

CITY OF LINCOLN CITY

CITY COUNCIL MINUTES OF MEETING

June 27, 2022, 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: 7/11/2022

A. CALL TO ORDER

Mayor Wahlke called the meeting to order at 6:00 PM.

B. ROLL CALL

Attendee Name	Title	Status	Arrived
Susan Wahlke	Mayor	Present	6:00 PM
Elaine Starmer	Councilor Ward 1	Present	6:00 PM
Sydney Kasner	Councilor Ward 2	Present	6:00 PM
Judy Casper	Councilor Ward 3	Present	6:00 PM
Riley Hoagland	Councilor Ward 2	Present	6:00 PM
Rick Mark	Councilor Ward 3	Present	6:17 PM
Mitch Parsons	Councilor Ward 1	Present	6:00 PM

Staff Present: Daphnee Legarza, City Manager; Richard Appicello, City Attorney; Chief Palmer, Lincoln City Police Department; Lt. Broderick, Lincoln City Police Department; Alison Robertson, Economic Development and Urban Renewal Director; Ed Dreistadt, Explore Lincoln City Director; Jeanne Sprague, Parks and Recreation Director; Stephanie Reid, City Engineer; Anne Marie Skinner, Planning and Community Development Director; Kirsten Brodbeck-Kenney, Library Director; Debbie Bridges, Finance Director; David Twigg, I.T. Support Specialist; Tony LaSoya, I.T. Director; Jamie Young, City Recorder.

C. PLEDGE OF ALLEGIANCE

Mayor Wahlke led The Pledge of Allegiance.

D. CONSENT AGENDA ITEMS 3, 4, & 5

Councilor Starmer pulled Items 1 & 2

RESULT:	PASSED [UNANIMOUS]
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Parsons
ABSENT:	Mark

1. Housing: Grant Request from Habitat for Humanity of Lincoln County, for two new homes in Lincoln City

MOTION:	Housing: Grant Request from Habitat for Humanity of Lincoln County, for two new homes in Lincoln City
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Parsons
ABSENT:	Mark
RESULT:	Passed

2. Approval of Final Order - Denial Variance [APP 2022-01]

MOTION:	Approval of Final Order - Denial Variance [APP 2022-01]
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Parsons
ABSENT:	Mark
RESULT:	Passed

3. Regular Meeting – Minutes of Regular Meeting – June 13, 2022, 6:00 PM
4. Regular Meeting – Minutes of Work Session – June 15, 2022, 3:30 PM
5. Regular Meeting – Minutes of Special Meeting – June 22, 2022, 12:00 PM
- 6.

MOTION:	Motion to Approve Items 1 & 2 on the Consent Agenda
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Parsons
ABSENT:	Mark
RESULT:	Passed by Voice Vote

Mayor Wahlke added Resolution 2022-24 Temporary Traffic Control Measures to item K. on the agenda.

E. COUNCIL DELIBERATIONS

None

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

Mr. Baird gave public comment regarding issues in Roads End. Councilor Starmer asked Mr. Baird for one recommendation for Council or Staff. Mr. Baird asked to cut the visitor bureau to zero. Councilor Hoagland said the Council is never consulted for police matters.

Lt. Brian Nordyke, North Lincoln Fire, spoke regarding the bollards at NW 15th Street.

Councilor Mark arrived at 6:17 PM.

Ms. Legarza summarized three public comments from Laura Joki, the Rock Your World Staff, and an unnamed person all regarding sign enforcement.

G. PRESENTATIONS

7. FY2020-21 Submission of Audited Statements

Debbie Bridges, Finance Director, with Tim Gillette of TKW presented the audit review. Ms. Bridges said there must be a plan to correct audit deficiencies and there would be a resolution to adopt later in the meeting.

H. PUBLIC HEARING / ORDINANCE

None

I. PUBLIC HEARINGS / PUBLIC COMMENTS

1. Public Hearing: Resolution 2022-18 Supplemental Budget

MOTION:	Motion to Close the Public Hearing: Resolution 2022-18 Supplemental Budget
MOVER:	Sydney Kasner, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Ms. Bridges explained the resolution 2022-18 supplemental budget.

