

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

August 24, 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: September 21, 2020

A. CALL TO ORDER

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor	Present	
Judy Casper	Councilor Ward 3	Present	
Diana Hinton	Councilor Ward 1	Present	
Riley Hoagland	Councilor Ward 2	Excused	
Rick Mark	Councilor Ward 3	Present	
Mitch Parsons	Councilor Ward 1	Present	

Staff Present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Sgt Jeff Winn, Lincoln City Police; Tony LaSoya, I.T. director; Richard Townsend, Interim Planning Director; Debbie Bridges, Finance Director; Alison Robertson, Economic Development and Urban Renewal Director.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was skipped as this meeting was held remotely.

D. CONSENT AGENDA

1. Regular Meeting – Minutes of Regular Meeting – August 10, 2020 6:00 PM
A clerical change was made to the minutes prior to the Council meeting.

MOTION:	To Approve the August 10, 2020 minutes with changes.
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Mark, Parsons
EXCUSED:	Hoagland
RESULT:	Passed

E. COUNCIL DELIBERATIONS

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

Mr. Chandler read a summary of public comments regarding fireworks, VRD enforcement, COVID 19, and rent reductions. These written public comments will be attached to these minutes after they are approved by Council.

Aaron Linfoot, COO for Meredith Lodging - spoke about Meredith's operations. Mr. Linfoot advised that Meredith is a local company that provides living wages to its employees, some of which have been with Meredith for over 10 years. Mr. Linfoot said that March hit Meredith hard. Employees had to be furloughed. When business started building up in June, Meredith brought all staff back as soon as possible. Many staff had not received their unemployment checks from the state. Meredith provides contactless self-check in. Many of their customers stay at their vacation rental home during their stay. Meredith cleans to CDC standards and asks guests to stay away if any have had COVID like symptoms. Guests are told to bring masks and if they don't have one, Meredith will provide one. Guests are advised to bring in as many supplies as they can and only send one person to the local stores. Meredith sends security past their properties nightly. A staff member is in the office 24 hours a day, seven days a week. Mr. Linfoot thanked the City Council for prioritizing tourism in Lincoln City, and thanked Council for the financial assistance (COVID-19 related) that was provided to businesses.

G. PRESENTATIONS

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. ANNEX 2020-01 and CPA & ZC 2020-02 - Continue to September 14, 2020

Mr. Appicello confirmed the applicant would provide public notice of the continuation to September 14. Councilor Hinton said that Richard Townsend will be acting as Interim Planning Director for 3 months. Mr. Townsend also represents the applicant in this matter. Councilor Hinton said she finds this to be a conflict. She would rather deny this matter until another time.

Mr. Appicello said that Mr. Townsend is recusing himself on this matter and that Mr. Chandler would represent the City.

Mr. Chandler said that the matter was delayed until the 14th September due to Mr. Townsend's interim role. Mr. Chandler has not and will not discuss the matter with Mr. Townsend, and Mr. Townsend has recused himself from this project. The Senior Planner cannot handle this matter since he is supervised by Mr. Townsend. This is why Mr. Chandler is taking this matter over.

Councilor Hinton said this is a complex project and she doesn't think Mr. Townsend can completely recuse himself.

Mayor Anderson asked Mr. Appicello if the project can be further delayed. Mr. Appicello said the City has an obligation to process this matter, but there's no time clock since an annexation accompanies the matter. Mr. Appicello recommended continuing this matter to the second meeting of September to allow for noticing. Mr. Appicello says that Mr. Townsend is not involved in the City's review and doesn't think there's a conflict issue here. Timing of mailed notices to the public is more of a problem due to COVID issues.

Councilor Casper asked if this could be delayed until a Planning Director is hired? Mr. Appicello said he doesn't think that is necessary.

Mr. Chandler said we should talk with the applicant if a postponement is to be considered.

Councilor Parsons shares Councilor Hinton's concerns.

Councilor Mark doesn't have a strong feeling on this matter.

MOTION:	Motion to Continue ANNEX 2020-01 to September 28, 2020
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Mark, Parsons
NAYS:	Hinton
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

2. Public Comment North Lincoln Sanitary Rate Review

Tina French, North Lincoln Sanitary Service (NLSS) presented to Council. Ms. French said that, in odd numbered years, the rate review is based on the Consumer Price Index. The rate review would be at 3.6% for 2019. Under Other Revenue, NLSS included a Payment Protection Plan loan. There have been large changes in disposal- about a 60% tonnage reduction from March until June due to COVID-19. NLSS still hasn't recovered to normal. NLSS is saving some money on fuel. Labor costs haven't changed significantly due to COVID.

Councilor Mark said he thought that with the loss of spring tourism, NLSS revenue and costs would both decrease. Ms. French said the only decrease in cost came from disposal. Ms. French said there was a slight decrease in residential service during COVID-19 shutdown but a huge decrease in commercial service. 60% of NLSS revenue in Lincoln City is from commercial service. Commercial properties still had garbage pickup, but rather than having 5 full containers they would have 1. This leads to almost the same amount of labor for NLSS staff but lots less garbage volume.

Ms. French said that no employees were let go due to COVID-19. NLSS did some projects they usually save for winter time to keep people employed. Now, NLSS is busier than they've been in some time.

Ms. French said that the 2018 rate increase was so large due to the change in the Chinese market for recycling products. Ms. French said NLSS is now paying 2 times as much to drop off recycling compared to garbage.

Councilor Hinton said she doesn't know the impact of a 3.6% price increase for the next two years since the residential numbers are not provided. Also, September 1 is days away and Councilor Hinton is concerned about the lack of notice time given to the public for this proposed price increase.

Ms. French said the increase for a 32 gallon pickup once a week (this is the majority of NLSS business) would be from \$20.56 to \$21.30. The average commercial customer would see their rates increase from \$135.29 to \$140.12 per month. Ms. French said that NLSS bill in arrears. They will send a notice on September 1 that the September rate will increase but customers won't be billed for that increase until October.

Mayor Anderson asked Ms. French to provide the public with the various options NLSS has to arrange garbage pickup. There are 3 different container sizes; 32, 64, or 96 gallons. You can get your garbage

picked up weekly, biweekly, once a month, or on call pickup. On call pickup is in violation of the Lincoln City ordinance but the City isn't enforcing that provision. Most customers are not using on call pickup. Service can be temporarily stopped for up to 6 months if you're traveling or if you're a part time resident. Ms. French said that NLSS had sent out educational materials regarding the Yard Debris program. NLSS plans to do more education on this program in January. Roll carts for compostable materials will be delivered to customers the last week of February. Roll cart lids for Yard Debris will have a brown lid with educational information on the lid itself. Ms. French said that the new County Solid Waste Coordinator will work with NLSS on this project.

Ms. French thanked Councilor Casper for attending the Lincoln County Solid Waste meetings. Councilor Mark said that we are hearing concerns from citizens regarding composting. Is there an option on can size? Citizens are concerned about costs. Councilor Mark said that he thinks his cost will not increase because he can reduce his garbage pickup from weekly to bi-weekly.

Ms. French said the composting program is set up for a 96 gallon roll cart, but NLSS recognizes that doesn't work for everyone so they will offer smaller cans (32 and 64 gallon) as well.

Councilor Casper thanked NLSS for picking up SOLV bags. Other haulers on the coast charge for picking these up. NLSS didn't charge. Ms. French said NLSS will continue to accept SOLV bags at no charge.

