each participating community provides \$23,500 to help place, train, and support a full-time RARE member (i.e. provide a stipend). Ms. Robertson noted that the City first used this program in fiscal year 2007-08, when Alexandra Roberts Bullock worked on the Cutler City Vision Charette and Plan. Jodi Mescher worked for the City in the 2019-20 fiscal year. Ms. Robertson said that RARE is a great tool when a department has a temporary spike in its workload, and it also allows RARE participants to gain excellent work experience.

Ms. Robertson announced that Jodi Mescher would be continuing her work with Lincoln City on a part-time basis while she attends graduate school. Ms. Mescher said she was excited to be able to continue working for Lincoln City.

During her time as a RARE member, Ms. Mescher worked on the following projects:

- 1. Economic Development Toolbox - expanding the tools and creating new program criteria for both the City and the Urban Renewal Agency;*
- 2. Identify and Analyze the City's Underutilized and brownfield properties and begin outreach with property owners;*
- 3. Historic Preservation;*
- 4. The formation of a new Urban Renewal plan for Roads End and The Villages at Cascade Head (Sitka Woods).*

Ms. Mescher said she enjoyed her work for the City during her service time. She believes the RARE program is a great resource for participants and community partners.

Mayor Anderson said the Council appreciates Ms. Mescher's work. Ms. Mescher moved the City further ahead than it otherwise would be and he hopes Ms. Mescher benefitted from the training and exposure. Mayor Anderson asked about obtaining grant funding for the Toolbox projects. Ms. Mescher said she would work on that.

Councilor Hinton said, on behalf of the Urban Renewal Agency, she was pleased that Ms. Mescher was able to work with the City. Councilor Hinton asked what Ms. Mescher would be working on going forward. Ms. Mescher said she would work on completing her existing tasks, exploring funding opportunities for brownfield properties, and on the sunsetting of the 2000 Urban Renewal area.

3. Economic Development: Underutilized Property Survey - Project Report

Ms. Mescher advised Council that in April this year the City was awarded a \$25,000 Brownfields Redevelopment Fund Integrated Planning grant through Business Oregon to complete a survey. The City chose Maul Foster and Alongi to perform the survey. Ms. Mescher turned the presentation over to Sabrina Turner, Seth Otto and Jen Elstrott from Maul Foster and Alongi. Mr. Otto explained Maul Foster and Alongi's approach to this project. The end result of the project is that the City now has a Geographic Information Systems (GIS) database listing the locations of underutilized properties. Ms. Turner explained definitions of terms included in this presentation. "Underutilized properties" are those where the assessed value of land is two times the assessed value of improvements on that land. "Brownfield properties" are those that are underdeveloped based on previous environmental contamination, or the perception of previous environmental contamination. Ms. Elstrott demonstrated the GIS tool that Maul Foster Alongi

created to interact with the data they collected and discussed the results. Maul Foster Alongi located 517 properties that were underutilized. 196 properties were potential brownfield sites. After conducting a Google Earth review of the sites, 99 catalyst properties were identified.

Mr. Otto said 10 of the 99 catalyst properties were of particular interest. Mr. Otto reported that his firm worked with the City to prepare a questionnaire for the owners of these properties and that he attempted to make contact with them. He was able to have phone interviews with 3 owners. The questionnaire was mailed to all owners and one response has been received. The responses received were generally positive.

Going forward, Mr. Otto recommended continuing outreach efforts with property owners, developing and supporting Urban Renewal and the Economic Development Toolbox, and pursuing programs from Business Oregon specific to brownfields. There are Brownfield Land Bank Authority programs and Property Tax incentives available. There are federal grant programs (EPA and EDA) for brownfields and infrastructure and the survey provides the information necessary for federal grant funding.

Mayor Anderson asked Mr. Otto how COVID restrictions impacted this survey. Mr. Otto said that this project was essentially a desktop exercise. Mr. Otto did say that the "windshield survey" (reviewing property condition by driving by) would usually be conducted in-person, but instead Maul Foster Alongi resorted to Google Earth and Google Maps.