Mayor Wahlke opened the public hearing at 6:28 PM.

No Citizens were present for comment.

2. Public Comment: Resolution 2022-19 Setting Water / Sewer Rates

MOTION:	Motion to Close the Public Comment: Resolution 2022-19 setting Water/Sewer Rates
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Ms. Bridges explained the resolution 2022-19 setting water and sewer rates.

Councilor Mark asked about the yearly rate increases. Ms. Bridges explained. Councilor Starmer explained the reason for the rate increase.

Mayor Wahlke opened the public hearing at 6:32 PM.

No Citizens were present for comment.

3. Public Hearing: Resolution 2022-20 State Shared Revenue

MOTION:	Motion to Close the Public Hearing: Resolution 2022-20 State Shared Revenues
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Ms. Bridges explained the resolution 2022-20 State Shared Revenues.

Mayor Wahlke opened the public hearing at 6:33 PM.

No Citizens were present for comment.

4. Public Hearing: Resolution 2022-21 Adopt Budget

MOTION:	Motion to Close the Public Hearing: Resolution 2022-21 Adopt Budget
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Ms. Bridges explained the resolution 2022-21 adopted budget.

Mayor Wahlke opened the public hearing at 6:34 PM.

Mr. Baird asked Council to lower the minimum tax rate. Mr. Baird is for raising the TRT rate.

5. Public Hearing: Extension / Re-approval of Option Agreement for Disposition of City Properties located in the vicinity of NE 25th Street for Affordable Workforce Housing Development

MOTION:	Motion to Close the Public Hearing on Resolution 2022-23 - Option Extension Lincoln 25 Limited Partnership (IHI)
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed via Voice Vote

Ms. Robertson explained the resolution 2022-23 Option Extension Lincoln 25 Limited Partnership (IHI).

Mr. Appicello explained the nature of the sale and the required findings.

Mayor Wahlke opened the public hearing at 6:44 PM.

No Citizens were present for comment.

J. ORDINANCES

None

K. RESOLUTIONS

6. RESOLUTION 2022-15 A RESOLUTION SETTING FORTH CORRECTIVE MEASURES FOR DEFICIENCIES IDENTIFIED IN CITY OF LINCOLN CITY, OREGON 2020-21 ANNUAL FINANCIAL REPORT

MOTION:	Motion to Approve Resolution 2022-15: Audit Deficiency
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark
EXCUSED:	Parsons
RESULT:	Passed by Roll Call Vote

7. RESOLUTION NO. 2022-17 A RESOLUTION OF THE CITY OF LINCOLN CITY ESTABLISHING TRAFFIC AND PARKING CONTROL MEASURES FOR NW 8TH COURT REPLACING CITY MANAGER'S TRAFFIC CONTROL ORDER DATED 8-11-2020

MOTION:	Motion to Approve Resolution 2022-17 - Parking and Traffic Control NW 8th Ct.
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Mr. Appicello explained the resolution 2022-17 and the steps taken. Mayor Wahlke confirmed that we are turning the order into a resolution. Councilor Mark asked if the parking issues have been resolved. Mr. Appicello explained.

8. RESOLUTION 2022-18 A RESOLUTION ADOPTING THE SUPPLEMENTAL BUDGET OF THE CITY OF LINCOLN CITY, OREGON, FOR THE FISCAL YEAR 2021-2022, AS APPROVED BY THE CITY COUNCIL, AND MAKING APPROPRIATIONS

MOTION:	Motion to Approve Resolution 2022-18 Supplemental Budget FY2021-22
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Elaine Starmer, Councilor Ward I
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Councilor Mark asked where the money was coming from for the increase. Ms. Bridges read the resolution and explained the detail.

