

April 1, 2013
6:23 P.M.
Newport, Oregon

The City Council of the City of Newport met on the above date in the Council Chambers of the Newport City Hall. On roll call, Beemer, Allen, Roumagoux, Sawyer, Saelens, and Busby were present. Swanson was excused.

Staff present was City Manager Voetberg, City Recorder Hawker, Public Works Director Gross, Parks and Recreation Director Protiva, Finance Director Marshall, and Police Chief Miranda.

PLEDGE OF ALLEGIANCE

Council and the audience recited the Pledge of Allegiance.

PUBLIC COMMENT

Dennis Bartoldus appeared on behalf of Judy Lingham and distributed a letter regarding the assessed SDC's and other associated fees for installing a sun deck at her business. He stated that the fees for a building permit, conditional use permit, and SDCs totaled approximately \$8,000. He asked for an interpretation regarding whether the conditional use permit and SDC requirements apply in this situation. A discussion ensued regarding whether there is a code provision that allows Council to make an interpretation in this situation. Bartoldus suggested that Council refer the matter to staff for an opinion on the various ways to proceed in this matter. Busby stated that he would like to see how the fee calculations were developed.

PROCLAMATIONS, RECOGNITIONS, AND SPECIAL PRESENTATIONS

Roumagoux proclaimed the week of April 14 - 20, 2013 as National Library Week in the City of Newport. Library Foundation Member, Patti Littlehales, and Library Director Smith, received the proclamation. Littlehales presented Roumagoux with a copy of "Mink River," the Newport Reads book for 2013.

Roumagoux proclaimed the summer of 2013 as The Summer to Have a Heart in the City of Newport. A number of representatives of The Summer to Have a Heart program were on hand to receive the proclamation.

Roumagoux proclaimed April 2013 as Child Abuse Awareness and Prevention Month in the City of Newport. Miranda noted that the goal is to break the circle of violence.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the work session, regular meeting and executive session of March 18, 2013, and the joint meeting with the Port of Newport on March 19, 2013.

MOTION was made by Allen, seconded by Beemer, to approve the consent calendar with the changes to the minutes as noted by Allen. The motion carried unanimously in a voice vote.

OFFICER'S REPORTS

Mayor's Report. Roumagoux reported that she attended the quarterly ODOT meeting with staff.

Roumagoux reported that she had attended a recent meeting of the Public Arts Committee, and added that the Committee is receiving multiple public requests.

Roumagoux reported that she had attended the 24th Community Legend Award event honoring Rick Bartow.

Roumagoux reported that she had introduced Kurt Shrader at a recent Town Hall meeting held at the Hatfield Marine Science Center.

Roumagoux reported that she participated in a tour of the Deco District with Kurt Shrader and others.

Roumagoux reported that she attended a recent meeting of the Yaquina Bay Economic Foundation, and that Georgia Pacific is now sending a representative to these meetings.

Roumagoux appointed Judy Mayhew to the Public Arts Committee. MOTION was made by Sawyer, seconded by Saelens, to ratify the Mayor's appointment. The motion carried unanimously in a voice vote.

Roumagoux reported that a subgroup of Council has been formed to work with the City Manager on developing an evaluation process for the City Manager. Allen will serve as chair, and Saelens, Swanson, and Voetberg will form the remainder of the group. Roumagoux will serve as alternate if Allen is unable to attend. It was noted that the subgroup will comply with all public records and meetings laws.

City Manager's Report. Voetberg reported that a resolution outlining the City Manager's settlement authority is anticipated to be completed for Council consideration at the next meeting. Council was asked whether they wanted the resolution to apply only to employment related settlements or other types of settlements. It was the consensus of Council that the resolution should encompass all settlements.

Voetberg reported that the Yaquina Bay Ocean Observation Initiative will be holding its first annual Ocean Observation Conference on April 30 and May 1. He noted that Mayor Roumagoux will be welcoming participants, and the keynote address will be given by Dr. Rick Spinrad, Vice President of Research for OSU.