J. ORDINANCES

3. ORDINANCE 2020-19 AN ORDINANCE OF THE CITY OF LINCOLN CITY AMENDING, ORDINANCE 2020-18 (SW BARD ROAD SANITARY SEWER LOCAL IMPROVEMENT DISTRICT) TO SET THE ADMINISTRATIVE FEE CONSISTENT WITH PRIOR APPROVED LOCAL IMPROVEMENT DISTRICTS

Mr. Appicello explained that the engineering report stated the administrative fee would be 0.5% of the assessment. In the past the City has used a flat \$100 fee. Mr. Appicello says the administrative work is the same regardless of the tax assessment. Finance staff requested that the ordinance be amended to match prior LIDs. Mr. Appicello said that the Public should be offered the opportunity to comment on this change.

Mayor Anderson asked Mr. Chandler if any public comments had been received regarding this matter? Mr. Chandler confirmed no public comments had been received.

MOTION:	Motion to Approve First Reading of Ordinance 2020-19 Bard Rd. LID Amendment
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Mark, Parsons
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

MOTION:	Motion to approve Second Reading of Ordinance 2020-19 and adopt the Ordinance
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Mark, Parsons
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

K. RESOLUTIONS

4. RESOLUTION NO. 2020-19 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING AN INCREASE IN RATES FOR NORTH LINCOLN SANITARY SERVICE

MOTION:	RESOLUTION NO. 2020-19 A RESOLUTION OF THE CITY OF LINCOLN CITY ADOPTING AN INCREASE IN RATES FOR NORTH LINCOLN SANITARY SERVICE
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Mark, Parsons
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

L. **SPECIAL ORDER OF BUSINESS**

5. Ec Dev: Local Program Support Grant Request - Small Business Development Center Programs 2020-21

Dave Price of the Small Business Development Center (SBDC) joined the meeting. Ms. Robertson noted this was the first Local Program Support grant request that had been presented to the Council. The grant falls under the newly adopted Economic Development Toolbox programs. Ms. Robertson said that the Urban Renewal agency has supported the SBDC using their similar toolbox; however, it would be beneficial for the SBDC to be able to support businesses not just in the Urban Renewal boundary but within the City limits.

3 projects have been proposed within this request- Small Business Management scholarships, COVID business recovery and redevelopment advising, and Small Business classes and workshops.

Mr. Price said the Small Business Development Center was happy to be able to apply for funding again. This would be the 8th consecutive year of funding for the SBDC. Mr. Price said that the spring term essentially vanished. Classes went online. The SBDC didn't spend the Urban Renewal grant money. However, the SBDC only bills the City / URA for the funds when a business signs up. Mr. Price said that he said he feels 2021 would be the year where this program would be most valuable for City businesses. Mayor Anderson said that Mr. Price had covered one part of his grant request, and explained why the City liked the way the program is funded, with unused funds not being forwarded to the SBDC. Mayor Anderson asked for more information on the other aspects of the SBDC grant request.

Mr. Price said there was one thing different about this request compared to the previous 7. In previous years funding has been provided for scholarships. Mr. Price discussed classes that are coming up in social media and finance and how a business can benefit from scholarships. The Small Business Management Program is a year long program. Goals are set at the beginning of the program. Mr. Price said many businesses he has spoken to have said their goal is to "grow back" post-COVID.

This year, the SBDC is also requesting funds to set aside advising resources for Lincoln City businesses. Mr. Price says there is a large demand for advising resources and that the SBDC only has a limited amount of funding for these. Mr. Price noted the SBDC gets the same amount of funding from the Small Business Administration now as it did in 1985. The SBDC has received the same amount of County funding since 2009. Mr. Price does not want to have to turn away Lincoln City businesses from consultation services. Mr. Price said the SBDC will approach other cities in the County with a similar request for grant assistance.

Councilor Mark said he appreciates the practical examples of what the SBDC is doing and why City funding is helpful.

Mayor Anderson has sat in on many Zoom meetings with the SBDC and knows that the SBDC is a very positive vehicle for business. Mayor Anderson thanked Mr. Price for his efforts to help Lincoln City business.

Councilor Parsons asked Ms. Robertson about potential delays to contracted services outlined in her Council Communication. Ms. Robertson said that there's more background information to complete with consultants regarding a new Urban Renewal area. COVID has delayed this work.

MOTION:	Motion to approve the Small Business Development Center Grant Request in the amount of \$24,900
MOVER:	Judy Casper, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Mark, Parsons
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

6. Ec Dev: Commercial Lease - Salmon Drift Creek Watershed Council Request for Rent Reduction

Paul Katen, Board President of the Salmon Drift Creek Watershed Council (SDCWC), joined the meeting. Mr. Katen has volunteered with SDCWC for 19 years. Since 2005, the SDCWC has focused their efforts on the Lincoln City area waterways - the Salmon River, Devils Lake and its tributaries, Schooner Creek and Drift Creek. The SDCWC offices are on the lowest floor of City Hall. SDCWC monitors water quality and quantity in the rivers. They identify problems in the watersheds.

In 2006 SDCWC worked with the City to remove an unused dam on Rock Creek. The dam was blocking fish passage. SDCWC also have installed dog waste stations at beach access points. Bags cost around \$2,000 a year.

SDCWC worked to restore the wetlands in the Salmon River area where Pixieland once was.

SDCWC has been working this last decade on Schooner Creek - Lincoln City's primary drinking water source. There has been a detailed study on Schooner Creek Road to identify problems like undersized culverts and excess sediment getting into Schooner Creek. In 2019 SDCWC worked with Public Works to correct some of the problems identified.

SDCWC is a low overhead organization. One of their biggest expenses is the rent they pay to the City. SDCWC is a 501(c) (3) non-profit.

Mayor Anderson said he appreciated the summary of SDCWC programs and projects and would like to see Mr. Katen present to Council more frequently.

Councilor Hinton asked about Agnes, Baldy, and Logan Creeks, and if SDCWC had any plans for them. Mr. Katen said SDCWC was trying to get grant funds to look at these, but with COVID they've had challenges getting out to get water sampling. Mr. Katen said there was a lot of sediment in Logan Creek and when the culvert is eventually replaced under Logan Road the City should provide for fish passage. Baldy Creek has salmonid juveniles - the culvert under the Devils Lake Rock site off SE Highway 101 is underground for 700 feet so fish would struggle to get further up Baldy Creek.

Mr. Chandler said the current rental contract with SDCWC expires at the end of August. SDCWC has received a rate reduction before to their present rent of approximately \$200 a month. The City currently rents offices in this part of the building to Career Tech, who pay a \$ per square feet amount for rent, and Business For Education of Youth (BFY), who lease the least favorable office rent-free for their Backpacks for Kids program.

Mr. Chandler said he had authorization to defer rent for SDCWC for 4 months, and then have SDCWC pay the deferred rent at the end of the lease term or through payments. This approach would not require City Council authorization. Mr. Chandler recommends that Council build in any rent reduction to \$0 as part of the new 2 year lease, with a definite end date to the \$0 rent payments.

Mayor Anderson asked about separate utility charges. SDCWC pays for internet and telephone, and liability insurance. The City pays for water, sewer, and electricity.

