

February 21, 2012
6:00 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, Brusselback, Beemer, Allen, McConnell, Bertuleit, and Roumagoux were present. Sawyer was excused

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

PLEDGE OF ALLEGIANCE

Council and audience participated in the Pledge of Allegiance.

McConnell reported that Sawyer had attended the work session earlier in the day but had to leave to attend a funeral on the east coast. MOTION was made by Roumagoux, seconded by Beemer to excuse Sawyer from this meeting. The motion carried unanimously in a voice vote.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the work session and regular meeting of February 6, 2012;
- B. Approval of City Council executive session minutes from January 17, 2012;
- C. Approval of City Council Town Hall meeting minutes from January 30, 2012;
- D. Police and Fire Department Reports for January 2012;
- E. Report of accounts paid for January 2012;
- F. OLCC License - Pepsi.

McConnell reported that he had not attended the January 30, 2012 and February 6, 2012 Council meetings. Allen made several corrections to the minutes. MOTION was made by Bertuleit, seconded by Brusselback, to approve the consent calendar with the noted corrections to the minutes. The motion carried unanimously in a voice vote.

OFFICER'S REPORTS

Mayor's Report. McConnell thanked Council and staff for participating in the goal setting session today. McConnell appointed Mary Ann Bozza to the Bicycle/Pedestrian Committee. MOTION was made by Beemer, seconded by Brusselback, to ratify the Mayor's appointment. The motion carried unanimously in a voice vote.

McConnell reported that requests for funding had been received from Meals on Wheels and the Lincoln County Land Trust.

McConnell reported that he had received information regarding the "If I Were Mayor" contest sponsored by the League of Oregon Cities. He noted that this consists of a poster, essay, and video production contest.

McConnell reported that he had received a letter from Commissioner Hall regarding the homeless car camping ordinance and requesting the city consider it. He suggested that Hall appear before Council with Jordan from the Americorps/Vista program to discuss this issue.

McConnell noted that Council had received a letter from Lincoln County Commissioner Thompson, during the recent joint meeting with the County Commissioners. It requested information regarding the city's practices for processing DUII's. Voetberg noted that the staff was waiting for direction from Council on how to proceed on this matter, and suggested that it be treated as a public records request. Council supported handling this issue as a public records request.

McConnell asked Council how they would like to proceed with the corporate personhood issue that was brought up at the February 6, 2012 City Council meeting. Roumagoux reported that the City of Corvallis had agreed to place this matter on the November ballot for an advisory vote. McConnell noted that he will be meeting with members of this group, but suggested that he could issue a proclamation if requested.

City Manager's Report. Voetberg reported that the updated suggestion/concern/complaint form is included in the packet. He noted that the cleaning of the Nye Beach restrooms has been addressed.

Voetberg reported that the LOC will hold town hall meetings throughout the state, and that one will be held on March 7, at 5:00 P.M., in Newport, at the City Hall.

Voetberg reported that Airport Director Cossey has received a certification from the American Association of Airport Executives.

Voetberg reported that the packet contains information regarding water rates of various cities and that Newport's rates are in the mid-range.

Voetberg reported that the packet contains several letters of thanks regarding the Public Works Department and the Senior Center.

Voetberg reported that the Police Department is sponsoring another Citizen's Academy, and is still accepting applicants.

Voetberg reported that the Public Works Department is in the preliminary planning stages of recommending how to provide water service in geologic hazard areas.

Voetberg reported that staff will bring a change to the pension plan for Council consideration at the March 5, 2012 City Council meeting. Allen stated that he will provide more details during Council comments.

Voetberg reported that the packet contains the weekly manager's reports for January 30 and February 6.

Voetberg reported that the Tourism Facilities Grant Review Task Force met and made recommendations. He added that awards of this grant money will occur at the next Council meeting. Brusselback reported that interviews occurred last Friday, and that the Task Force recommended funding to OCCA, the Lincoln County Historical Society, and the Oregon Coast Aquarium.

Voetberg reported that HB4090-A has generated a lot of discussion. He recommended that McConnell draft a letter to our senator asking for caution in voting until the issue is fully understood.

Voetberg reported that the monthly departmental reports are included in the packet.

DISCUSSION ITEMS AND PRESENTATIONS

Lincoln County Animal Services. Wayne Belmont, Lincoln County Counsel, and Laura Ireland, manager of the animal shelter appeared before Council. Belmont reported that the County is interested in forming an animal services district. He stated that the Board has indicated that the tax rate will not exceed the current tax rate and may be a lesser rate. A brief discussion ensued. McConnell asked staff to develop a resolution supporting the formation of an animal services district.

Seven Month Financial Review. Marshall reviewed the seven month financials and responded to Council questions. He noted that ending fund balances will all be positive this year. He noted that it does not appear that appropriations will be exceeded this year, but that possible corrective action may be needed for the water distribution, wastewater collection, and parks division cost centers.

ACTION ITEMS

Consideration of Authorization to Submit a National Endowment for the Arts Grant for the Art Deco Corridor Visioning Process in City Center. It was reported that the issue before Council is the consideration of whether the city, in partnership with the City Center Newport Association and the Oregon Coast Council for the Arts, should submit an "Our Town" grant application to the National Endowment for the Arts. It was noted that the City Center Newport Association would like to repurpose monies set aside for the Deco Park for this project. Tokos noted that this would be a specific budgeted item, and the Deco Park would not be budgeted next year. Allen noted that if monies from the Deco Park project are to be used, Council should acknowledge its previous motion that provided funding for this project. McConnell noted that the area where the Deco Park was planned is unkempt, and should be cleaned up. A discussion ensued regarding the funding planned for the Deco Park and its repurposing. Michelle Harris, CCNA president, stated that CCNA would want an opportunity to help decide the direction of funds, other than the grant match. Allen noted that the grant application is a good use of the money, but the city setting money aside is premature. He added that he is not willing to go that route, but will defer until there is a report. Ken Irwin, CCNA board member, asked whether it is possible to put some money into the park. Tokos noted that CCNA is regrouping and going after the bigger picture rather than just the park site. Protiva reported that the parks crew will clean up the park site in April, but the fundamental appearance of the site will not change. He noted that participation in the Adopt-A-Park program would be good idea. MOTION was made by Roumagoux, seconded by Brusselback, to authorize staff to submit an "Our Town" grant application to the National Endowment for the Arts, in partnership with the city Center Newport Association and the Oregon Coast Council for the Arts, to further develop the Deco District concept, and to

use funding that had been previously designated for the Deco Park project for that purpose. The motion carried unanimously in a voice vote.

Consideration of Resolution No. 3579 for SDC Annual Adjustments. It was reported that the issue before Council is consideration of Resolution No. 3579 adjusting how the city makes annual updates to the SDCs. It was noted that this resolution addresses two issues: 1. It requires that annual updates be scheduled as action items so that the Council can take public testimony; and 2. The resolution calls for the Capital Improvement project list to be evaluated at the same time as annual adjustments are made to SDC fees to account for changes in construction costs. The CIP serves as the basis for SDC charges, and there is currently no policy direction for when those project lists should be reviewed and updated. This resolution will also readopt current SDC rates. MOTION was made by Beemer, seconded by Bertuleit, to adopt Resolution No. 3579, consolidating prior SDC resolutions and readopting city SDC methodologies, rates, and adjustment procedures. The motion carried unanimously in a voice vote.

Consideration of Ordinance No. 2029 regarding the leasing of city-owned properties. It was reported that the issue before Council is consideration of Ordinance No. 2029 that sets out a procedure for leasing city-owned properties. MOTION was made by Allen, seconded by Roumagoux, to read Ordinance No. 2029, regarding the leasing of city-owned properties, by title only and place for final adoption. The motion carried unanimously in a voice vote. Voetberg read the title of Ordinance No. 2029. Voting aye on the adoption of Ordinance No. 2029 were Allen, Beemer, Bertuleit, Brusselback, McConnell, and Roumagoux.

Consideration of Municipal Judge Employment Agreement. It was reported that the issue before Council is consideration of the terms of an employment agreement with Municipal Judge Pridgeon. Brusselback reviewed the method at which the compensation was developed, and noted that the judge agreed. MOTION was made by Brusselback, seconded by Beemer, that the Mayor with the City Attorney to draft an employment agreement between the city and Jeffrey Pridgeon with a compensation of \$18,000 per year, and authorize the Mayor to sign the agreement on behalf of the city. The motion carried unanimously in a voice vote.

Consideration of Resolution No. 3578 a Budget Transfer for Payroll Adjustments. It was reported that the issue before Council is the consideration of Resolution No. 3578 transferring payroll appropriations from Cost Centers 1200 and 4150 to Cost Center 1035. MOTION was made by Bertuleit, seconded by Beemer, to adopt Resolution No. 3578 transferring payroll budgets from old cost centers in Parks and Recreation and the General Fund to cost center 1035, Building and Grounds Maintenance. The motion carried unanimously in a voice vote.

Consideration of Destination Newport Tourism Marketing Grant Recommendation for the NW Poets Concord. It was reported that the issue before Council is the request from the Northwest Poets Concord for tourism marketing grant funding, in the amount of \$1,000, for assistance with marketing the Concord to be held in Newport on May 4 - 6, 2012. MOTION was made by Brusselback, seconded by Beemer, to approve the

tourism marketing grant fund application, submitted by the Northwest Poets Concord for assistance with marketing and advertising for the annual Concord, in the amount of \$1,000. The motion carried unanimously in a voice vote.

Consideration of Destination Newport Contract with OnDisplay Advertising. It was reported that the issue before Council is the consideration of a billboard located on SW 4th and Oak Streets in Portland, Oregon. It was noted that a proposal was submitted by OnDisplay Advertising, and reviewed and recommended by the Destination Newport Committee. MOTION was made by Beemer, seconded by Bertuleit, to approve the billboard location at SW 4th and Oak Streets in Portland, Oregon, with OnDisplay Advertising in the amount of \$29,174. The motion carried unanimously in a voice vote.

COUNCIL REPORTS AND COMMENTS

Brusselback reported on a recent meeting of the Bicycle/Pedestrian Committee. Mary Ann Bozza was interviewed as a potential Committee member. It was reported that the North Jetty Trail would be opening soon. Gross attended and reported on the sidewalk program, and the possibility of hiring a grant writer.

Allen reported that the Retirement Board of Trustees met recently. He added that as a part of the meeting, Linda Brown mentioned the potential soft freeze of the defined benefit plan. He noted that West Coast Trust indicated they could handle some of the investment strategies if the city goes that way.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:59 P.M.

Margaret M. Hawker, City Recorder

Mark McConnell, Mayor