Mayor Anderson also asked why only 3 property owners were willing to talk about their properties? Mr. Otto said that COVID did impact this part of the project. Demographic information on property owners is not publicly available; however, Ms. Robertson and Ms. Mescher had contact information for 3 property owners so Maul Foster Alongi could call them. All other property owners were contacted by mail. Mr. Otto said that if it wasn't for COVID there would have been the possibility of visiting the businesses and locations in person. He hopes more property owners will contact Ms. Mescher as time goes on.

Councilor Mark asked why the company couldn't go door-to-door? Mr. Otto said that Maul Foster Alongi has a very strict COVID travel policy that prevented them from doing this. Councilor Mark also said he was surprised by the broad definition of "brownfield". He thought "brownfields" had to be vacant lots but apparently they can have buildings on them. Mr. Otto confirmed that brownfields include those properties that not only are environmentally contaminated but those that are perceived to be environmentally contaminated. Many brownfields have buildings on them, and typically in Oregon these properties have been previously used as gas stations or dry cleaners.

Mayor Anderson asked why Maul Foster Alongi described property owners as "cooperative" when there were only three or four responses? Mr. Otto said that when this survey was started, Maul Foster Alongi thought they would be able to physically access more properties. However, they believe the information gathered and data collected is more important than property owner surveys. Mr. Otto gave examples of communities succeeding with brownfield re-development, including St. Helens, Josephine County (Grants Pass), Bend and Deschutes County (the OSU Cascade College campus expansion in Bend came out of a survey like this). Mr. Otto said this program and inventory was a great launching pad for further work and community improvement.

Councilor Casper asked if any of the catalyst properties were in the tsunami zone? Maul Foster Alongi confirmed there were no zones of interest in the tsunami zone.

Ms. Mescher said there's lots of directions the City can go from here. Ms. Mescher will follow up on engaging with property owners identified by this project.

Ms. Robertson advised Council that this survey was identified as a need a few years ago after the Goodwill site was re-developed. Goodwill was developed on the site of a former gas station, and the contamination that was on Goodwill's lot was remediated. Ms. Robertson said she would seek support from other agencies for grants, since the City has to act as an intermediary to get funds from government agencies to private property owners.

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

J. ORDINANCES

1. ORDINANCE NO. 2020-20 AN ORDINANCE OF THE CITY OF LINCOLN CITY, MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE ROADS END/VILLAGES AT CASCADE HEAD URBAN RENEWAL (TAX INCREMENT FINANCE) PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED

Mr. Appicello asked Council whether they wanted him to read the changes to Exhibit C, or whether they wanted to do First Reading again and then proceed to Second Reading if First Reading was unanimous. Mayor Anderson suggested that First Reading be performed again.

MOTION:	First Reading of Ordinance 2020-20 - Adoption of New Urban Renewal District
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

Councilor Mark asked Mr. Appicello if there were any other significant changes made other than the addition of Findings. Mr. Appicello confirmed the only changes made were the addition of Findings. Findings were added to show that the adoption of this District is in compliance with Goal 10. These Findings address concerns brought up at the last Council meeting. Councilor Mark said, again, that taxes will not be increased by the formation of this new Urban Renewal District.

MOTION:	Approve Second Reading and Adoption of Ordinance 2020-20 - Adoption of new Urban Renewal District
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

2. ORDINANCE NO. 2020-14 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.72 (SIGN REGULATIONS), AMENDING AND UPDATING CITY SIGN REGULATIONS REMOVING PROVISIONS FOR TEMPORARY SIGNS AND PLACING THEM IN CHAPTER 9.34

Mr. Appicello asked Council to continue Second Reading to August 24 or September 14. Mr. Appicello has changes he would like to get Council's consent on before Second Reading.

The first change is in the title, striking the words "and placing them in 9.34" because this Ordinance does not amend chapter 9.34. A separate Ordinance will do that.

The second change would be to replace e. on page 161, line 14 to state "No signs shall be constructed, erected or maintained within the public right-of-way except as installed by a duly constituted governmental entity".