Councilor Casper asked about the cost of office cleaning. Mr. Katen says he does most of the office cleaning. Councilor Casper confirmed with Mr. Chandler and Mr. Katen that SDCWC didn't put down a security deposit.

Councilor Mark asked about SDCWC's revenue sources. SDCWC is close to 100% grant funded.

Mayor Anderson asked that, if grant funding goes away, how would the SDCWC change? Would it not exist? Mr. Katen said that the Mid-Coast Watershed Council would re-absorb the SDCWC.

Mayor Anderson said the work performed by SDCWC is positive for Lincoln City. The City has given credit to other similar agencies for services that benefit the community. Mayor Anderson asked if the rent reduction could be considered as a credit to the projects that SDCWC does to benefit Lincoln City.

Councilor Mark agrees with Mayor Anderson. Councilor Mark asked if City Council was concerned about setting a precedent here? Mayor Anderson said that he sees it more as an exchange of services. The City provides office space and the non-profit provides valuable services to the City.

Councilor Casper thanked SDCWC for their efforts. Councilor Casper asked if SDCWC could provide reports to City Council twice a year. Councilor Casper also asked if SDCWC could provide more educational services in lieu of paying rent for the office space. Mr. Katen said that SDCWC used to provide education services, but that the funding grant went away and now all funding for education goes through the Lincoln County School District. SDCWC works directly with local teachers now, and Mr. Katen went to Taft Elementary recently and spoke to a class.

Mr. Chandler discussed the need to identify the public purpose for a rent reduction and also recommended this lease stay with a 2 year term.

Mr. Chandler said the office SDCWC rents is the most attractive of the downstairs offices, with "street" frontage. Mayor Anderson said that Council wants to limit parking and congestion in the area, so potential tenants have to be on the smaller side. SDCWC currently has the right to use 3 parking spaces in the rooftop parking lot above McKay's.

Councilor Hinton agreed with the suggestion of a 2 year lease with \$0 rent, tying the rent reduction to projects SDCWC does to benefit the City.

Mr. Appicello said he could bring back a revised lease to Council with appropriate language. The other option is the City could make a donation in the amount of rent; however, donations are normally done on a fiscal year basis, not a 2 year basis.

Councilor Casper liked the idea of making the lease a one year lease.

Councilor Hinton said she would prefer a 2 year lease. Mr. Katen said their projects are task-specific, with a small amount of administrative funds. SDCWC Funding can be stretched over a longer period of time if necessary. Mr. Katen described how SDCWC approached the Schooner Creek road project. Mr. Katen said that SDCWC received \$100,000 in grant funds last year and had spent \$97,000 of those funds. SDCWC were holding \$3,000 to finish the project post inspection from Lincoln County Roads and the Lincoln City Engineer.

Mr. Appicello said the Lincoln City Cultural Center provides a report to the Council on a yearly basis advising about the projects they are doing. These projects are incorporated into the \$0 rent lease. Mr. Appicello recommends SDCWC do the same.

MOTION:	For staff to bring back to Council a lease for the Salmon Drift Creek Watershed Council office space listing \$0 rent, with offsetting services being provided by the Watershed Council
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Judy Casper, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Mark, Parsons
EXCUSED:	Hoagland
RESULT:	Passed by Roll Call Vote

7. Fireworks

Mr. Chandler wants to confirm the expectation of the City Council regarding Fireworks enforcement. The City has increased enforcement efforts in past years. With more enforcement comes more cost. Does Council want "zero tolerance" on fireworks? Or something less?

Mr. Chandler advised all fireworks on the beach are prohibited. Off the beach, you can launch "retail" fireworks (ones bought at fireworks stands in Oregon / Lincoln City) throughout the town. "Consumer" fireworks require a permit in Oregon.

The sale of fireworks is restricted from June 23 - July 6. Legal fireworks can be used all year.

Fireworks are prohibited on the beaches and in Oregon State Parks. The City prohibits fireworks in City parks.

Mr. Chandler advised that Lincoln City could legally ban all fireworks. Mr. Chandler advised that even if the City does this, the enforcement of this law is still an issue.

Over the last three years the City has seen an increase in July 4 fireworks. Mr. Chandler provided statistics on police activity pertaining to fireworks showing an increase in reported firework complaints. 9 Citations were issued in 2020 for firework activity relating to the July 4 holiday.

Mr. Chandler has met with residents to discuss their experiences. Mr. Chandler has heard that firework activity is worse today than it has been in the past. Residents say the City needs to do more.

To cite a person for firework activity, the illegal activity has to be seen by a witness or a police officer. Often the Police are unable to witness the activity even if they respond to a complaint within a few minutes.

Mayor Anderson asked Council what they thought about an outright ban across the City for all fireworks?

Councilor Hinton said that fireworks have escalated to an intolerable point. Councilor Hinton would like to give impacted residents a break with a 1 or 2 year ban on all fireworks. Councilor Hinton said there have been lots of fireworks in August in the north end of town. She worries for people who have PTSD.

Councilor Mark said he heard fireworks last night (August 23) in Cutler City. He thinks it's time for the City to take extreme action, although this is a coast-wide problem. Councilor Mark said residents are concerned about fire. Councilor Mark would be in favor of closing the beach on July 4 after 7 pm. Councilor Mark would ban fireworks for 3 years with a hope of changing culture here around fireworks. Councilor Mark noted enforcement would be impractical. Councilor Mark discussed his experience with fireworks at Josephine Young Park on July 4 and noted how people really enjoy seeing fireworks on the beach.

Councilor Parsons said his goal for July 2020 was to see the Police Department write more citations for firework activity. Councilor Parsons said this goal was met. Councilor Parsons noted this year might be very different to future years. Councilor Parsons is not for a ban on fireworks. He believes the Police can only do so much given the difficulty of citing people who break fireworks laws. Councilor Parsons would like to see a year of focused enforcement in areas where lots of complaints originate. Councilor Parsons is sympathetic to citizens disturbed by firework activity.

Councilor Casper agrees with Councilor Parsons regarding the difficulty of fireworks enforcement. Councilor Casper said that fireworks haven't been bad in Nelscott since July 4. She would like to see visitors enjoying the professional fireworks on the Siletz Bay and on Devil's Lake and also see a campaign asking visitors to leave their fireworks at home. Councilor Casper would like to see lodging facilities encouraging visitors to see the professional shows and to be considerate of neighborhoods.

Mayor Anderson doesn't think an outright ban is necessary. This year is an anomaly and other mayors up and down the coast feel the same. Mayor Anderson noted the firework activity in 2020 moved north from the usual area of Siletz Bay, perhaps because the City did not put on its firework show in the Siletz Bay area. Fireworks around the NW 15th area haven't been bad since July 4. Roads End has received the brunt of firework activity. Mayor Anderson would like to see more concentrated enforcement in Roads

End. He can't see how the City would enforce an outright ban and notes how much Police time is already taken up with firework enforcement.

Councilor Hinton is frustrated with fireworks, and her neighbors are too. Councilor Hinton would like to see the City work with the state to control fireworks at the beach accesses. Councilor Hinton noted that this year there is more firework activity in the Roads End neighborhoods and there is concern regarding the risk of fire.

Councilor Casper said there used to be a volunteer program through the Sheriff's office that helped with firework enforcement. Councilor Casper thinks a reinstatement of this program would help.

