

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

December 14, 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: January 11, 2021

A. CALL TO ORDER

B. ROLL CALL

Mayor Anderson called the meeting to order. Mayor Anderson advised the public that there are now three ways to provide public comment.

1. Comments can be made through email to publiccomment@lincolncity.org;
2. Comments can be made via Zoom if a request is emailed to publiccomment@lincolncity.org by 12 pm on the meeting day;
3. Comments can be made in person at the Council Chambers (COVID-19 precautions are taken).

Attendee Name	Title	Status	Arrived
Dick Anderson	Mayor	Present	06:00 PM
Judy Casper	Councilor Ward 3	Present	06:00 PM
Diana Hinton	Councilor Ward 1	Present	06:00 PM
Riley Hoagland	Councilor Ward 2	Present	06:00 PM
Rick Mark	Councilor Ward 3	Present	06:00 PM
Mitch Parsons	Councilor Ward 1	Present	06:00 PM
Vacant	Councilor Ward 2		

Staff Present: Ron Chandler, City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Ed Dreistadt, ELC Director; Jeanne Sprague, Parks and Recreation Director; David Twigg, I.T. Support Specialist; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

SKIPPED DUE TO MEETING BEING HELD REMOTELY

D. CONSENT AGENDA

Councilor Hinton pulled items three and four for discussion; also, she provided slight edits to the meeting minutes for November 9 and November 23. Councilor Hinton would like to hear more about items three and four since they will mean more money from the budget. Mr. Chandler explained they are requesting a hearing rather than sending for a public bid. Both items are very specialized and more complex projects, so Mr. Chandler is requesting a hearing for both items to present Staff's findings.

1. Regular Meeting – Minutes of Regular Meeting – November 9, 2020 6:00 PM
2. Regular Meeting – Minutes of Work Session – November 23, 2020 10:00 AM

MOTION:	Motion to Approve items 1 and 2 on the Consent Agenda
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed

3. Request to set hearing on January 11, 2021 - Water Treatment Plant Generator Replacement Project - Exemption from Competitive Bid
4. Request to set January 11, 2021 hearing - City Hall HVAC Upgrade Public Contracting Exemption

MOTION:	Motion to set items 3 and 4 from the Consent Agenda for hearings on January 11, 2021.
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed

E. COUNCIL DELIBERATIONS

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

5. Public Comments

Steve Griffiths, Vice President and Dawn Villaescusa, President of the Audubon Society. The Audubon Society has been serving Lincoln and Tillamook Counties since 2006. They are proposing a marine conservation area at Cape Foulweather. More information can be found at lincolncityaudubon.org or by emailing info@lincolncityaudubon.org.

Fran Lonnon: Ms. Lonnon stated that there is an issue when you go into the Zoom meetings. The City Council meeting cannot be heard while you are in the Zoom waiting room. Also, the TurnKey project should be for working-class people, not for people impacted by the Echo Mountain Fire, who will be able

to be housed in FEMA trailers in the Villages. Ms Lonnon also commented on the Helping Hands loan. Ms Lonnon stated another pedestrian was hit by a car in a crosswalk today. Pedestrian issues should be dealt with before Helping Hands. Mayor Anderson asked Chief Palmer if he was aware of a pedestrian accident today. Chief Palmer said he was not aware of one.

Mr. Chandler said that most of the comments received have been attached to the agenda packet. Mr. Chandler summarized extra comments received since the Agenda was published.

Fran Lonnon: Ms. Lonnon submitted a series of questions pertaining to emergency evacuations of Lincoln City. These questions have been sent to Ken Murphy, Emergency Preparedness Coordinator, to answer.

Liza Corzine: Ms. Corzine asked questions pertaining to fireworks over the Christmas holiday. Her message was forwarded to the Police Chief for a response.

Holly Hatchet: Ms. Hatchet sent an email asking that the City Council add a "No Parking" sign to SE Jetty in the resort of Bayview community.

Fran Lonnon: Ms. Lonnon asked about the TurnKey project and an article that was in the Yachats newspaper.

Caroline Nguyen: Ms. Nguyen sent an email regarding a letter that she sent to Mr. Chandler regarding non-partisan elected officials using their position on a televised meeting to advertise political organizations.

G. PRESENTATIONS

H. PUBLIC HEARING / ORDINANCE

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Supplemental Budget Public Hearing

Staff report read by Mr. Chandler as Ms. Bridges is on vacation. There is a request to transfer \$500,000 from the general fund contingency to be used in 2 different ways; Helping Hands, \$250,000 and the Police Building \$250,000. Mayor Anderson asked if they should be for FY18-19 as noted, Mr. Chandler said they are for FY20-21. Councilor Mark asked if they were voting to move the money, and if Council would later discuss moving the money. Mayor Anderson said they will not be taking action yet, they will talk about the resolution later. Mr. Appicello asked Mayor Anderson if he would consider having Alan Evans from Helping Hands speak now.