Voetberg reported that ODOT representatives met with city staff to discuss various issues. He added that staff is concerned with ODOT's lack of progress on selecting an engineer to design the Highway 101 crosswalk improvements, creating the possibility that the project will not be done this season. Voetberg asked whether Council objected to staff taking the issue beyond ODOT's region representative. Sawyer asked whether it would be helpful if the Mayor wrote a letter to ODOT from the entire Council. Gross

explained the project, and Busby suggested that Voetberg write to the city's federal representatives.

Voetberg reported that a capital project update is included in the packet.

Voetberg reported that the upcoming Town Hall meeting will be held on April 29, 2013, at the Visual Arts Center in Nye Beach.

DISCUSSION ITEMS AND PRESENTATIONS

Tree City USA. Joe Hitselberger and Nancy Steinberg made a presentation on the city's recent designation as a Tree City USA. It was reported that 56 other cities in Oregon have the Tree City USA designation, and that the main purpose is to recognize cities that develop a plan to plant and care for trees in the community. It was reported that the designation must be renewed every year, and that work will begin on a detailed tree plan for the city. Steinberg presented a sign, plaque, and flag to the city.

Presentation on FY2011/2012 Audit Results. Marshall made a presentation on the FY2011/2012 audit results. He reported that the audit is late this year. He added that next year, the audit will contain a separate federal component. He noted that the audit is an unqualified audit in that it has no material weaknesses. He stated that the audit indicates continuing and new significant deficiencies. He summarized the management letter; the city's assets and liabilities; total cash on hand; net capital assets; long-term debt; and ending fund balances. He stated that the city's financial health continues to improve and certain internal processes that have been deficient for years are on the verge of correction. He noted that preliminary field audit work will begin the week of April 15, and that a meeting is tentatively set for the Audit Committee on April 18.

PUBLIC HEARINGS

Thompson's Sanitary - Rate Review Presentation and Consideration of Resolution No. 3623 Adopting a Rate Structure for Thompson's Sanitary Service. Rob Thompson and Ken Riley, appeared before Council. Thompson distributed a handout on the Sarabella Upcycled Project. Saelens noted that it is a struggle to move the recovery rate beyond where it is. It was noted that a yard and woody debris program is underway. A discussion ensued regarding the recycling of food waste. It was noted that Allen and Saelens are interested in working with Thompson's on recycling issues. Saelens confirmed that a hazardous household waste event will be held August 3 in Toledo. Busby asked how allocation is determined on the Thompson balance sheet, and Thomson noted that actual data is used, and explained the data collection methods. Voetberg noted that the operating ratio goal allows for rate adjustments, and in 2012, the actual was 88.97, and the projected is 88.65, so the rates are on target. It was noted that Thompson's is not requesting a rate adjustment.

Roumagoux opened the public hearing on Resolution No. 3623 at 7:13 P.M. She asked for public comment. There was none. The public hearing was closed at 7:14 P.M. Allen noted that this resolution does not contain a rate increase, and suggested a change to Section 2 of the resolution to read, "The effective date of this resolution shall be July 1, 2013." MOTION was made by Saelens, seconded by Beemer, to adopt Resolution No. 3623, a resolution approving a solid waste rate schedule for Thompson's

Sanitary Service, Inc. with the adjustment suggested by Allen indicating that there is no rate increase in the resolution. The motion carried unanimously in a voice vote.