Mayor Anderson said that he heard that 2 councilors are for zero tolerance on firework activity, whereas 3 are not in favor of a total ban. Councilor Mark said he didn't think zero tolerance was possible and said he didn't know how to enforce a total ban. Councilor Mark likes the idea of more focused enforcement at Roads End. Councilor Mark says this would increase the chances of law enforcement officers seeing the illegal activity and then citing or arresting violators.

Councilor Casper asked what the cost would be to ban fireworks in the Roads End area and train volunteers for other areas.

Mr. Chandler said this discussion was helpful and he will come back to Council with various approaches.

Mr. Chandler would like to receive citizen input and ideas on Fireworks in Lincoln City. Mr. Chandler would like to build the outcome of these discussions into the 2021-22 budget.

Councilor Hinton asked about the statistics provided in the staff report. Were the citations associated with the incident, or separate? Mr. Chandler said the citations were separate from the incident at Spanish Head, which resulted in arrests. Mr. Chandler will provide a more detailed breakdown of this information.

8. VRD Enforcement

Mr. Chandler is working on assembling information on VRD enforcement through the years and will forward it to Council once ready.

Mr. Chandler provided information on the amount of VRDs in Lincoln City in various zones.

Mr. Chandler said the public feels that the City isn't doing much in regards to VRD enforcement. One thing that has been discussed is to employ the community policing principles to VRD enforcement. These are listed in Mr. Chandler's staff report.

Parking is another complaint associated with VRDs. There's some misunderstanding about VRD parking. Parking is often discussed as a VRD issue when it's a City-wide issue. Mr. Chandler said that it's not illegal for people to park on the street in Lincoln City, unless the area is designated as no-parking. Mr. Chandler said that he would be bringing Parking before the Council next month, discussing the ways to create no-parking zones or residential parking only zones.

Occupancy has been more of an issue this year due to the Governor's COVID-19 restrictions. Residents are saying "we should not be the police". Mr. Chandler discussed the difficulty for the Police to determine an Occupancy Violation. Are people in the house staying the night, or just visiting? Mr. Chandler noted the City has the authority to audit guest registers and to identify people advertising higher occupancy than they are permitted to have.

Garbage is another issue. The first problem relating to garbage is the frequency of pickup. Garbage may be picked up weekly but the house could be rented to 2 - 3 guests during that week and as such there's an excess of garbage. Also, it's been observed that VRDs generate a lot of garbage.

Mr. Chandler discussed options that NLSS provide for garbage pickup. The City could require VRD owners to use particular sizes of cans and have pickup on a more frequent basis.

Noise can be an issue. Generally, when a noise complaint comes in, officers take action against the people making the noise. The City has not taken action against the VRD owner, but perhaps the City should consider doing so.

Mr. Chandler says he greatly appreciates the feedback he has received from citizens regarding this matter.

Mayor Anderson asked if the City was able to impose fees on VRDs that could pay for additional enforcement personnel? Mr. Chandler said he believes the City can do this. Mr. Appicello said fees can be added to cover costs but caution should be exercised. Enforcement officers can't fund their own jobs through writing tickets.

Councilor Hinton said that Newport covers the fee for enforcement through their license program.

Mr. Townsend said enforcement can't be paid for through license fees or permit applications. Enforcement can be paid for by citations.

Councilor Casper asked if enforcement could be paid for through TRT funds? Mayor Anderson said that TRT already partially funds Police and Parks.

Councilor Casper asked about enforcing the City noise ordinance, which has time limits on noise. Mr. Townsend says that ordinance applies to everything in the City, not just businesses, with a few exceptions being given for construction noise.

Mayor Anderson said the concept of having neighbors police VRDs is not a new one. Mayor Anderson wonders if the issue has got out of hand, or if neighbors are now less tolerant of VRDs? Mayor Anderson would like to see more enforcement if it can be funded.

Councilor Hinton asked about parking. Can the City amend its code to allow for off-street parking only at VRDs and to make sure that VRD parking is at the number that is listed on the VRD license? Mr. Appicello said the code could be amended, but currently anyone is allowed to park at a legal off-street parking space. Councilor Hinton thinks a code amendment would alleviate issues and make enforcement easier.

Councilor Hinton said that Roads End has a pump house that was previously used for meetings and perhaps an enforcement officer could be based there. The enforcement officer could then really get a feel for the issues that exist in that area. Councilor Hinton says that most of the violations occur outside of the City's regular business hours (8 am till 5 pm).

Councilor Hinton said that larger vacation rentals that house 10 - 16 occupants provide more noise and create more parking problems.

Mayor Anderson asked if the City had contacted property management companies to see if they're willing to participate in this discussion and help find solutions? Mr. Chandler said he would contact them.

Mr. Townsend said that Roads End presents some unique situations because all but 2 of the Roads End VRDs were approved under Lincoln County rules. This presents non-conforming use situations. Mr. Townsend said there are a lot of options. Some of the options would involve tweaks to the licensing ordinances, and these could have a good impact. Mr. Townsend likes the idea of making changes to the garbage pickup requirements. Mr. Townsend would like to see more enforcement on Friday and Saturday nights. Mr. Townsend thinks that discussing this matter with management companies is a great idea, but reminded Council that not all VRDs are managed by management companies. Mr. Townsend said the license ordinance could be changed to put all complaints before the Municipal Court judge, or for complaints to count towards a license revocation.

Mr. Chandler said that he would like to hear more ideas from the public regarding VRD enforcement.

9. COVID-19 Update

Mr. Chandler said the County Commission has extended the 24 hour hold rule for the lodging industry in unincorporated Lincoln County until September 29.

The County Commission announced an outbreak of COVID 19 at the Inn at Spanish Head.

Mr. Chandler noted that the Governor's Emergency Declaration Order expires on September 4. Mr. Chandler explained that the City's Emergency Declaration is tied to the Governor's. Mr. Chandler expects

the Governor will renew her Emergency Declaration Order but if not, Mr. Chandler will advise the City Council what to do to renew their Emergency Declaration.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Mr. Chandler said that Abby Edwards, H.R. supervisor, would like a 2 hour meeting with Council to discuss the form Council uses to evaluate the performance of Mr. Appicello and Mr. Chandler. Councilor Casper suggested Wednesday September 2 at 10 am. Council concurred with this date and time.

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 Parsons asked if the radar speed signs could be moved around more frequently.

Councilor Casper wanted to remind people of the achievements of the previous Urban Renewal district, including parking lots, electric vehicle charging stations, traffic signals, sidewalks, undergrounding of utilities, pedestrian crossings, street extensions, public arts, community gardens and pump station upgrades.

Councilor Hinton that taxes will not go up with the new Urban Renewal District.

Mayor Anderson said that September is National Preparedness month. Disasters don't wait- make your plan today. Mayor Anderson asked for people to think beyond COVID 19 and prepare for other types of disasters.