Mr. Evans asked to have the loan extended for the Helping Hands building. Helping Hands have completely demolished the inside of the building to the point that it could be examined. A wall in the building that faces the property to the North has no reinforced steel or concrete masonry unit. The building has also shifted over time between 7 – 12 inches. The repair cost for these items would be over 50 percent of the property value, which would require utilities to be placed underground. Councilor Hinton asked how firm the amount is, could there be more issues discovered and also if it is possible that it could cost less? Councilor Hinton asked about the length of the loan. Mr. Evans would like the max payment amount to be around \$2000 a month. Mayor Anderson asked if there has been any drawn downs on the existing loan. Mr. Evans said they have about \$40,000 on the existing loan. He is hoping to be operational by June. Councilor Hoagland asked about the building not being inspected before the purchase and the 12 foot lean not being detected? Councilor Casper asked to clarify 12 foot or 12 inches. It was verified as 12 inches.

MOTION: Motion to Close the Public Hearing for the Supplemental Budget
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Judy Casper, Councilor Ward 3
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

J. ORDINANCES

K. RESOLUTIONS

2. Resolution 2020-23: A Resolution Declaring the Official Results of the Canvass of Votes of the General Election Held in the City of Lincoln City, Oregon on November 3, 2020.

Mr. Chandler read the election results provided by the County. Elected to the City Council were: Diana Hinton, Councilor Ward I; Dennis Riley Hoagland, Councilor Ward II; Anne Marie Skinner, Ward II; Judy Casper, Councilor Ward III.

MOTION: Motion to Approve Resolution Declaring the Official Results of the Canvass of Votes of the General Election Held in the City of Lincoln City, Oregon on November 3, 2020.
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

3. Resolution No. 2020-24, a Resolution of the City of Lincoln City, declaring an emergency as a result of a housing shortage caused to the Echo Mountain Complex fire and authorizing emergency operations uses (temporary housing) on listed public properties in accordance with this resolution.

Mr. Appicello read alternate language, referred to as option three. Mr. Chandler has requested that Council provide him with a list of deal breakers for these negotiations. The Council requested advanced notice of the decision made by the City Manager and City Attorney before the lease is signed.

MOTION: Motion to Accept the Modified Language and Approve Resolution No. 2020-24, a Resolution of the City of Lincoln City, declaring an emergency as a result of a housing shortage caused to the Echo Mountain Complex fire and authorizing emergency operations uses (temporary housing) on listed public properties in accordance with this resolution.
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Anderson, Casper, Hinton, Mark, Parsons
NAYS: Hoagland
RESULT: Passed by Roll Call Vote

4. Resolution No. 2020-25, A Resolution adopting the supplemental budget of the City of Lincoln City, Oregon, for the fiscal year 2020-2021, as approved by the City Council, and making appropriations.

Mayor Anderson explained this Resolution moves money for the additional cost of the Police Building and for the loan increase on the Helping Hands building from the general fund into the appropriate accounts.

MOTION: Motion to Approve Resolution 2020-25, A Resolution adopting the supplemental budget of the City of Lincoln City, Oregon, for the fiscal year 2020-2021, as approved by the City Council, and making appropriations.

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Mitch Parsons, Councilor Ward 1

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

RESULT: Passed by Roll Call Vote

5. Resolution No. 2020-26, a Resolution of the City of Lincoln City amending Resolution 2020-22 concerning displaced Lincoln County residents caused by the Echo Mountain Complex fire.

Mr. Appicello explained the Resolution will authorize an emergency RV park for displaced Lincoln County residents who were impacted by the Echo Mountain Fire

MOTION: Motion to Approve Resolution No. 2020-26, a Resolution of the City of Lincoln City amending Resolution 2020-22 concerning displaced Lincoln County residents impacted by the Echo Mountain Complex fire.

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Riley Hoagland, Councilor Ward 2

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

RESULT: Passed by Roll Call Vote

L. SPECIAL ORDER OF BUSINESS

6. Helping Hands Loan Request

Previously discussed in Section I., Public Hearings.

MOTION: Motion to Approve Helping Hands Loan Request. \$250,000 with Approximately 26 Year Term.

