

March 5, 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, Sawyer, and Roumagoux were present.

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

PLEDGE OF ALLEGIANCE

Council and audience participated in the Pledge of Allegiance.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the City Council work session and regular meeting of February 21, 2012.

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

OFFICER'S REPORTS

Mayor's Report. McConnell congratulated the Greater Newport Chamber of Commerce on a successful Seafood and Wine Festival weekend. He added that the shuttle system worked well in keeping people off the road, and expressed thanks to the many volunteers for making the event a success.

McConnell reported that the economic opportunity analysis group had held a successful meeting. He noted that he anticipates good outputs.

McConnell reported that the Newport Reads Program kicked off last week. He added that there are two more events in April centered on the book, "One Flew Over the Cuckoo's Nest."

Jeff Wiseman, applicant for the Budget Committee, appeared before Council. Wiseman presented a brief bio. McConnell appointed Wiseman to the Budget Committee. MOTION was made by Beemer, seconded by Roumagoux, to ratify the Mayor's appointment. The motion carried unanimously in a voice vote.

McConnell reported that the Airport Committee had interviewed and recommended the appointment of Doug Nebert to the Committee. He appointed Nebert to the Airport Committee. MOTION was made by Bertuleit, seconded by Beemer, to appoint Doug Nebert to the Airport Committee. The motion carried unanimously in a voice.

City Manager's Report. Voetberg reported that the first meeting of the Budget Committee will be held on March 14, 2012, at 6:00 P.M. He noted that the purpose is to discuss the budget layout and structure, and to provide projected revenues and costs for this year.

Voetberg reported that the Volunteer Appreciation Dinner is scheduled for Tuesday, April 17, 2012.

McConnell reported that a joint meeting between the City Council and Planning Commission will be held on March 12, 2012, at 6:00 P.M.

Voetberg reported that as a part of the ConnectOregonIV grant process, CWACTION has invited applicants to present a brief overview of their projects. He added that he and Cossey will attend. He reported that the FAA funding for AIP grants now requires a 10% match, rather than a five percent match, and the ConnectOregonIV grant is to be used for the match. Since the match amount has changed, city staff is working with the FAA to reduce the project costs. Voetberg added that if the city does not receive the ConnectOregonIV grant, he will come back to Council for direction.

Voetberg reported that the DLCD will hold a meeting in Newport on March 14 through March 16. As a part of the meeting, a community tour will be held. Voetberg, Tokos, Allen, and Roumagoux will participate in various components of the meeting.

Voetberg reported that an update on capital projects was included in the packet. Allen asked about the cost of the airport fill, and Jones reported that the actual cost should be less than the projected \$75,000. A discussion ensued regarding the amount of sand remaining on the Port property.

DISCUSSION ITEMS AND PRESENTATIONS

Ford Family Presentation. Bob Houston thanked Council for its time. He reported that he is a member of the Ford Family Institute Leadership Class. He noted that there are approximately 25 members of the group in Lincoln County. He stated that each class develops a final project, and the project for this class is the installation of a disc golf course to be located near the main campus of the Oregon Coast Community College. He noted that this project was selected because it will enhance the community, promote the community, and provide a free recreational activity. Paige Schindler stated that she thinks the project will be a positive improvement to the community. She added that people are excited, and are trying to start a league. Houston noted that the group is currently working on an agreement with the landowner. He added that a group has been identified for the long-term care and maintenance of the facility. The equipment used in a disc golf course was displayed and demonstrated by professionals and the Mayor. McConnell noted that if the facility falls under the jurisdiction of the Parks and Recreation Department, it could be adopted to the folks who wish to maintain it.

Microenterprise - Community Development Block Grant - Guy Faust. Guy Faust, with the OCCC Small Business Development Center, reported that OCCC is holding its 25th

birthday on May 19 with a big celebration at the central campus. He requested continued financial support of \$7,500 for the 2012 CDBG. He reviewed the timeline, statistics, and the program. Bertuleit noted that it is a great program with great results, and McConnell added that it is an important part of what we do here.