Q. ADJOURNMENT

// s //

DICK ANDERSON, MAYOR

ATTEST:

// David Twigg for //

CATHY STEERE, CITY RECORDER

Ronald Chandler

From: Diana Hinton
Sent: Monday, August 24, 2020 4:18 PM
To: Public Comment
Subject: Public Comment

From: K
Sent: Monday, August 24, 2020 10:52 AM
To: dhinton@lincolncity.org
Subject: Too many people in VRDs

Hello, I guess we are supposed to send emails about problems here in Road's End. The fireworks are very irritating and scary to our pets, also fire danger; but I know the police are trying their best and I am not sure what else we can do about it. Oregon already bans them and it seems people just don't care. I am really concerned about all the people that seem to be gathering at the VRD's; in particular this last weekend, we observed at least two Vacasa houses with at least 4-5 cars of young people. Not families, but like college age or 20 somethings, all from CA, or WA cars that were in one house, partying away like everything is usual. Another house is a rental on Neptune that we have already reported to Weston previously in an email; no sign is visible there. That house always has large groups from out of state. So I don't know what can be done about these, but hopefully the companies (like Vacasa) can be fined or something, according to the last words I heard from the governor, last week I think it was, there are not supposed to be over 10 people or something like that. It is just really upsetting to see adults acting like teenagers and to keep spreading this virus around, we fear our grandchildren will never get back in the classroom. Anyway, thanks for listening.

K Calkins - [REDACTED]

Ronald Chandler

From: Erick Roorda [REDACTED]
Sent: Monday, August 24, 2020 2:59 PM
To: Public Comment
Cc: Jill Warner
Subject: Item for Agenda- Meeting 8/24

Greetings;

My wife and I became permanent residents of Lincoln City at the beginning of July. We live at [REDACTED], and the majority of the houses along this stretch fall into the VRBO category. We've grown to love it here, but there is one item that is significantly impacting our quality of life.

Our issue is with fireworks on the beach. Since moving here, we've had to call the Lincoln City Police about 15 times to complain about the noise. This all centers around Roads End, but often extends north and south of the park. We've noticed that many of them are similar to fireworks you'd see around the 4th .. commercial types handled by professionals. Extremely loud with projectiles shooting high in the air. Our experience has been that these displays often take place after 10PM when the Roads End park is supposed to be closed for public use.

Although there is signage prohibiting them on the state parks user guide, I don't think that it's recognizable enough and is easily ignored or passed over. I have left a message with the Oregon State Parks office in Salem to address this problem and hope to hear back shortly.

Additionally, this becomes a waste of police resources. Every time officers have to respond to calls about fireworks on the beach, it no doubt takes them away from the more important business of serving the community and preventing crime.

In reading the agenda for tonight's city council meeting, I notice that fireworks are scheduled to be included in a special order of business, open for public comment via Zoom. We intend to be there in order to have our comments put into the record.

My personal phone number is [REDACTED]

Thank you very much and we look forward to speaking with members of council.

Best Regards,

Erick and Jill Roorda

--
Erick Roorda
Website + Commercial Sales
[REDACTED]

: mod livin' modern furniture
: 5327 East Colfax Ave
: Denver Colorado 80220
: mon-sat 10-6 sunday 11-4
: 720.941.9292

: www.modlivin.com

:



mid-century modern comes home

Ronald Chandler

From: Ronald Chandler
Sent: Friday, August 21, 2020 7:16 PM
To: Joan James
Cc: Public Comment; Jerry Palmer
Subject: RE: Gun Shots or Fireworks (or both) off NE Voyage Avenue (Palisades Condos)

Dear Ms. James and Mr. Sober:

Thank you for your email. I'm including your comments in the public comments that will be given to the City Council in preparation for their meeting. I'm also sending it to our Police Chief so he can look into this further.

Sincerely yours,



Ron Chandler
CITY MANAGER

City of Lincoln City
801 SW Hwy 101 | PO Box 50 | Lincoln City, OR
P: 541-996-1200 | F: 541-994-7232
E: rchandler@lincolncity.org | W: LincolnCity.org

From: Joan James [REDACTED]
Sent: Friday, August 14, 2020 11:57 AM
To: Ronald Chandler <rchandler@lincolncity.org>
Subject: Gun Shots or Fireworks (or both) off NE Voyage Avenue (Palisades Condos)

Mr. Chandler:

We were given your name and email address, and were advised that this situation is coming up for review by the LC Council.

Our condo faces the woods off NE Voyage Avenue. For over 2 years we have been hearing what could be either gunshots or fireworks (or both) late at night...usually from 11pm on. We have heard this banging in both winter and summer altho more in the summer months. The sound can be VERY loud or more in the distance, but whatever the volume it's definitely worrisome and irritating.

We're now told that it's probably fireworks from the Lands End beach area, but it sometimes seems much closer. We worry about the dense woods behind our condo complex. If those woods caught fire it would be disastrous for both the human and animal life in the area.

Please address this seriously in your Council meeting and try to come up with some way to stop this. It's disturbing and worrisome for those of us living in this area. It could be potentially dangerous.

Thanks for your attention and consideration.

Sincerely,

Joan James & Gibb Sober



Ronald Chandler

From: Danelle Lochrie [REDACTED]
Sent: Thursday, August 20, 2020 2:55 PM
To: Public Comment
Subject: Commercial rent reduction discussion

Hello,

I own a business here in Lincoln City. I rent the space. The landlord has given only the relief that is included in the state order. If there is a commercial rent reduction granted, can there be wording that the reduction must be passed on to the tenant?

Just a thought to help the reduction benefit both parties involved.

Thank you,

Danelle Lochrie

Sent from my iPhone

Ronald Chandler

From: Nikki Hayes [REDACTED]
Sent: Saturday, August 22, 2020 8:17 AM
To: Public Comment
Subject: Phase 2

Councilors and City Manager

Claire has posted that Lincoln County will move into phase 2 in Sept. (thank goodness the county commissioner keeps us informed) I would like to encourage Lincoln City to put this on pause for at least a month and give our Schools a chance to open without competing infections. It's about priorities. I know many residents want to have movies, pools, parks and increased size of gatherings but the health and welfare of our children should take priority.

Thank you, Richard and Nikki Hayes

Sent from my iPhone

Ronald Chandler

From: Diana Hinton
Sent: Saturday, August 22, 2020 5:04 PM
To: Public Comment
Subject: Fwd: VRD Management and Fireworks

Get [Outlook for iOS](#)

From: Marie McFarland [REDACTED]
Sent: Saturday, August 22, 2020 3:11:56 PM
To: Diana Hinton <dhinton@lincolncity.org>; MParsons@lincolncity.org <MParsons@lincolncity.org>; danderson@lincolncity.org <danderson@lincolncity.org>
Subject: VRD Management and Fireworks

Mayor and Council Members.

As a resident of Roads End, we live across the street from 7 VRD's on our street. These have been full, plus, since mid-March. The rules that have been stated are neither followed or adhered to in any form. Whether it is the number of people occupying the residencies or the fact that they set off fireworks nightly, regardless of holidays, seems to make no difference. As for enforcement, it falls on the residents to monitor and report abuses...but nothing gets done and the abuses continue.

I am fully aware of the importance of having VRD's in our city, as we rely on tourism as our primary industry. However, the management companies don't truly manage, and they certainly don't worry about the abuses that their tenants are performing.

Although we have Weston Fritz as a 'monitor', it really doesn't do any good, as he isn't in the neighborhood when things are going on. I believe that he does the best he can do considering the circumstances; however, I don't believe there are any teeth in the rules regarding VRD's. They certainly aren't enforced, nor are the management companies worrying about that enforcement.

Last weekend, in the Jaime Lim home, there were in excess of 20 people...at a time when the Governor is saying that there will be no gatherings over 10 in these homes. As for enforcing that rule...no one seems to have the authority to do so. Unfortunately, it doesn't do any good to make calls to the City or the owners or the management companies, as nothing is done. So far, the most effective thing I've seen is the follow up regarding SOME of the garbage that is floating around these homes! Even then, it doesn't faze the management companies as nothing changes from renters to the next renters!