ACTION ITEMS

Request by the Parks and Recreation Committee to Contract for Architectural Services for a New City Pool. Protiva and Jimmy Rodriguez, a Parks and Recreation Committee member, appeared before Council. It was reported that the pool is an aging facility and needs to be replaced. It was noted that a pool bond measure had previously been submitted to the voters and had failed. It was requested that Council approve funding to revise the previously developed costs for a new municipal swimming pool to reflect current costs. Busby suggested removing the reference to “architectural services” to more adequately express the requested work. A discussion ensued regarding the timeline for ensuring the measure is presented in sufficient time for inclusion on the November ballot. Allen suggested that the Parks and Recreation Committee solicit public outreach and input on the project rather than holding this comment until the issue reaches the City Council. Saelens reported that there is now a “Friends of Parks and Recreation Foundation,” that will act as a repository of community and financial support and marketing. Sawyer suggested a survey regarding need for a pool could be included in an upcoming water billing. Voetberg noted that the city intends to have design charettes for public comment. MOTION was made by Allen, seconded by Beemer, to approve the expenditure of funds to contract for consulting services for a municipal pool in an amount not to exceed \$10,000. The motion carried unanimously in a voice vote.

Consideration of the Adoption of Ordinance No. 2052 Amending Chapter 2.05.040(A) of the Newport Municipal Code Changing the Membership of the Newport Parks and Recreation Committee from Fifteen Members to Eleven Members. Protiva reported that the issue before Council is consideration of Ordinance No. 2052 which would change the composition of the Parks and Recreation Committee from 15 to 11 members. It was noted that the city has been recruiting members for this Committee for nearly a year, and has only found ten volunteers. It was reported that changing the number of Committee members would make it easier to establish a quorum for purposes of meeting. Several corrections to the ordinance were suggested. MOTION was made by Beemer, seconded by Saelens, to read Ordinance No. 2052, amending Chapter 2.05.040(A) of the Newport Municipal Code, and reducing the membership of the Parks and Recreation Committee from fifteen members to eleven members, by title only, with the corrections noted, and place for final passage. The motion carried unanimously in a voice vote. Voetberg read the title of Ordinance No. 2052. Voting aye on the adoption of Ordinance No. 2052 were Sawyer, Saelens, Roumagoux, Busby, Beemer, and Allen.

COUNCIL REPORTS AND COMMENTS

Allen reported that he attended several events sponsored by Congressman Kurt Schrader last week. He noted that at a roundtable, local fishermen discussed general fisheries issues. He added that he updated Schrader on the territorial sea plan. He stated that he anticipates an update on the territorial sea plan in the future.

Beemer reported that he had attended the joint public forum with the Port regarding the proposed log exporting operation.

Beemer reported that he attended a Port meeting at which there was a report from the folks working on the international terminal project.

Beemer reported that he was unable to attend the fire collaboration meeting, but that he had talked with Chief Paige who is preparing a report that will outline the pros and cons of the various suggestions. It is expected that the report will be presented to Council within the next month.

Beemer reported that Joe Hitzelberger's (presenter from the Oregon Division of Forestry) parents own the largest piece of property that the Corvallis to Coast Trail will pass through. He added that he will be talking with Hancock Forests regarding the trail.

Busby reported on a recent CWACT meeting at which the following issues were discussed: the way that the new federal authorization is affecting transportation; a high speed rail system in the Willamette Valley; funding of projects in this region; the Highway 34 bypass is fully funded; the Highway 101 widening through Lincoln City is \$5,000,000 short; and the installation of motion monitors on Highway 101 in high movement areas.

Saelens reported that he attended a recent meeting of the Parks and Recreation Committee.

Saelens distributed a flyer regarding an upcoming clean-up of commercial crabbing gear near Yaquina Head. He reviewed the clean-up noting that it is sponsored by the Lincoln County Solid Waste District and Thompson's Sanitary Service.

Sawyer reported that he attended a recent Destination Newport Committee meeting, at which a contract with a KFIR radio was discussed and recommended.

Sawyer reported that Wednesday night is "Dine Out for Samaritan House Night."

Sawyer reported that the news director from KNPT reported that ODOT will be closing the Yaquina Bay Bridge next year and that folks will be required to use ferries. He added that this was an April Fool's Day joke.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:51 P.M.

Margaret M. Hawker, City Recorder

Sandra Roumagoux, Mayor