ACTION ITEMS

Consideration of Resolution No. 3580 Enacting a Soft Freeze of the City's Employee Pension Plan. Marshall presented a brief history of the city's pension plan, and the history of how and why this resolution is being presented. He reported that the issue before Council is consideration of the adoption of Resolution No. 3580 which would implement a soft freeze of the city's defined benefit plan, and modify the money purchase pension portion of the plan for non-collectively bargained employees hired after March 5, 2012. He noted that the savings would be minimal at the start, but by 2017, the city should recognize a savings of approximately \$100,000 annually. He added that sixty-four employees form the base of city's retirement plan. A discussion ensued regarding how much employees can contribute. MOTION was made by Roumagoux, seconded by Beemer, to adopt Resolution No. 3580 which institutes a soft freeze of the Defined Benefit portion of the city's retirement plan and implements an additional matching contribution to the Money Purchase portion of the plan for non-collectively bargained employees hired after March 5, 2012. The motion carried unanimously in a voice vote.

PUBLIC HEARINGS

Ordinance No. 2031 - Tree City USA. McConnell opened the public hearing at 7:00 P.M. Tokos reported that the issue before Council is whether it is in the public interest to amend various sections of the Newport Municipal Code and the Zoning Code, which would put in place a program for managing the city's urban tree canopy and will be used to support an application for a "Tree City USA" designation with the Arbor Day Foundation. Tokos noted that attaining the "Tree City USA" designation is a Council goal this year. He reviewed the changes to the Municipal Code and Zoning Code. He added that the tree plan would have to be approved by the City Council, and noted that other standards address the permitting process. He noted that vision clearance standards will ensure that vehicle line of site is unobstructed at intersections. Tokos reviewed the changes made by legal staff after the ordinance was posted on the city website. He noted that the Planning Commission and Parks and Recreation Committee have provided a favorable recommendation. A discussion ensued regarding compliance and enforcement of vision clearance standards. Further discussion ensued regarding the liability provision. Tokos recommended placing an educational flyer in the utility bills addressing the liability issue.

McConnell called for public comment.

Joyce Gaffin spoke in support of the adoption of the ordinance and the importance of becoming a "Tree City USA."

Paul Stangeland expressed concern regarding the liability issue. He recommended an educational campaign.

McConnell noted that the city will be proactive with educational efforts regarding trees and hedges. McConnell closed the public hearing at 7:24 P.M., for Council deliberation. MOTION was made by Brusselback, seconded by Sawyer, to read Ordinance No. 2031, by title only, amending the City of Newport Zoning Ordinance and Municipal Code to establish criteria for the management of the city's urban tree canopy, and place for final passage. The motion carried unanimously in a voice vote. Voetberg read the title of Ordinance No. 2031. Voting aye on the adoption of Ordinance No. 2031 were McConnell, Allen, Beemer, Bertuleit, Brusselback, Roumagoux, and Sawyer.

ACTION ITEMS

Consideration of Tourism Facilities Task Force Recommendations. McConnell noted that the city is breaking new ground with this endeavor, and is pleased to have the opportunity. He stated that a capable Task Force was appointed and that they did an incredible job. He referred to some of the original documentation that Council approved requiring applicants, recommended for funding, to make presentations to Council. He added that Council is not bound by the Task Force recommendations. He noted that there has not been a discussion, by the City Council, regarding what information it wants before making a final award, or what process it wants to go through. He added that Council needs to make a recommendation on how to move forward; establish a timeline; and a process. He noted that there are several steps after Council makes an award, including an agreement, tailored to each organization, which establishes the relationship between the city and the grantee. He stated that grant funds will not be released until projects are ready to break ground. McConnell noted that one of the reasons that this issue was sent to a Task Force is that some Councilors had involvement with some of the applicants. He reported that he is on the OCCA board; Bertuleit reported that he is on the board of the Friends of the Aquatic Center; and Allen stated that he is a volunteer at the Aquarium, but that would not influence his decision in this matter.

Margaret Dailey appeared representing the Task Force. She reviewed the Task Force recommendations noting that funding was recommended for the Aquarium, Maritime Museum, and the PAC. She added that the Task Force is recommending pledging \$700,000 with a remainder of \$300,000. She noted that one Task Force member wanted to allocate only \$500,000, and have the remainder reserved for future projects.