I believe that there has to be a way to require these owners to live up to the agreements that they sign. I don't see any visits that inspect the properties, little lone surprise visits when these places are full of over-the-limit groups. I have asked Weston about that, and his only suggestion is to call the police. However, during the weekend and this busy time of year...they have many more priorities to deal with than VRD's.

As I mentioned above, I do understand the importance these businesses play in our community, however, I believe that if you started to crack down on these abuses, word would soon get out that the City means

business, and there might be enforcement of the rules by the management companies and owners. If their licenses were threatened, they might pay attention. However, FOLLOW THROUGH is REQUIRED!!! There are times, I even question that, as there were so many abuses while we were in lock down, that I'm not sure that many of these owners/management companies care.

I am looking forward to seeing what kind of a solution you can come up with that will end the abuses that these transient renters exhibit.

Thank you for your time and attention to this matter.

Marie McFarland



Ronald Chandler

From: Diana Hinton
Sent: Saturday, August 22, 2020 5:11 PM
To: Public Comment
Subject: Fwd: your council report regarding VRD's

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Saturday, August 22, 2020 2:38:10 PM
To: rchandler@lincolncity.org <rchandler@lincolncity.org>
Cc: dhinton@lincolncity.org <dhinton@lincolncity.org>
Subject: your council report regarding VRD's

We reviewed the material that you inserted into the council report regarding VRD's. First, we want to thank you for meeting with our REIA people and for studying this topic. We appreciate your effort with solving these ongoing problems. There are a few clarifications which we think you would want to know as you work through this issue. I am also copying Diana Hinton on this as she may be more familiar with a couple of these areas than I am.

Regarding item one (Communication with enforcement staff) there are 2 other issues here. The first is the schedule of the enforcement staff. He basically works from Tuesday through Saturday on a 8-5 schedule. VRD issues are a 24/7 schedule. The second issue is who is his back up when he is off on authorized leave? There is no designated back up, and his mail box becomes full so we cannot leave messages. And, you are correct, there is little if any communication back as to how a complaint was handled.

Regarding Parking, in Roads End there is another problem that the rest of the city doesn't have. There is no limit on the number of cars that can be parked at a VRD. Apparently, this involves a land use ordinance that was not adopted through our re-zoning so there is no real limit to the number of vehicles a VRD can have. Diana might better understand this problem than I. We desperately need to find a fix to this issue as your current planning director interprets this to mean that there is no violation if cars pile up in front of a VRD, and many of our streets are so narrow they easily become blocked.

Regarding occupancy, this is simply not true. I have never seen an enforcement officer or police officer investigate a complaint of overcrowding. We have been told that they cannot enter the property without occupants' permission and therefore do not enforce it when the problem is actually occurring, which again is usually at night when no enforcement officer is available. If these people are caught, it is typically by catching them advertising on a website. I have never heard of a check in log, but if these renters are breaking the occupancy limits, I am certain that they know better than to tell on them selves.

Does noise violations include illegal fireworks? This would be a much higher figure if it did.

Thank you again for your attention to this issue and for the opportunity to share our thoughts. We look forward to some effective resolution to these problems.

Cynthia Thompson

Ronald Chandler

From: Diana Hinton
Sent: Saturday, August 22, 2020 5:17 PM
To: Public Comment
Subject: Fwd: VRD Enforcement, August 24th, City Council meeting ..

Get [Outlook for iOS](#)

From: David Jamieson [REDACTED]
Sent: Saturday, August 22, 2020 4:28:53 PM
To: Diana Hinton <dhinton@lincolncity.org>; Mitch Parsons <mparsons@lincolncity.org>
Subject: VRD Enforcement, August 24th, City Council meeting ..

Councilors Hinton and Parsons,

I noticed that "VRD Enforcement" is on the agenda for Monday's city council meeting. While I'm not sure the purpose of that discussion, I wanted to add my "two cents" regarding VRD enforcement.

I'm sure you've followed the [15Neighborhoods](#) initiative to phase out all VRD's in unincorporated Lincoln County over a 5 year period of time.

I believe that the pendulum has swung too far toward commercial activity in residential neighborhoods and people are "fed up" with all the issues associated with "mini hotels" in residential zones. One of the reasons people are "fed up" is oversight and enforcement is spotty and opaque.

I think what's happening in unincorporated Lincoln County with 15Neighborhoods will find its way to cities in Lincoln County. I think it is in Lincoln City's best interest to recognize and embrace this likelihood and proactively take steps to mitigate it before citizens demand change.

Here's my two cents on the VRD Enforcement situation:

What's Working:

- When I call the LCPD non-emergency phone number, a person picks up the call and listens to the concern being raised about the VRD
- When I send email to Weston Fritz, he acknowledges receiving the email and follows up with the management company and/or owner if appropriate (when he is "on duty" of course)

Vision for Improvement:

- Remove oversight from the LCPD as many of the issues are not police matters (e.g. garbage overflowing, excessive occupancy) and IMHO, police resources are best deployed for police matters. The police are asked to do WAY too much and they are not always the best resource to resolve the issue.
- Follow the city of Newport's lead and implement the [LodgingRevs](#) system. This would be the new oversight system. Benefits of that system include:

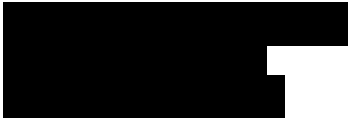
- Online [forms](#) for creating new "tickets" for a VRD complaint along with the ability to submit pictures documenting a problem
- Monitoring listings for STR's
- Verifying compliance
- Tax remittance
- Monitoring booking data to ensure proper tax revenue is collected
- Extensive reporting
- Give the local management company (24-hour contact) the first crack at resolving most issues ... like asking renters to quiet down, move their cars, deal with garbage, reduce occupancy to approved levels, etc. But ensure accountability by asking them to follow up with proof they took action and the result (in LodgingRevs?)
- Encourage citizens to call the police for police matters such as illegal fireworks, vehicles blocking the roadway, excessive noise after quiet hours start, etc
- Fund a full-time VRD compliance position where the person hired devotes all their time to following up on complaints and issuing violation letters to VRD owners and "firing" VRD's that exhaust their chances for compliance
- Make reports available to the public about VRD complaints and resolution. "Sunshine is the best disinfectant" for many problems ... nothing like being called out in public to inspire change
- Fund the VRD compliance position and LodgingRev's with TRT monies and increase the tax on VRD's to pay for it - they will pass it on to their renters

Again, I think the future revenue stream from VRD's is at risk if things do not change in Lincoln City. As evidenced by 15Neighborhoods, people across the County are "fed up" with the impact of commercial activity in residential zones. The volume is at "11" and residents are growing weary of the constant oversight forced upon us.

Frankly, Councilor's Hinton and Parsons, I am tired of thinking about this issue, hearing about this issue, and dealing with this issue. It's wearing me down.

Thank you,

David Jamieson



"Stay Home, Save Lives"

Ronald Chandler

From: Diana Hinton
Sent: Saturday, August 22, 2020 5:21 PM
To: Public Comment
Subject: Fwd: VRD Enforcement

Get [Outlook for iOS](#)

From: Diana Hinton <dhinton@lincolncity.org>
Sent: Saturday, August 22, 2020 2:02 PM
To: Linda Thorson
Cc: Ronald Chandler; Mitch Parsons
Subject: RE: VRD Enforcement

Hi Bruce and Linda,

Thank you for your thoughtful email. That's a lot of 'typing' on a phone!

