

October 14, 2013
4:00 P.M.
Newport, Oregon

The City Council of the City of Newport met in a Special Meeting, on the above date, in Conference Room A of the Newport City Hall. Allen, Roumagoux, Busby, Saelens (arrived at 4:09 P.M.), Beemer, and Swanson were present. Sawyer was excused.

Staff attending was as follows: Smith, Hawker.

Also in attendance was Dave Morgan from News Lincoln County, Larry Coonrod from the Lincoln County Dispatch, and Dennis Anstine from the Newport News-Times.

APPROVAL OF LEGAL SERVICES AGREEMENT WITH ROB CONNELL

Allen noted that Council had received a revised draft of Connell's agreement at the last work session. He noted that there are changes in paragraph four to include the attachment of "Appendix A" to the agreement, changes in paragraph 15, and the addition of a signature line for Connell's signature.

Copies of memos from Community Development Director Tokos and Public Works Director Gross were distributed for Council review. Both employees were concerned regarding the language in paragraph 3 relative to the ability to communicate with Speer Hoyt without clearing that communication through Connell. Swanson noted that this is a legitimate concern. Allen noted that paragraph three provides flexibility and that it is Connell's responsibility to coordinate legal services. Roumagoux stated that the agreement was left as open-ended as possible. She added that there is nothing stopping staff from contacting Speer Hoyt. She noted that she had worked with Connell under a similar agreement, at OCCC, and never felt any constraint. She stated that all Connell wanted was to be kept in the loop. She added that she does not see a problem with the agreement as written. Beemer stated that he does not believe that paragraph three restricts staff from contacting Speer Hoyt directly. Allen stated that he does not want to micromanage Connell, and if issues arise, they can be brought to the City Council. Allen noted that when he met with Connell and Roumagoux, the discussion focused on staff communicating with Speer Hoyt and Connell not aware of the communication. Smith noted that when Connell met with the department heads, someone used the word "clearinghouse" and that wording became an issue with staff. Allen suggested that if staff is concerned with the language and coordination, this issue can be worked out with Connell and Speer Hoyt. MOTION was made by Beemer, seconded by Allen, to approve, and that the city enter into, the legal services agreement with Rob Connell and authorize the Mayor to sign the agreement on behalf of the city. The motion carried unanimously in a voice vote.

DIRECTION TO STAFF AND LEGAL COUNSEL REGARDING ORDINANCE NO. 2058 RELATED TO TAXICABS

Busby stated that another option to the taxicab ordinance discussion would be to repeal the existing ordinance, and have taxicab operators obtain a business license only. He added that if problems arise, they could be addressed at a later date. Allen noted that Bill Trope, owner of Yaquina Cab, had his license application processed pursuant to an older ordinance. Allen noted that Ordinance No. 2058 had not been reviewed by legal counsel, for legal sufficiency, at the time it was presented to Council. He suggested continuing the revision process and placing the revised ordinance on the November 4, 2013 agenda, or advise Council as to whether an ordinance is needed. He stated that he would like Connell to look at the substantive and procedural issues associated with the ordinance and at whether a taxicab ordinance is even necessary. Allen noted that there may be some liability issues associated with not having a taxicab ordinance. MOTION was made by Allen, seconded by Beemer, to direct city staff and general legal counsel Rob Connell to bring back a revision to Ordinance No. 2058 (taxicab ordinance) for Council review and adoption at the November 4, 2013 regular meeting in order to address any substantive issues in the ordinance text as well as any procedural problems in ordinance adoption at the last regular meeting on October 7, 2013; and, in the alternative, to also have general legal counsel Rob Connell investigate the option of no longer having a taxicab ordinance in place with respect to the city business license framework. The motion carried unanimously in a voice vote.

Having no further business, the meeting adjourned at 4:20 P.M.

Margaret M. Hawker, City Recorder

Sandra N. Roumagoux, Mayor