Mr. Appicello also wants to remove language that states "Permanent signs placed such that any portion or the entirety of a sign or sign structure is within the right-of-way must receive approval of such placement from the roadway authority having jurisdiction over the right-of-way in which the permanent sign will be placed".

F. below that should be stricken, replaced with "A protrusion over a city street or alley, or right-of-way may be approved by the City Engineer, not to exceed 24 inches, provided the bottom of the sign is at least 8 feet above finished grade and all applicable permit and license fees are paid for such encroachment into the public right-of-way. No protrusion into Highway 101 is allowed."

Mr. Appicello recommends changing the language in Section 17.72.050 (located on page 162, line 13) regarding the types of materials comprising signs. Mr. Appicello would like to strike the existing words and replace them with "repair".

Under Prohibitions, Mr. Appicello requests the addition of "T. Signs prohibited by State or Federal Law" to address what is defined as obscene under State or Federal Law.

Mr. Appicello recommends adding back in Section U, Glare.

Mr. Appicello also recommends re-wording Temporary Sign Provisions to make sure people understand that Temporary Signs are now not being permitted.

Mr. Appicello wants to discuss with staff whether a department will take over the management of Temporary Signs or if Temporary Signs are going to be treated as exemptions. He would also like to get amendments to Chapter 9.34 before Council at the same time as performing the Second Reading.

Mr. Chandler recommends Council continue to September 14.

Councilor Hinton asked about temporary signs. If there's no permit for temporary signs, how do you control their size and further manage them? Mr. Appicello advised that provisions in the Code would still apply to temporary signs and violations can be enforced.

Councilor Mark asked for corrections to be made on line 2 of page 160 of the packet (change "is" to "are") and the second sentence of Paragraph C, page 161 of the packet (remove commas). There's also a need to change a "which" to "that". Mr. Appicello asked Councilor Mark to send him those changes so he can make them. Councilor Mark also asked that a reference to the intensity / wattage of LED lights be added (packet page 168).

Unanimous consent of Council was given to continue Second Reading of this Ordinance to September 14, 2020.

MOTION:	Motion to Continue Ordinance 2020-14 Signs 17.72 Second Reading to September 14, 2020
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed by Unanimous Consent

3. ORDINANCE NO. 2020-15 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING), CHAPTER 17.76 (ADMINISTRATIVE PROVISIONS), REPLACING EXISTING PROCEDURES WITH A NEW UNIFORM PROCEDURAL CHAPTER 17.76 (PROCEDURES), ADDING A NEW CHAPTER 17.77 (APPLICATIONS), MODIFYING, CONSOLIDATING, RELOCATING OR REMOVING OTHER PROCEDURES AND STANDARDS FOR A MORE EFFICIENT REVIEW PROCESS

Mr. Appicello advised that he had received further questions from Councilor Hinton regarding these changes. Mr. Appicello stated that he thinks these changes to the Code are good, and are necessary- however, staff needs extra time to review.

MOTION:	Motion to Continue Ordinance 2020-15 Procedures to September 14, 2020
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed by Unanimous Consent

4. ORDINANCE NO. 2020-10 AN ORDINANCE OF THE CITY OF LINCOLN CITY, AMENDING THE LINCOLN CITY MUNICIPAL CODE, TITLE 17 (ZONING); AMENDING ALL OF CHAPTER 17.20 (MULTIPLE-FAMILY RESIDENTIAL (R-M) ZONE); AMENDING: CHAPTER 17.24 (PROFESSIONAL CAMPUS (PC) ZONE), SECTION 17.24.020 (F.); CHAPTER 17.28 (RECREATION-COMMERCIAL (RC) ZONE), SECTION 17.28.040(B) (F.)& (J); CHAPTER 17.32 (GENERAL COMMERCIAL (GC) ZONE), SECTION 17.32.040 (K.)(U) AND 17.32.110 (E.); ALL OF CHAPTER 17.34 (NELSCOTT PLAN (NP) DISTRICT); ALL OF CHAPTER 17.45 (TAFT VILLAGE CORE (TVC) ZONE); ALL OF CHAPTER 17.50 (OCEANLAKE DISTRICT); CHAPTER 17.52 (SUPPLEMENTARY REGULATIONS AND EXCEPTIONS), SECTION 17.52.210(E.)(2.) AND AMENDING ALL OF CHAPTER 17.74 (COMMERCIAL DESIGN STANDARDS) AND AMENDING CHAPTER 17.80 (SPECIAL USES), SECTION 17.80.