MOVER: Judy Casper, Councilor Ward 3

SECONDER: Diana Hinton, Councilor Ward 1

AYES: Anderson, Casper, Hinton, Mark, Parsons

NAYS: Hoagland

RESULT: Passed by Roll Call Vote

7. Planning Commission Appointments - Patti Kroen and Marci Baker

Council interviewed both candidates for the two openings. The Motion appoints both candidates.

MOTION: Motion to Approve Appointments to Planning Commission - Patti Kroen and Marci Baker.

MOVER: Diana Hinton, Councilor Ward 1

SECONDER: Riley Hoagland, Councilor Ward 2

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

RESULT: Passed via Voice Vote

8. Re-appointment to Sustainability Committee - Applicant Dawn Villaescusa

Councilor Hinton and Councilor Mark interviewed Ms. Villaescusa for the Sustainability Committee. She is currently serving and reapplying for another term. Councilor Hinton would highly recommend Ms. Villaescusa. Councilor Mark strongly recommends Ms. Villaescusa.

MOTION: Motion to Approve Re-appointment to Sustainability Committee - Applicant Dawn Villaescusa
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Rick Mark, Councilor Ward 3
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

9. Re-appointment to Visitor and Convention Committee - Applicant Diana Steinman

Councilor Mark and Councilor Hinton interviewed Ms. Steinman for the Visitor and Convention Committee. Councilor Mark and Councilor Hinton recommend the appointment of Ms. Steinman.

MOTION: Motion to Approve Re-appointment to Visitor and Convention Committee - Applicant Diana Steinman
MOVER: Diana Hinton, Councilor Ward 1
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

10. Appointment to Arts Committee - Applicant Steve Griffiths

Councilor Casper and Councilor Hinton interviewed Mr. Griffiths for the Arts Committee. Councilors Casper and Hinton highly recommend Mr. Griffiths.

MOTION: Motion to Appoint to Arts Committee - Applicant Steve Griffiths
MOVER: Judy Casper, Councilor Ward 3
SECONDER: Diana Hinton, Councilor Ward 1
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed via Voice Vote

11. Lincoln County - Project Turnkey Application Funding Request

Mr. Chandler spoke about the State of Oregon's Project TurnKey, which turns hotels into non-congregate housing shelters. NW Coastal Housing, through Lincoln County, is applying for funds. The County Board of Commissioners authorized up to \$10,000 as a match if NW Coastal Housing received the funding. The Board of Commissioners placed a condition on their match; the City of Lincoln City would have to match up to \$10,000 as well. The City has budgeted \$50,000 for outside agency requests in FY2020-21, which has not yet been used. Mayor Anderson asked if the funds were not used, would they come back to Lincoln City. Mr. Chandler confirmed that as he understands it, the funds would not be committed until the City was notified the grant was approved. Councilor Hinton said that she supports the idea; she wishes that there were two hotels in the County.

MOTION: Motion to Approve Lincoln County - Project Turnkey Application Funding Request
MOVER: Riley Hoagland, Councilor Ward 2
SECONDER: Judy Casper, Councilor Ward 3
AYES: Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

12. COVID-19 Update

Mr. Chandler states that there is nothing to add other than what is already in the packet. Mayor Anderson reminded Council about the County's weekly dashboard updates. Councilor Hinton expressed

concern regarding COVID enforcement especially with VRDs. She asked Mr. Chandler if he was going to speak with Chief Palmer about enforcement. Mr. Chandler said that Chief Palmer is ready to speak on this topic

Chief Palmer said that he has corresponded with partners around the state, and they all agree that the primary mission for law enforcement in enforcing the Governor's orders is education and voluntary compliance. He read a press release on the executive order about enforcement. Chief Palmer confirmed that the process for reporting VRD violations is to call and report them to the non-emergency Police number and the appropriate person will be sent out to look at the issue. Chief Palmer agrees that reaching out to the management teams that run the VRDs and reminding them of the importance of following the Governor's orders will be helpful. Also, Chief Palmer wants to encourage management companies making sure that their renters are educated on COVID-19 regulations.

Councilor Hinton added that the piece that is missing is additional education for the management companies. If you look online there is nothing listed on Property Manager's websites regarding the extreme risk categories and the rules that correspond with that status. Councilor Hoagland said he looked online at a website to book vacation rentals in Lincoln City; the first one that he found could sleep 19 people, starting next week. Mayor Anderson said that the City used to check websites and advertising and encouraged Mr. Chandler to make sure this is done again. Mr. Appicello said that VRD enforcement efforts included checking website and advertising for compliance with VRD permits. Chief Palmer is working on a proposal with Mr. Chandler to bring back to Council.

13. Echo Mountain Complex Update

No update was given.