You are correct, Council will be discussing VRDs and Fireworks at Monday's meeting. I have cc'd the City Manager, Ron Chandler, and Mitch Parsons the other Councilor for Ward I as they are also interested in community input.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1
Lincoln City, Oregon
dhinton@lincolncity.org
541-283-6361

-----Original Message-----

From: Linda Thorson [REDACTED]
Sent: Saturday, August 22, 2020 12:14 PM
To: Diana Hinton <dhinton@lincolncity.org>
Subject: VRD Enforcement

I understand that VRD Enforcement is on the docket for this Monday's meeting so I thought that I would send you some thoughts shared by Linda and myself.

First and foremost....Lincoln City's very successful Roads End tourism marketing and promotion. It is both a success (for the city's TRT and overall economy), and an object failure for residents overall quality of life and the safety of all Roads End visitors. Since the inception of the aggressive marketing program we now see large groups of tourists using the entire width of Logan Road to transit from the state park to the access to the Thumb or north end of the beach. Since there are no sidewalks and almost no shoulder and all available parking spots occupied, this creates a serious traffic and safety problem. While we understand that an Urban Renewal program may alleviate some of the traffic/safety issues, we also think that it is a future program that is already "too little too late". The problem is here and now and has been exacerbated by city management's irresponsible drive to put tourism income and VRD owners' financial demands over the safety and well being of both residents and visitors. The partial solution to these issues is years away, whether by

Urban renewal or other means, so we want to make sure that you know that we feel that city management appears to be derelict in its responsibility to manage the city's resources to first assure the safety and well being of its citizens. To us, it appears that the city intentionally launched an aggressive tourism program for Roads End, knowing full well that serious safety and access issues already existed that were years away from being resolved.

We also understand that you have done all that you could do to resolve the current conditions and fully support all the work that you have done!

Secondly....Illegal fireworks and VRD enforcement. I know that we are preaching to the choir here but we have to say something!

Our experience over the years is that illegal fireworks are at the bottom of the enforcement list. This is not just a July 4 problem but is an all summer issue. They are a huge problem with our pets and our stress levels. Last time I called the police non emergency line (aka the Trash Bin of enforcement) I got the response...."how do you know it's illegal"? My response... well it went 50 feet in the air and rattled my windows. Silence on the other end and no follow up. Typical. Our interpretation over the years is that whether it's fireworks, dogs running free on the beach without leashes, tourists trespassing, illegal parking, etc... police routinely give tourists a pass when breaking these laws because Lincoln City is, above all else, a tourist town. Sadly, residents get the second class treatment. Clearly there needs to be some rebalancing of priorities.

Lastly! VRD Enforcement

We won't wax poetic on this one, but we do have one point to make. Specifically, enforcement of VRD regulations may work in the margins depending on who you are or how much time you have in a given day or week to complain....but it doesn't work well enough. VRDs are such a large money maker for the city that it shouldn't fall on non tourists (aka residents) to police all of the unmanaged mini hotels around us. Unlike hotels/motels, VRDs don't have management to check in and count guests entering the facility. There is no one to monitor parking on site or to supervise bad or illegal behavior. There are VRD management companies but they are not on site assuring compliance to city regulations...they collect money and clean up the mess...most of the time.

So our point, because like you we see non compliance to city regulations all the time, is that there needs to be a committed full time VRD compliance officer to manage this unruly crowd. Fund it by a prorated charge to VRD owners. It is clear that owners or management companies won't police their own big money makers....and neither will the city....but some entity needs too. And it can't be another semi dedicated city worker who has other more important work to do.

Or, the city could hire a VRD rent a cop reporting to someone who doesn't make money off VRDs and happens to work in city government.

We're done....thanks for listening! Keep up the good work! Your neighbors...

Bruce and Linda

Sent from my iPhone

Ronald Chandler

From: Diana Hinton
Sent: Saturday, August 22, 2020 7:29 PM
To: Public Comment
Subject: Fwd: Fireworks and VRD Enforcement in Roads End

Get [Outlook for iOS](#)

From: Diana Hinton <dhinton@lincolncity.org>
Sent: Saturday, August 22, 2020 10:34 AM
To: jeannine Promotion Music; Dick Anderson; Mitch Parsons; Ronald Chandler
Subject: Re: Fireworks and VRD Enforcement in Roads End

Jeannine and David,

Thank you for your email. City Council will be discussing these two issues at our Monday meeting.

I have cc'd the City Manager, Ron Chandler as he is working on these situations.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

Get [Outlook for iOS](#)

From: jeannine Promotion Music [REDACTED]
Sent: Saturday, August 22, 2020 9:58:23 AM
To: danderson@lincolncity.org <danderson@lincolncity.org>; mparsons@lincolncity.org <mparsons@lincolncity.org>; dhinton@lincolncity.org <dhinton@lincolncity.org>
Subject: Fireworks and VRD Enforcement in Roads End

Dear Councilors Hinton and Parsons and Mayor Anderson,

We would like to add our voices to those concerned about the continuing problem with fireworks in the Roads End area. This has been a particularly bad year for extreme noise and absolute disregard for the well-being of permanent residents, those folks wanting a quiet peaceful beach vacation, and animals as well.

We believe the only solution is a complete ban on fireworks not only in the Roads End area but in our entire city. Signage (education), police presence, and requested self-regulation are not working. It is time for a complete ban.

Secondly, VRD Enforcement is not happening. Rules put in place for VRDs during COVID are not being followed. Why? Rules/laws are only as good as their enforcement and at present there seems to be little enforcement. Hence, we permanent residents of Roads End deal with ongoing problems caused by lack of VRD Enforcement.

Thank you for your work and dedication in this challenging time to help make Roads End and Lincoln City a pleasant place to live -- a place to call home.

Best regards,

Jeannine and David Jordan

Dr. Jeannine Jordan



Ronald Chandler

From: Diana Hinton
Sent: Saturday, August 22, 2020 7:29 PM
To: Public Comment
Subject: Fwd: Fireworks Discussion - Council Agenda, Monday, August 24

Get [Outlook for iOS](#)

From: Diana Hinton <dhinton@lincolncity.org>
Sent: Friday, August 21, 2020 3:15 PM
To: Janet Knipe; Dick Anderson; Mitch Parsons
Subject: RE: Fireworks Discussion - Council Agenda, Monday, August 24

Janet,

Thank you for your email. I have retrieved and printed your comments from July 13 and all other public comments we have received from July 10, but really appreciate the reminder of your neighborhood comments.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1
Lincoln City, Oregon
dhinton@lincolncity.org
541-283-6361

From: Janet Knipe [REDACTED]
Sent: Friday, August 21, 2020 3:09 PM
To: Dick Anderson <anderson@lincolncity.org>; Diana Hinton <dhinton@lincolncity.org>; Mitch Parsons <mparsons@lincolncity.org>
Subject: Fireworks Discussion - Council Agenda, Monday, August 24

Dear Mayor Anderson, Councilors Hinton and Parsons:

I understand that the City Manager and City Council will be discussing the issue of fireworks at your August 24th meeting. As I sat down to write this note, I looked back at email correspondence I have had with City officials over the last four years, both as an individual and as a representative of the Roads End Improvement Association (REIA). We have provided innumerable letters, data from neighborhood surveys, participated on the City Manager's fireworks committee and provided public testimony at City Council meetings. In all of this communication, there have been myriad suggestions for the City to address the increasing problem of illegal fireworks, with a clear rationale for why change needs to happen. The most recent was a letter sent by me to each of you on July 12 with comments and suggestions from 29 REIA members who attended a Zoom call on July 11 that was focused solely on the fireworks problems this year. And yet, here we are in August, 2020 after a horrendous fireworks "season" that started before the 4th and continued well into this month.