Mr. Appicello advised Council that he would like them to conduct First Reading of this Ordinance again. The changes that have been made are significant in length, including fixes to paragraphs and sections that will be deleted through adoption of this Ordinance.

Councilor Hinton asked Mr. Appicello to strike the sentence on page 493 (section 7a) that says "building trim may feature brighter colors as accents". Councilor Hoagland asked why are we being so restrictive? Councilor Hinton said that the text regarding brighter building trim was added to this ordinance later, and so the City was adding text that was not contemplated during the work sessions and discussions on these items. Councilor Casper concurs with Councilor Hinton. Mr. Appicello asked that First Reading be completed and then, if a Councilor wants to make a motion regarding the building trim language, a separate motion be made.

MOTION:	Motion to Approve First Reading of Ordinance 2020-10 Design Standards
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

MOTION:	Motion to strike the sentence "Building trim may feature brighter colors as accents" from Ordinance 2020-10, line 18 of packet page 493
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

Councilor Mark asked about the reference to "Pearls" on line 28 of page 478. Councilor Mark thought that the consensus at the Work Session was that there would not be different design standards for pearls. Mr. Appicello said this ordinance creates a great deal of uniformity in design standards across the City.

MOTION:	Motion to approve Second Reading of Ordinance 2020-10 and Adopt the Ordinance with changes as read
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

5. ORDINANCE 2020-16 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING TITLE 9 (PUBLIC PEACE, MORALS and WELFARE), CHAPTER 9.08 (OFFENSES AGAINST PUBLIC ORDER), AMENDING SECTIONS 9.08.050 AND SECTIONS 9.08.055.

Mr. Appicello advised the most significant change was in Section 9.08.055, which now allows a Traffic Control Order to permit Overnight Parking on a City parking lot.

MOTION:	Motion to Approve First Reading of Ordinance 2020-16 Chapter 9.08
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

Councilor Mark asked about the "willful violation" defined on page 549 of the packet (section D). Mr. Appicello advised that, for this ordinance, a special lower class of violation (Class E) was created. For this new class of violation, the maximum fine is \$75. Mr. Appicello said that the code escalates to a Class C for repeat offenders (offenders who have performed this violation in the last 90 days) in order to deter continuous violations. Mr. Appicello advised Council that these offences were previously considered to be crimes.

MOTION:	Motion to Approve Second Reading of Ordinance 2020-16 and Adopt the Ordinance.
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
EXCUSED:	Kusz
RESULT:	Passed

K. RESOLUTIONS

L. SPECIAL ORDER OF BUSINESS

6. City Council Vacancies

Mayor Anderson read a statement from Councilor Kusz that announced her resignation from the City Council.

Mr. Chandler, on behalf of City staff, thanked Councilor Kusz for her service. Mr. Chandler advised that Council had two options to fill the vacancy.

1- Appoint a replacement;

2- Hold a special election. Mr. Chandler advised that the Special Election can coincide with the current election cycle.

Mr. Chandler advised Council that they would need to take action tonight if they wished to proceed with a Special Election since the deadline for candidates to gather signatures would be 5 pm on August 19. Mr. Chandler advised that two Ward 2 candidates have filed for the November election, and if they wanted to file for this position they would need to withdraw those applications.

Mr. Appicello asked Council to move to declare a vacancy.

MOTION:	Motion to declare a vacancy on the City Council (Ward 2)
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Unanimous Consent.