9. RESOLUTION NO. 2022-19 A RESOLUTION SETTING FORTH WATER/SEWER RATES

MOTION:	Motion to Approve Resolution 2022-19 Setting Forth Water & Sewer Rates
MOVER:	Elaine Starmer, Councilor Ward I
SECONDER:	Rick Mark, Councilor Ward 3
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark
NAYS:	Parsons
RESULT:	Passed by Roll Call Vote

10. RESOLUTION NO. 2022-20 A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

MOTION: Motion to Approve Resolution 2022-20 State Shared Revenue
MOVER: Mitch Parsons, Councilor Ward 1
SECONDER: Elaine Starmer, Councilor Ward I
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

11.

MOTION: Motion to Decrease Contingency in Facilities Capital Fund by \$594,288, and Increase Capital Reserve in Facilities Capital Fund by \$594,288
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Sydney Kasner, Councilor Ward 2
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

Ms. Bridges explained that Capital Funds should not have contingency and needs to move the funds to the Capital Reserve Fund.

12.

MOTION: Motion to Increase General Fund Transfers Out by \$10,000, to Reduce General Fund Contingency by \$10,000, to Increase Street Operations Transfers In by \$10,000, and Increase Street Capital Outlay by \$10,000
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Mitch Parsons, Councilor Ward 1
AYES: Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT: Passed by Roll Call Vote

Ms. Bridges explained the power washer used by Public Works is no longer operational and will need to purchase a new one. Councilor Parson asked about the size of the pressure washer. Ms. Reid explained. Councilor Starmer asked if it's used by parks, why they are not paying. Ms. Bridges said it's primarily used by the Streets Department.

13. RESOLUTION NO. 2022-21 ADOPTING THE BUDGET

MOTION: Motion to Approve Resolution 2022-21: Adopt FY2022-23 Budget as Amended
MOVER: Rick Mark, Councilor Ward 3
SECONDER: Riley Hoagland, Councilor Ward 2
AYES: Wahlke, Casper, Hoagland, Mark
NAYS: Starmer, Kasner, Parsons
RESULT: Passed by Roll Call Vote

Mayor Wahlke explained that she had been out longer than expected and had a few questions regarding the budget. Mayor Wahlke asked about the sidewalk at SE Inlet. Councilor Mark explained that Council decided to not pick the sidewalk location and have Public Works look into that. Councilor Mark asked about the two Police positions. Ms. Bridges said there was a motion to look into funding for the positions. Mayor Wahlke asked what happened with the GIS. Ms. Bridges said there was no change.

Mayor Wahlke asked about the \$385,000 in contingency for Explore Lincoln City. Ms. Bridges said that it is not available for staff use, and can be transferred when needed with a resolution. Council had a discussion with Ms. Bridges regarding the FY2022-23 Budget. Lt. Broderick answered questions regarding the Police Department positions in the budget. Ms. Legarza explained the approach that will be taken before it's brought to Council. Mayor Wahlke read a letter dated May 6, 2022, regarding supporting law enforcement personnel during the budget.

- 14. RESOLUTION NO. 2022-22 A RESOLUTION OF THE CITY OF LINCOLN CITY IMPLEMENTING LCMC 13.08.095 REGARDING DEFERRAL OF SYSTEM DEVELOPMENT CHARGES; APPROVING AN APPLICATION FOR THE DEFERRAL OF PAYMENT OF SYSTEM DEVELOPMENT CHARGES FOR LINCOLN 25 LIMITED PARTNERSHIP (MANAGING MEMBER INNOVATIVE HOUSING INC.) FOR DEVELOPMENT OF A 107 UNIT AFFORDABLE HOUSING APARTMENT PROJECT ON THREE PARCELS OF LAND ADJOINING 2510 NE HIGHWAY 101, LINCOLN CITY, OREGON.**

MOTION:	Motion to Approve Resolution 2022-22 SDC Deferral - Innovative Housing Inc. (Lincoln 25 Limited Partnership) as Presented
MOVER:	Rick Mark, Councilor Ward 3
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Mr. Appicello explained the resolution. The Council had a discussion with Staff regarding the SDC Deferral.