M. CITY MANAGER/CITY ATTORNEY REPORTS

1. Proposed Motions for Traffic Control / Parking Resolutions

Mr. Appicello said that there are a couple of options for Council to consider. The first motion would be for Council to direct staff to bring forward the code amendment set forth in the work session materials. The second motion would direct staff to study the following areas: Logan, Sal-la-Sea & Port Drive, 50th, 59th, 61st, 64th, 67th, 69th, 71st, 72nd, 73rd. Also, the motion would add NE 35th to the study area. The third motion would be to direct staff to make overnight metered parking spaces in City parking lots and prepare appropriate traffic control parking resolutions. The fourth motion would direct staff to create a limited number of overnight camping spaces with restrictions in City parking lots and prepare appropriate traffic control parking resolutions. Ordinance amendment approval will come back with resolutions.

Councilor Casper asked for clarification from Mr. Appicello on whether he meant NE 35th or SW 35th. He said that NE 35th is written on the email from Councilor Hinton. He asked that SW 35th and SW 33rd be added for study as well. All proposed motions were approved.

MOTION:	Motions to Approve Proposed Motions for Traffic Control / Parking Resolutions
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark
NAYS:	Parsons
RESULT:	Passed via Roll Call Vote

2. Mr. Appicello emailed Council that he was contacted by a realtor in regards to some lots for sale that are adjacent to the property owned by the City at SW 29th and Coast. No motion made by the Council for additional information.

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

1. Taft Property- Exercise of option to proceed with closing.

MOTION:	Motions to Direct City Manager to Proceed with Exercising the option and Proceed with Closing.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed via Roll Call Vote

2. Union Contracts Negotiation- Propose one year roll over for both Unions.

MOTION:	Motion to Propose One Year Rollover for Both Unions.
MOVER:	Diana Hinton, Councilor Ward 1
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Anderson, Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed via Roll Call Vote

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

Prior to Council receiving additional comments from citizens present, Mayor Anderson announced that he has been elected to State Senate and that he was resigning effective immediately

The meeting was turned over to Council President Casper.

Citizen Comments:

Sheila Stiley, Executive Director of NW Coastal Housing: Ms. Stiley wanted to provide context and clarification of project TurnKey. Ms. Stiley thanked Councilor Casper for joining them on their site tour. She also wanted to respond to Councilor Hinton; NW Coastal Housing did consider an additional site in Newport. However, applying for two sites would have hindered their ability to be funded at all. Given that Lincoln City was most effected by the wildfires, has more homeless children, and the highest poverty rate, Lincoln City made sense.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Council President Casper spoke about appointing or electing the Mayor. Mr. Appicello would like council to vote to accept the resignation and then give direction as to election or appointment. Council

President Casper asked if Council, by unanimous consent, would like to add this to the agenda for discussion. Unanimous Consent was given.

Councilor Mark has a question regarding getting the mayoral election on the March ballot. Does Council have to decide tonight in order to accomplish this?

Council President Casper read some ideas about the qualifications for Mayor based on the experiences with the former Mayor. Councilor Parsons and Councilor Hoagland would like to have an election.

Councilor Mark says that an appointment sounds like a smoother and easier route. However, the public is going to want to have a vote, so he would lean toward having an election. Councilor Hinton is leaning towards an appointment. Councilor Mark would like a special meeting to discuss.

MOTION:	Motion to Accept the Resignation of Mayor Anderson.
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Voice Vote

MOTION:	Motion to Elect the Mayor by Special Election.
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Hoagland, Parsons
NAYS:	Casper, Hinton, Mark
RESULT:	Failed by Roll Call Vote

MOTION:	Motion to Hold a Special Council Meeting on Monday December 21 at 10 AM.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Casper, Hinton, Mark
NAYS:	Hoagland, Parsons
RESULT:	Passed by Roll Call Vote

Council President Casper read a poem for former Mayor Anderson.

MOTION:	Motion to Have a Joint Meeting with the Fire District Board in Early January 2021
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Diana Hinton, Councilor Ward 1
AYES:	Casper, Hinton, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Council expressed thanks and gratitude to former Mayor Anderson.

Councilor Hinton asked Mr. Appicello if he had been able to work with the HR Director on a complaint policy. Mr. Appicello will report on this at a future Council meeting.

Councilor Parsons asked Mr. Chandler if Council could get an update at the next meeting regarding public arts. Also, Councilor Parsons requested that, for public comments given by Zoom, he would like the public to use their full name and list the section for which they are commenting (e.g. F- Comments from Citizens Present) to make managing Zoom comments easier.

Q. ADJOURNMENT

Meeting adjourned at 11:00pm

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DICK ANDERSON, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER