

May 5, 2014
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, Roumagoux, Allen, Beemer, Saelens, Busby, Sawyer, and Swanson were present.

Staff present was City Manager Nebel, City Recorder Hawker, Assistant Fire Chief Murphy, Public Works Director Gross, Senior Center Director Peggy O'Callaghan, Parks and Recreation Director Protiva, and Police Chief Miranda.

MOTION was made by Swanson, seconded by Beemer, to formally excuse Saelens who is at a Lincoln County Budget Committee meeting this evening. The motion carried unanimously in a voice vote.

Roumagoux recognized Rob Murphy and the Fire Department for filling in for the honor guard at the Loyalty Days Parade.

Nebel congratulated Jim Protiva and the Parks and Recreation Department for the Coast Hills Bike Classic race this weekend.

PLEDGE OF ALLEGIANCE

Council, staff, and the audience participated in the Pledge of Allegiance.

PROCLAMATIONS, PRESENTATIONS, AND SPECIAL RECOGNITIONS

Proclamation - Police Week - May 11 - 17, 2014. Roumagoux proclaimed the week of May 11 - 17, 2014 as Police Week in the City of Newport. Miranda accepted the proclamation.

Proclamation - Emergency Medical Services Week - May 18 - 24, 2014. Roumagoux proclaimed the week of May 18 - 24, 2014 as Emergency Medical Services Week in the City of Newport. Murphy accepted the proclamation.

Proclamation - Rogue Ale Brewer's Memorial Ale Fest - May 16 - 17, 2014. Roumagoux recognized the Rogue Ale Brewer's Memorial Ale Fest to be held on May 16 and 17, 2014. Al Jorgenson, President of the Rogue Nation, accepted the proclamation.

Proclamation - Older Americans Month - May 2014. Roumagoux proclaimed the month of May as Older Americans Month in the City of Newport. Peggy O'Callaghan, Newport Senior Center Director, and Scott Bond, from the Oregon Cascades West Council of Governments, accepted the proclamation. Bond distributed a handout containing statistics related to senior and disability services in Lincoln County.

Introduction of the 2014 City of Newport Sister City Student Exchange Delegation to Mombetsu. Ted Dewitt introduced the students and chaperones who will be participating in the Sister City exchange this summer. The delegation includes: Gabby Campbell, Natalie DeWitt, Sophie Dziak, Mia Estabrook, McKenzie Figuracion, Rosemary Hume, and Alex Rash. Chaperones include: Dave Campbell, Ted Dewitt, John Estabrook, and Jennifer Wrazen.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the City Council work session and regular meeting of April 21, 2014;
- B. Authorization for the City Manager to execute a goods and services contract for tourism promotion services with the Greater Newport Chamber of Commerce;
- C. Ratification of the Mayor's appointment of Michael Franklin to the Planning Commission for a term expiring on December 31, 2014.

Allen requested that item C. be removed from the consent calendar.

MOTION was made by Beemer, seconded by Busby, to approve the consent calendar, as presented, with the removal of item C. The motion carried unanimously in a voice vote.

Ratification of the Mayor's Appointment of Michael Franklin to the Planning Commission. Allen suggested that a letter of thanks be sent to outgoing Planning Commissioner Mark Fisher. He also suggested that members of the Planning Commission Citizen's Advisory Committee be considered for future Planning Commission vacancies. MOTION was made by Beemer, seconded by Sawyer, to ratify the Mayor's appointment of Michael Franklin to the Planning Commission. The motion carried unanimously in a voice vote.

PUBLIC HEARING

Public Comment and Possible Action on the Approval of an Ordinance Amending Chapter 2.05.025(A) of the Newport Municipal Code Related to the Composition of the Airport Committee. Hawker introduced the agenda item. Nebel reported that at the April 21 City Council meeting, the Council reviewed a report from the Airport Committee, which suggested allowing for two members of the Committee to be non-residents of the City of Newport. He added that currently the Municipal Code allows for one member to be a non-resident. He noted that concerns were expressed regarding the possibility of having a quorum of three members at a meeting with two potential nonresidents making recommendations on the expenditure of city taxpayer funds related to the airport. He stated that the suggestion of allowing for a second nonresident to be on the Airport Committee with the expansion of the committee to seven members was ultimately approved by the City Council. He added that an ordinance amending the Municipal Code has been drafted by the City Recorder and reviewed as to form by the City

Attorney and is before Council for possible adoption. He recommended approval of Ordinance No. 2064.

Roumagoux asked for public comment. There was none.

Allen noted that, at the last meeting, an issue arose related to obtaining quorums. He asked whether staff is comfortable that sufficient applicants will step forward, and Nebel noted that he thought others would be interested in serving when it is known that a diverse group is important.

MOTION was made by Allen, seconded by Beemer, that Ordinance No. 2064, an ordinance amending Chapter 2.05.025(A) of the Newport Municipal Code related to the composition of the Airport Committee, be read by title only and placed for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2064. Voting aye on the adoption of Ordinance No. 2064 were Sawyer, Swanson, Allen, Busby, Roumagoux, and Beemer.

CITY MANAGER'S REPORT

Approval of an Amendment to the Interim Operation Procedures for the City of Newport City Council Meetings Dated January 21, 2014. Hawker introduced the agenda item. Nebel reported that at the April 7 City Council work session, a discussion ensued regarding the City Council's policy for holding work sessions. He noted that traditionally the City Council was regularly holding work sessions at noon on the Monday of regular City Council meetings. He added that he and the Mayor have discussed this practice and the Mayor indicated that, in her opinion, it was not necessary for Council to schedule a work session every Monday at noon prior to City Council meetings. He stated that following this discussion, work sessions have only been scheduled when there was a specific need to meet. He noted that Councilor Swanson suggested having a discussion on this policy to determine the wishes of Council regarding regularly scheduled work sessions. He added there was a consensus of Council that if a limited amount of time is needed to discuss a work session type item that it could be done just prior to the regular meeting. He stated that this would facilitate the schedules of Council members who are juggling work and other obligations better than having two separate meetings on the same day. Nebel added that if there was a need for a longer work session, the Monday noon period would be preserved for that purpose. He stated that he and the City Recorder have drafted a policy statement for Council consideration. He noted that if Council supports the process as outlined in the policy statement included in the packet, he recommends that Council amend the Interim Operating Procedures that were adopted on January 21. He added that the Interim Operating Procedures are scheduled for review, and incorporation as part of the Council Rules at the June 2, 2014, City Council meeting. He noted that the Council Rules regarding work sessions could be amended on the June 2 meeting. Nebel recommended approval of the Interim Operating Procedures for Council meetings.

MOTION was made by Sawyer, seconded by Beemer, that the Interim Operating Procedures for the City of Newport Council meetings, dated January 21, 2014, be amended to include revised provisions as to the holding of work sessions by the City Council as provided in the City Manager's Report for the May 5 meeting. The motion carried unanimously in a voice vote.

Approval of an Oregon Water Resources Department (OWRD) Water Conservation, Reuse, and Storage Grant Agreement, as Amended. Hawker introduced the agenda item. Nebel reported that at the April 7, 2014 Council meeting, authorization was granted to the Mayor to sign an agreement that would provide \$250,000 in funding to continue the seismic stability and retrofit feasibility study on the Big Creek Dams. He added that the agreement has been reviewed by the Department of Justice and several minor revisions were made. He noted that although the revisions are non-substantive, the City Attorney advised that the agreement be sent to the City Council for approval of the agreement as amended. He recommended that Council approve the agreement as amended.

MOTION was made by Beemer, seconded by Sawyer, that the Mayor be authorized to execute an agreement, as revised from the April 7 City Council meeting, with the Water Conservation, Reuse and Storage Grant Program, for the Oregon Water Resources Department for funding in the amount of \$250,000 for the Big Creek Dams, No. 1 and No. 2, seismic stability and retrofit feasibility study. The motion carried unanimously in a voice vote.

Status Report - Tourism Facilities Grant Funding. Hawker introduced the agenda item. Nebel reported that the Tourism Facilities Grant Review Task Force has met and modified the original dates when applications are due for the tourism facilities grant funding. He added that the funding is the remaining \$100,000 from the city's Room Tax Fund that had been earmarked for this purpose by the City Council in previous years. He noted that the City Council restored this funding as part of a budget appropriation earlier this fiscal year. Nebel added that the revised deadline for applying for a tourism facilities grant is June 30, 2014, by 5:00 P.M. He stated that the Tourism Facilities Grant Review Task Force made several adjustments to the language in the document, and is proceeding this program as outlined.

LOCAL CONTRACT REVIEW BOARD

The May 5, 2014 meeting of the Local Contract Review Board was called to order.

Extension of Engineer of Record Agreement with Brown and Caldwell Engineers. Hawker introduced the agenda item. Nebel reported that the City Council authorized an engineering services agreement with Brown and Caldwell to serve as engineer of record for wastewater engineering services. He noted that the original contract expired April 12, 2013, and Amendment No. 1 extended the contract date to April 12, 2014. He stated that Gross has requested that the agreement be extended to for one additional year. Nebel added that Brown and Caldwell is currently working on the Agate Beach Wastewater Improvement Project, the Wastewater System Master Plan, and other ongoing projects. He added that the proposed contract extension would bring the contract time frame to a five year mark. He reported that the only modification to the agreement is an adjustment of the fee schedule, which is allowed on an annual basis in accordance with Section 3A of the Master Agreement. He recommended Council approval of the extension.

MOTION was made by Beemer, seconded by Sawyer, that the City Manager be authorized to execute Amendment No. 2 to the Engineering Services Agreement with

Brown and Caldwell, dated April 12, 2010, extending the agreement through April 12, 2015. The motion carried unanimously in a voice vote.

Purchase of Self-Contained Breathing Apparatus from L.M. Curtis and Sons. Hawker introduced the agenda item. Nebel reported that this item will be delayed until the next agenda as standards have changed which may alter this award.

RETURN TO CITY COUNCIL MEETING

The City Council resumed its regular meeting.

REPORT FROM MAYOR AND COUNCIL

Roumagoux reported that she attended Volunteer Appreciation Dinner at the Aquarium, and that Nebel had done a wonderful job.

Roumagoux reported that she had presented the welcome speech to the Department of Defense ESRI group.

Roumagoux reported that she had judged the Mayor's float for the Loyalty Days Parade and had ridden in the parade with Officer Garrett.

Roumagoux reported that she judged the Hamilton Scholarship applications on May 5.

Roumagoux reported that she would be representing the city at an Aquarium fundraising event in Portland.

Sawyer reported that he attended a recent COG transportation meeting at which the Port of Toledo grant request for its boatyard expansion was moved to the top position.

Sawyer noted that there is a ballot box at City Hall.

Swanson reported that she attended the active shooter training and started the Citizen's Police Academy.

Roumagoux reported that she had also attended the active shooter training.

Busby reported that he attended the Volunteer Appreciation Dinner which was a great event.

Busby reported that he attended the active shooter training.

Beemer reported that he attended a recent Port meeting at which he heard that dredging will begin November 1, and that construction of the Teevin Brothers log yard should begin in July, although there is not a signed contract between Teevin Brothers and the Port at this time.

Beemer reported that he had been invited to watch the Coast Hill Classic Mountain Bike Race at which the weather was uncooperative. He noted that Liam's replacement had done an excellent job with the event.

Allen reported that he attended the Volunteer Appreciation Dinner.

Allen reported that he attended the YBEF meeting on April 23.

Allen reported that he attended Congressman Shrader's fisheries roundtable at which the following topics were discussed: reauthorization of the Magnuson-Stevens Fishery Conservation Management Act, and the PMEC test site.

Allen reported that Senator Roblan will be at OCCC tomorrow evening.

Allen reported that the Oregon Supreme Court will hold oral arguments at the PAC tomorrow, and that there is a welcome dinner scheduled tonight at the Pacific Maritime and Heritage Center.

Allen reported that the Loyalty Days Parade was successful despite the rain.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:02 P.M.

Margaret M. Hawker, City Recorder

Sandra N. Roumagoux, Mayor