McConnell noted that each Councilor has received a thumb drive with all the documents submitted by each of the five applicants. A discussion ensued regarding when to hear presentations by the applicants. McConnell noted that the sooner Council resolves the issue and gets pledges made, and paperwork done, the sooner fundraising can be done. McConnell asked Council to formulate any questions so that they can be presented to the applicants ahead of time. He added that he would like a short (ten minute) presentation by each of the three recommended applicant organizations. He noted that any additional questions could be asked after the presentation. A discussion ensued regarding the elimination of two of the applicants. Brusselback noted that if those applicants do not have the opportunity to make a presentation, Council would be ignoring any possibility of offering them anything. Allen noted that in the approved document, Council was only expected to hear presentations from those applicants receiving a favorable recommendation from the Task Force. Council agreed to meet on

March 20, 2012, at 6:00 P.M. to hear presentations. The Aquarium presentation will occur at 6:00 P.M.; the Maritime Museum presentation is scheduled for 6:30 P.M.; the OCCA presentation will occur at 7:00 P.M. Council questions for applicants should be forwarded to Nicole Clark by March 14, 2012. It was agreed to deliberate and make a decision after the presentations.

Consideration of Resolution No. 3581 Supporting a Lincoln County Animal Services District. It was reported that the issue before Council is consideration of Resolution No. 3581 supporting the initiation of proceedings for the formation of a Lincoln County Animal Services District. Allen noted that the motion and title of the resolution are more expansive than what the County Commissioners are requesting of the City Council. He suggested that the title of the resolution be amended to read: "Supporting the Initiation of Proceedings for the Formation of a Lincoln County Animal Services District." MOTION was made by Roumagoux, seconded by Sawyer, to adopt Resolution No. 3581, as amended, supporting the initiation of proceedings for the formation of a Lincoln County Animal Services District. The motion carried unanimously in a voice vote.

Adoption of City Council Goals. It was noted that the draft amended goals are those developed by the City Council at its recent goal setting session. MOTION was made by Brusselback, seconded by Bertuleit, to adopt the City Council goals for 2012/2013 as amended. The motion carried unanimously in a voice vote. McConnell will list for use in revised evaluation process for the next year.

Consideration of Resolution No. 3583 - ODOT Fund Exchange Agreement No. 28345. Gross reported that the issue before Council is consideration of Resolution No. 3583 authorizing the mayor to sign the State of Oregon's ODOT 2012 Fund Exchange Agreement No. 28345. MOTION was made by Brusselback, seconded by Roumagoux, to adopt Resolution No. 3583 authorizing the Mayor to sign ODOT's Fund Exchange Agreement No. 28345. The motion carried unanimously in a voice vote.

Consideration of Non-Profit Funding Recommendations. It was reported that the issue before Council is the consideration of awarding grants to local non-profit organizations. Council adopted Resolution No. 3556 creating a Non-Profit Funding Review Task Force, and charging it with developing and recommending awards based on a competitive allocation program for non-profit social service agencies serving Newport. It was noted that funding for these grants was budgeted, and that Council awarded \$1,586.40 to the Newport Food Pantry to cover SDC expenditures. A request for applications was publically noticed and six applications were received. The Task Force reviewed the applications, conducted interviews, and has attached a recommendation to the Council packet. MOTION was made by Sawyer, seconded by Bertuleit, to award the following local non-profit community grants: Lincoln County Children's Advocacy Center - \$1,000; Habitat for Humanity of Lincoln County - \$1,000; Samaritan House, Inc. - \$3,000; Progressive Options - \$1,800; and CASA of Lincoln County - \$1,600. The motion carried unanimously in a voice vote.

COUNCIL REPORTS AND COMMENT

Allen reported that at the joint meeting between the City Council and the Lincoln County Board of Commissioners, the request from Commissioner Thompson regarding DUII processes was being treated, by the city, as a public records request. He stated that in his private capacity as a citizen, he will be submitting a public records request to Lincoln County for the documents that Thompson was relying upon. He added that he will be asking for a public interest exemption for all charges, and will make sure the city has access to the records.

Brusselback requested an excused absence from the March 19, 2012 Council meetings. MOTION was made by Beemer, seconded by Bertuleit, to excuse Brusselback from the March 19, 2012 meetings. The motion carried unanimously in a voice vote.

McConnell reported that Catherine Rickbone was unaware that Council would be discussing the public arts policy at its work session earlier in the day. She asked that before it is finalized for City Council action, that it go back to the Public Arts Task Force with the changes discussed today.

ADJOURNMENT

Having no further business, the meeting adjourned at 8:13 P.M.

Margaret M. Hawker, City Recorder

Mark McConnell, Mayor