Councilor Casper feels the November 3, 2020 election date is appropriate and timely. Councilor Mark concurs. Mr. Appicello suggested that, with the short filing time frame, a motion be made with contingencies so that Council can consider a direct appointment or scheduling a different special election date should a candidate not successfully file for the position by August 19.

MOTION:	Motion to fill City Council vacancy by Special Election, with contingency that if candidate doesn't file for this position by August 19, Council can consider direct appointment or scheduling a different election date.
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Unanimous Consent.

7. Appointment to Sustainability Committee - Applicant Michael Edwards

Councilors Casper and Hoagland interviewed Mr. Edwards for this position. Both Councilors recommend appointment.

MOTION: Appointment to Sustainability Committee - Applicant Michael Edwards
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed by Unanimous Consent.

8. AMENDMENT 6 TO MEMORANDUM OF AGREEMENT BETWEEN THE CONFEDERATED TRIBES OF SILETZ INDIANS OF OREGON AND CITY OF LINCOLN CITY, STATE OF OREGON

Councilor Mark asked that the word "Percent" be added to version 2 of the Memorandum of Understanding. As drafted, the language reads "... based on the, Annualized Average Pacific CPU, or 2.5, whichever is less." The approved version will read "... based on the, Annualized Average Pacific CPU, or 2.5 percent, whichever is less."

MOTION: Motion to Approve Second Version of Amendment 6 to Memorandum of Understanding Siletz Tribe with discussed changes (adding the word "Percent")
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed by Unanimous Consent.

9. ANNEX 2020-01 and CPA & ZC 2020-02 - Continue to August 24, 2020

Mr. Appicello confirmed the Applicant agreed to continuing this matter to August 24.

MOTION: ANNEX 2020-01 and CPA & ZC 2020-02 - Continue to August 24, 2020
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed by Unanimous Consent.

10. Residential Parking Restrictions

Mr. Chandler advised Council there were two items to consider.

- 1. Should no parking areas be established?*
- 2. Should the City establish parking permits?*

Mr. Chandler advised Council that he has 2 Traffic Control Orders to be ratified- one regarding Overnight Parking / Camping and one for NW 8th Court. These orders will be brought before Council in resolution form at the next Council meeting.

Mr. Chandler discussed his review of potential no parking areas. The underlying philosophy should be to allow more parking, not less.

Mr. Chandler recommends that parking be based on the City's transportation plan that was adopted in 2015. This plan classified streets into various subcategories. Certain categories of streets should not have parking, and certain categories should. The plan further defines how wide the right-of-way should be for parking, driving, and bicycling on streets in the various subcategories.

Mr. Chandler says that a street should have 27 feet of right-of-way in order to allow parking on one side of the road. It should have 34 feet of right-of-way to allow for parking on both sides of the road.

In the case of NW 8th Court, the right-of-way is only 20 ft. This includes a 10 feet travel lane that in essence is a single lane road. Mr. Chandler says that all parking should be prohibited on NW 8th Court and that he will issue no-parking signs provided that Council concurs.

Going forward, Mr. Chandler recommends the following:

- 1. More than 20 feet of right-of-way is necessary for any off-street parking;*
- 2. 27 feet of right-of-way will allow for parking on one side of the road;*
- 3. 34 feet of right-of-way will allow for parking on both sides of the road.*

Mr. Chandler recommends that neighborhoods petition for signs rather than have the City initiate them. He further recommends that local topography be considered in applying the right-of-way criteria since some roads have a steep drop-off in the right-of-way.

Mayor Anderson asked Mr. Chandler if he could provide a map showing streets that would be impacted. Mr. Chandler said he could, but Lincoln City has such diverse streets and topography that a map wouldn't really help. Mayor Anderson commented that these changes would actually take away neighborhood parking, which was not the intent. Mr. Chandler said that is why he recommends that residents petition for no parking signage. Mayor Anderson concurred.

Regarding residential parking permits, Mr. Chandler discussed processes including Application / Petition, evaluating the size of the permitted space, the ability for neighborhoods / HOA to apply, safety considerations, the difficulty of residents finding on-street parking, the need for tourist parking in areas, the need for resident parking, and the need for commuter parking.