- 15. RESOLUTION NO. 2022-23 A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING AND DIRECTING EXTENSION AND RE-APPROVAL OF AN OPTION AGREEMENT TO INNOVATIVE HOUSING, INC. MANAGING MEMBER OF LINCOLN 25 LIMITED PARTNERSHIP FOR DISPOSITION OF CITY-OWNED REAL PROPERTIES FOR AFFORDABLE HOUSING**

MOTION:	Motion to Approve Resolution 2022-23 (Option Agreement Extension)
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Elaine Starmer, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Mr. Appicello explained the resolution and requirements.

16.

MOTION:	Motion to Approve Resolution 2022-24 with the Change of "Barricades or Bollards"
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Riley Hoagland, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Mr. Appicello explained the objection by North Lincoln Fire and Rescue and the manner being used. Mr. Appicello suggested a change of barricades or bollards. Ms. Legarza said the City is now working with the Fire Chief on this matter.

L. SPECIAL ORDER OF BUSINESS

17. NE Williams Ct. Water Main Improvement Project Construction Award

MOTION:	Motion to Approve the NE Williams Ct. Water Main Improvement Project Construction Award to Jesse Rodreguiz Construction LLC. in the Amount of \$383.537
MOVER:	Riley Hoagland, Councilor Ward 2
SECONDER:	Mitch Parsons, Councilor Ward 1
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Ms. Reid explained the project and the construction award.

18. Economic Development: Proposed Nelscott Urban Renewal (TIF) Plan

MOTION:	Motion to Direct Economic Development: Proposed Nelscott Urban Renewal Tax Increment Funding (TIF) Plan
MOVER:	Mitch Parsons, Councilor Ward 1
SECONDER:	Sydney Kasner, Councilor Ward 2
AYES:	Wahlke, Starmer, Kasner, Casper, Hoagland, Mark, Parsons
RESULT:	Passed by Roll Call Vote

Ms. Robertson explained the proposed Nelscott Urban Renewal Tax Increment Funding.

M. CITY MANAGER/CITY ATTORNEY REPORTS

Ms. Legarza congratulated Ms. Brodbeck-Kenny for being re-elected as a Chapter Councilor on the American Library Association and Ms. Khan for being elected as the President of the Oregon Library Association.

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

NONE

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

Mr. Baird spoke about events that have occurred at his property in Roads End and the relation to tourism. Councilor Starmer ask Mr. Baird which sign and stated that was paid for by his neighbors.

P. ANNOUNCEMENTS OR COMMENTS BY CITY COUNCIL

Councilor Kasner asked about public outreach for the fireworks. Ms. Legarza said an email would go out tomorrow.

Councilor Casper said there would be a press release regarding a clean-up effort on the 4th of July.

Councilor Mark asked about the three uniformed officers at the meeting. Mayor Wahlke said they were fire department and speaking about the NW 15th Street bollards. Councilor Mark spoke about resolution 2022-24.

Councilor Hoagland said there was a car parked on the beach at SW 12th Street beach access. Councilor Hoagland thanked staff for painting the curbs. Mr. Hoagland said there is parking from Pelican in the slip for bay access. Councilor Mark spoke about The Pelican opening as well as the kite festival.

Mayor Wahlke spoke about the Mayor Monday segment on KOIN. Mayor Wahlke wanted to mention the upcoming ban on fireworks. Mayor Wahlke said Staff is working on an RFP for the Municipal Court Judge. Mayor Wahlke spoke about the trouble with the interpretation of LCMC 17.77.140 (c) and adding the word "similar" Ms. Skinner said it was already completed. Councilor Hoagland thanked the Judge for 25 years. Mayor Wahlke gave a reminder about vacancies on the Boards and Committees.

Q. ADJOURNMENT

Mayor Wahlke adjourned the meeting at 8:39 PM.

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SUSAN WAHLKE, MAYOR

ATTEST:

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JAMIE YOUNG, CITY RECORDER