City officials know all of the reasons why fireworks are a problem, I don't need to reiterate those. Despite new strategies and campaigns tried in each of the last few years by the City, this has been one of the worst years yet. The police are overwhelmed and there is such a strong culture of leniency that I have come to the conclusion that only one

thing is needed now and going forward: a zero tolerance approach with a complete ban on all types of fireworks, with the exception of City sponsored events. Lincoln City needs to adopt and publicize this, fine violators and broadcast the results far and wide. I believe this is the only thing that will begin to deter and ultimately change Lincoln City from a war zone back to a wonderful compilation of neighborhoods where families, pets and wildlife can enjoy the summer here without fearing sudden and unsettling noise, lawless and cavalier attitudes, fire danger, and the excessive trash we are now enduring. Anything less will only continue the vagaries that will allow violators to slip between the cracks and to frustrate law enforcement and citizens citywide.

Thank you for your consideration.

Janet Knipe



--

Janet Knipe

Ronald Chandler

From: Janet Knipe [REDACTED]
Sent: Monday, August 24, 2020 1:31 PM
To: Ronald Chandler
Subject: Re: Council Discussion on VRDs Monday, August 24

Thank you for checking. The first email to the Mayor and Councilors Hinton and Parsons on fireworks is fine.

The second email on VRDs did have an error, so I sent a correction last night, but perhaps you never got the original. Below is the corrected version that can be sent to the Council. Again, thank you for checking.

Hi Ron, I've just read through the VRD section of the City Council packet and have a couple of comments related to the communication issue. You describe the process for residents to file complaints, which is accurate, but I think a very important caveat that we tried to emphasize in our meeting is that residents don't want to, and feel they shouldn't have to, be the first line of enforcement. We didn't sign up for this when we bought property here. It would be great if you could stress this as a part of your background information that led you to your proposed solutions.

You mention that one goal is to have staff "refocus their operations and prevent job creep". One suggestion that we may not have brought up in our meeting is the idea of removing enforcement from the Planning Department entirely and creating a new position under the police (similar to code enforcement) that would handle VRD enforcement only. There are nearly 600 VRDs in Lincoln City, 195 in Roads End alone. As I understand it, Weston and James split the city, but the idea of one person being able to handle half of all of the licensing, renewals and enforcement issues seems implausible. A better return on investment would be for Weston and James to be focused on licensure and renewals, (including actually visiting a home and checking for compliance once a year), and increasing their engagement and education with property managers so they can help their renters to be better citizens while they are in town, which dovetails with your point of increased education campaigns. By this I mean having highly visible literature online when they secure their reservation (a "must read and agree to" statement) and in the home about the fireworks policy, tsunami / emergency preparedness, packing their trash off the beach with bags to do it, parking, garbage, etc. I know some property managers provide this, but I'm talking about getting buy-in from the property management companies that they need to do more to blend their renters into the neighborhood. If Weston and James are successful with this front-end education campaign, you're going to have fewer complaints on the back end.

Finally, in this process of greater engagement with the property management companies, requiring them to do onsite check in and periodic occupancy checks seems more appropriate than solely relying on residents to report occupancy violators or the police to check when their time may be needed elsewhere. The property management companies get a lot of rental income and should allocate some for staff to do that piece of occupancy monitoring.

Thanks again for meeting with us and bringing up (and trying to solve) these issues.

Best,
Janet Knipe

On Mon, Aug 24, 2020 at 1:22 PM Ronald Chandler <rhandler@lincolncity.org> wrote:

Dear Janet:

Ronald Chandler

From: Diana Hinton
Sent: Sunday, August 23, 2020 1:28 PM
To: Victoria M
Cc: Public Comment
Subject: RE: Ban fireworks

Victoria and Robert,

Thank you for your email. I appreciate hearing from the community on matters that concern or interest them. I can't tell by your email who all you sent it to so I am cc'ing publiccomments@lincolncity.org so all Council members and the City Manager receive your thoughts. We will be discussing this at tomorrow's Council meeting, at least to begin the conversation again, as it is an ongoing issue which we hope to find some resolution to.

Stay Well, Wear a Mask, Wash Your Hands!

Diana Hinton

City Councilor, Ward 1
Lincoln City, Oregon
dhinton@lincolncity.org
541-283-6361

From: Victoria M [REDACTED]
Sent: Sunday, August 23, 2020 11:39 AM
To: Diana Hinton <dhinton@lincolncity.org>
Subject: Ban fireworks

Dear Council members Hinton, Parsons and Mayor Anderson,

We are writing to urge you all to ban fireworks in Roads End and all beaches in Lincoln City. Last night, August 23, 2020, I called the police to report illegal fireworks being used just south of Roads End State Park. Fireworks are no longer being used to just celebrate the fourth of July. Fireworks are used as entertainment year round. Unfortunately fireworks are not entertaining to many residents, pets and guests in Roads End. Also, the roads end beach is a federally protected marine reserve. I would like to know if it is legal to use explosives in a marine reserve?

Many neighbors are concerned about fire danger. Today there is no rain forecast for the next two weeks and 25mph winds are common. The fires raging in California right now are a warning for us to protect our land now by banning fireworks and even beach fires.

A few months ago, the Lincoln City police chief spoke to the roads end neighborhood association. I was surprised and disappointed when the chief was questioned if the department was willing to issue citations for fireworks this year and his response was no because police are not liked now. To use publicity as a reason and tool to not enforce the law is not acceptable.

We need fireworks banned and the law enforced. Please take the necessary action to keep our neighborhood and city safe and livable.

Thank you,

Victoria McOmie
Robert Crouch
[REDACTED]

Ronald Chandler

From: Megan Sorensen [REDACTED]
Sent: Monday, August 24, 2020 11:30 AM
To: Public Comment
Subject: Council meeting 8/24/2020 re: Fireworks agenda item

Dr. Mayor Anderson and Lincoln City Councilors:

I reside in the Wecoma Beach neighborhood here in Lincoln City. Fireworks have been a consistent problem in our neighborhood. They have gone from being present mostly around the 4th of July holiday to now being a nearly nightly occurrence. Oftentimes the fireworks occur late at night into the very early morning hours, often waking family members and also terrifying our dog. The 4th of the July was perhaps the worse I have ever witnessed here in Lincoln City. Our neighborhood that night could only be described as a war zone the entire night. There seems to be a complete disregard of signs and laws regarding fireworks in the city to where they are completely useless. In addition, the sheer number of individuals lighting off fireworks over the 4th of July was enough to overwhelm even the largest of police departments. Something needs to be done as all other interventions have done nothing in improving the situation. I am supportive of a citywide ban of fireworks year round and strong enforcement of those who violate this law.

Thank you,
Megan Sorensen

[REDACTED]

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.