Mr. Chandler said that in areas with a large volume of tourists, evening and night-time restrictions on parking could be more appropriate than daytime hour restrictions.

Councilor Casper said that she felt night-time parking restrictions would help in Recreation - Commercial (R-C) or Commercial areas where it is difficult for residents to find a parking space.

Councilor Hinton said that we are on the right track with these discussion points. Roads End has a high demand for parking.

Councilor Hoagland said that no parking signs have a different look and feel to parking permits. He prefers the permit approach.

Mayor Anderson said there has to be an enforcement component.

Mr. Chandler said he intended to bring an ordinance regarding Parking to Council for first reading at the first meeting in September.

Councilor Mark asked about relief for residents on NW 8th Court. Mr. Chandler said that he recommends no parking on that street since there is no space to create an adequate shoulder for parking, especially when considering the needs for emergency vehicle access. Councilor Mark discussed the right-of-way in Cutler City, noting that SW 62nd is a narrow street.

11. COVID-19 Update

Mr. Chandler discussed Financial Relief that had been received, and plans to apply for additional relief. Mayor Anderson asked if these funds were from the Federal Government via the State. Mr. Chandler confirmed they were.

Mr. Chandler confirmed that Lincoln County had applied for Phase 2 re-opening effective August 24, 2020. For the City of Lincoln City, Phase 2 re-opening means the Community Center will open on a limited basis. The Library will open by appointment. City Hall will open to the public by appointment for Planning and Public Works. Mr. Chandler stressed that staff will not all return at once to working in-person at City Hall. Instead, staff will return on an as-needed basis. Mr. Chandler will provide more detail to Council on the City's Phase 2 plans.

Mr. Chandler advised Council that, regarding Utility Payments, the City is seeing longer delinquency periods but that people are generally paying their utility bills on time.

Mayor Anderson asked how many people had filed for COVID utility deferral. Mr. Chandler said no-one had officially filed. Mr. Chandler said the COVID impact on utility bills was less significant than he had anticipated.

Councilor Hinton asked if Mr. Chandler could share information on reimbursements that had been received as a result of the CARES act? Mr. Chandler said he would do so.

Councilor Mark asked about Marci Baker's question regarding using the economic aid provided to local businesses by Explore Lincoln City. Mr. Chandler said that aid funds are being slowly used. For example, a hotel used its aid package to provide a room for KOIN TV recently. Mr. Chandler said that the City is not actively attempting to bring tourists to Lincoln City currently. Once the City starts promoting tourism again, then these funds and packages will be used.

Councilor Casper asked if Council could receive quarterly financial summaries? Mr. Chandler said that in October he will present a summary of the City's first fiscal quarter of 2020-21 along with end-of-fiscal year data for 2019-20. Mr. Chandler said that COVID's impact on TRT will be visible in October after TRT returns are filed. Mr. Chandler said that occupancy of guest rooms is down 15% from 2019. However, the City still has lots of traffic, especially on weekends, suggesting that there are lots of daytrippers coming to Lincoln City.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Mr. Chandler reported that the City did not receive the 9% Oregon Housing Community Services low income housing tax credit for 2020. The City will apply for those funds next year.

Mr. Chandler reported on fireworks activity since July 4. From July 6 until August 2, there were 46 calls regarding fireworks. The Police were unable to locate people who had fired these fireworks for 33 of these 46 calls.

Mr. Chandler will send an update and time frames on other City projects to Council. Mr. Chandler thinks a work session will be necessary for some of these projects; he will suggest dates and times to Council for these.

Mr. Appicello advised that an appeal of the Planning Commission's decision for Phase 3 of The Cove had been filed. Mr. Appicello asked if Council wished to hear the appeal on the record, or de novo?

Councilor Mark asked if hearing this appeal de novo allowed the applicant to modify their application? Mr. Appicello confirmed that the applicant could modify their application and answer specific objections.

MOTION:	Motion to hear the appeal for The Cove Phase 3 de novo
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Unanimous Consent.

Councilor Hinton asked about jail policies during COVID. Is there somewhere else we can lodge people? Chief Palmer explained that Lincoln County is receptive to allowing Lincoln City Police to jail a person seen as a public safety risk. However, the County jail is at capacity due to COVID restrictions on number of cell occupants. Before COVID, the County could house 2-4 prisoners in one cell. Now, they are only housing one prisoner to one cell. Chief Palmer believes the County is doing the best it can given current conditions.

Chief Palmer updated Council on the new Police Building. Patrol are moving to the new building this week. The intoxilyzer will be installed on Tuesday August 11. The Police would like to tour small groups around the new building. Chief Palmer believes that once Lincoln County enters Phase 2, an Open House of the new Police Building can be safely held.

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

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

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Hinton said that Fireworks continue to be a problem.

Mr. Chandler said he's aware of the issues regarding Fireworks and he'd like to discuss them with Council. He asked whether there should be a work session or whether Fireworks should be discussed at the next meeting. Mayor Anderson asked Mr. Chandler to discuss Fireworks with Council at the next scheduled meeting.

Councilor Hinton said that Vacation Rental Dwellings continue to be a problem. Garbage containers are overflowing, more cars are parked at properties than are permitted, there are more than 10 people in dwellings. Councilor Hinton asked for the Police Department to take over Vacation Rental enforcement.

Councilor Casper attended a Sanitary Waste Advisory Committee Meeting. Councilor Casper would like to have the City's Sustainability Committee meet with North Lincoln Sanitary Service to discuss the new composting regulations.

Councilor Casper plans to attend a Climate Action Plan meeting on August 12 from 7 until 8.15 pm. Councilor Casper will report to Council on this meeting.

Councilor Mark thanked Councilor Casper for attending the Sanitary Waste Advisory Committee meeting. He agrees that the City should help people with understanding their new composting options, since people could reduce their garbage pickup schedule through effective use of the composting bin and keep their cost of garbage service about the same as before.

Councilor Mark asked Mr. Chandler if there had been any movement with the State regarding redesigning the parking area at Roads End State Park? Mr. Chandler will follow up with the State.

Councilor Hoagland thanked Councilor Kusz for her service. He noted that Councilor Kusz's husband also served on City Council previously, making them the first elected couple of Lincoln City.

Q. ADJOURNMENT

The meeting was adjourned at 9:08 pm.

 // s //
DICK ANDERSON, MAYOR

ATTEST:

 // s //
CATHY STEERE, CITY RECORDER

Ronald Chandler

From: Janet Knipe [REDACTED]
Sent: Monday, August 10, 2020 1:39 PM
To: Dick Anderson; Diana Hinton; Mitch Parsons; Rick Mark; Riley Hoagland; Judy Casper; Diane Kusz; Ronald Chandler
Subject: Suggestions for August 10 Agenda Item Discussion: L10 Residential Parking Restrictions

Dear Mayor, City Council Members and City, Manager:

REIA recently surveyed our members on, among other things, concerns they have about livability in Roads End. While we are now preparing to share and discuss the findings with our members, we thought it important to provide the Council and City Manager with the feedback we received related to the issue of parking since you will be taking this up at your August 10 meeting.

69% of the 50 respondents cited "visitor parking in the neighborhood and near the State Park" as a major concern. Roads End has very narrow road ways and in many instances does not have capacity to park cars along the street as other areas of the city do. It makes parking here a very unique problem. Members volunteered the following comments related to parking:

- Weekend traffic and the parking along Logan Road specifically across from the Roads End park (a concern). Cars park too close to the intersections blocking perpendicular oncoming traffic.
- Visitors looking to hike the Thumb or Knoll public spaces are currently allowed to park ANYWHERE within our residential neighborhoods which have no signage directing the visitors to the "HOURS", where to park, where not to park etc. which disrupts our quality of life. Visitors begin arriving as early as 5:45AM to begin hikes, honking horns to lock/unlock doors, setting off car alarms, loud conversations that include laughing/yelling etc., obstructing easy access to driveways etc. The entire Roads End Neighborhood is becoming one large public park/parking lot. In order to "control" Visitor Parking, it should be restricted to the existing paved parking lots on/around Logan Road and NO (visitor) PARKING allowed in the residential neighborhoods.
- High traffic, noise, speed, lack of a sidewalk making it dangerous as cars speed by pedestrians. Have to walk around high volume of cars parked in front of vacation rentals putting pedestrians in the middle of the road.
- Pressure the city to install more speed limit signage, speed bumps, less parking on Logan Road.
- NO VISITOR PARKING allowed in our residential neighborhoods. Work with the state to expand existing parking in the State Lots, or convert City owned

property to Parking Lots (Villages) & direct Hikers to that location only. The existing parking lots on Logan Road are not able to support the volume for both beach access & hiking access. The residential neighborhoods should not have to bear the burden and effects of the city's failure to create & communicate an effective traffic parking plan for our visitors.

- We are seeing cars parked up on Neptune between 66th and 74th late in the evening with people sleeping in several of the cars. In the morning we have seen folks also parking on this very narrow roadway who appear to be parking and trying to hike to the Knoll from Neptune (there are no trails from there). With cars parked on this very narrow roadway, emergency vehicles would be unable to pass.

Thank you for considering these suggestions in your discussions.

Sincerely,

Janet Knipe, REIA President

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Janet Knipe

From: Jerry and Marilynne Newton [REDACTED]
Sent: Monday, August 3, 2020 10:12 AM
To: Courtney Liberato <cliberato@lincolncity.org>
Subject: Re: NLSS mandatory 96 gallon bins

sorry - i saved the document as specified, but it did not save the content. . . weird.

My note concerning the NLSS mandatory 96 gallon compost service is in opposition. I do not have a "yard", but planted flowers and shrubs. When I do my annual clean-up, I request one of NLSS's 1 yard dumpsters.

I think making this 96 gallon bin service mandatory by the City is government over-reach. Those who need or want this service should be given the opportunity to request it. For those residents for which this is unnecessary, should be able to opt-out its distribution and fees.

Jerry Newton
[REDACTED]

On Mon, Aug 3, 2020 at 10:04 AM Courtney Liberato <cliberato@lincolncity.org> wrote:

Good Morning,

Thank you for contacting the City of Lincoln City.

The attached comment form is blank. You may either retype your comment in the fillable form and save the PDF after you have written your comment and attached the saved PDF with your comments or you may respond to this email with your comment.

Thanks,



Courtney Liberato
EXECUTIVE ASSISTANT TO CITY MANAGER

City of Lincoln City | Administration
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541.996.1202 | F: 541.994.7232
E: cliberato@lincolncity.org | W: LincolnCity.org

Ronald Chandler

From: Marci Baker [REDACTED]
Sent: Monday, August 10, 2020 5:52 PM
To: Public Comment
Subject: Economic Relief Program

Mayor Anderson, Councilors and City Staff,

Please allow Explore Lincoln City to support and promote the businesses you had it purchase contracts with through the Economic Aid “Grant”. I have attempted to give free tickets for promotion to an upcoming event to begin fulfilling this contract and have been informed they do not have permission from “the third floor” to do anything related to tourism at this time.

Allowing Explore Lincoln City to begin collecting on these contracts (assuming the business owner is able or offering) will not result in more people coming to the coast, as we all have seen how packed the highway and beaches have been throughout this summer. Please acknowledge that it is our beautiful beaches and the ocean that draws tourists, not small promotions run by small businesses. People visiting need to know what there is to do in town and not utilizing the program created to support our local economy doesn’t make any sense to me.

Please let Ed take my money (free tickets) and promote for us! Allow us to be an example of how this program was designed to be a long-term win-win!

Thank you,
Marci Baker
Marci’s Bar & Bistro

PS: Please look into have code enforcement or LCPD keep EVERY drive-thru lane in town from overflowing into our public streets. It is a serious safety hazard and I have seen too many near misses!