

Minutes
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers
Monday, July 14, 2014

Commissioners Present: Jim Patrick, Rod Croteau, Lee Hardy, Bob Berman, and Gary East.

Commissioners Absent: Mike Franklin and Bill Branigan (*both excused*).

City Staff Present: Community Development Director Derrick Tokos and Executive Assistant Wanda Haney.

A. Roll Call. Chair Patrick called the meeting to order in the Council Chambers of Newport City Hall at 7:00 p.m. On roll call, Hardy, Berman, Croteau, Patrick, and East were present. Franklin and Branigan were absent, but excused.

B. Approval of Minutes.

1. Approval of the Planning Commission work session and regular session meeting minutes of June 23, 2014. Berman had a minor correction to the work session minutes.

MOTION was made by Commissioner Croteau, seconded by Commissioner Hardy, to approve the Planning Commission minutes as corrected. The motion carried unanimously in a voice vote.

C. Citizen/Public Comment. No comments on non-agenda items.

D. Consent Calendar. Nothing on the consent calendar

E. Action Items.

1. Approval of a letter from the Newport Planning Commission to the Newport City Council regarding Commission support of the Memorandum of Understanding (MOU) between the City of Newport, the City of Lincoln City, Lincoln County, and the Lincoln Community Land Trust forming a partnership to further the workforce housing initiative.

Tokos noted that he had corrected a minor typographical error in the copy that Patrick will sign.

MOTION was made by Commissioner Berman, seconded by Commissioner Croteau, to forward the letter from the Planning Commission to the City Council. Croteau noted that he felt the letter was well constructed and really reflects the Planning Commission's position on this issue. The motion carried unanimously in a voice vote.

F. Public Hearings.

1. **File No. 1-SV-14:** A proposed street vacation initiated by the Newport City Council to vacate portions of SW 31st Street, SW 32nd Street, SW 33rd Street, SW Coho Street, SW Brant Street, SW Abalone Street, and SW Anchor Way as road rights-of-way that are not needed for public purposes. These street vacations are being undertaken in concert with a subdivision plat that will reconfigure SW 30th Street, SW 35th Street and SW Abalone Street for future street improvements. The Planning Commission will review this matter and make a recommendation to the Newport City Council.

Patrick opened the hearing for File No. 1-SV-14 at 7:05 p.m. by reading the summary from the agenda. He read the statement of rights and relevance applying to all hearings on tonight's agenda. He asked the Commissioners for declarations of ex parte contact, bias, conflicts of interest, or site visits. Croteau and Berman both declared site visits. Patrick called for objections to any of the Commissioners or the Commission as a whole hearing this matter; and none were heard. He called for the staff report. Tokos noted for the record that there was some additional material that came in that was not included in the meeting packets. These are consents to the subdivision and street vacation from the three abutting landowners; OMSI, Investors XII, and Richard Murry. The Commissioners had copies in front of them. Tokos further explained that there is a letter from Investors XII, which effectively states that they support the subdivision and vacation specific to what is presented here and not a variation, but reserve the right to appeal in the event that it doesn't remain consistent with this. He explained that there are the signed consents from Richard Murry, Investors XII signed by Reginald Breeze, OMSI signed by Nancy Stueber, and the letter from Investors XII's representative Neathamer Surveying. Tokos noted that in the concept map for the Sunset Dunes Plat, the OMSI property is reflected as all of Block 1, all of Block 2 is Investors XII, and Richard Murry's property is reflected as Block 3. He explained that this is one of two actions tonight that are related. However, with the street vacation, the Planning Commission is making a recommendation to the City Council. They have to vacate streets by ordinance. For the subdivision plat, the Commission is the approval body.

Tokos said that with respect to the street vacation, it was initiated by the City Council. As noted in the staff report, the City Council can initiate a street vacation; but when they do, the criteria is different than a typical street vacation. Tokos read through the criteria from ORS 271.130. The first is have the owners of a majority of the affected area objected in writing? He explained that affected is different than abutting properties. Affected owners are within a specified notification area; effectively a triangle 400 feet to either side of the terminus of the street to be vacated and 200 feet perpendicular to the street. He said we ended up mapping that and making the list; and all of those property owners were sent notice. He noted that a copy of the mailing list was included in the packet. We received no objections to this proposal. The second criterion relates to the market value of abutting properties being adversely affected; and have they consented in writing to the vacation? He noted that the consents were received in writing, but not in time to be in the analysis. We now have all the consents; so this is addressed in that capacity. Also this will not adversely impact the market values; if it did, the City would be responsible for damages. For OMSI, the vacation makes their property more developable. With respect to the vacation of Anchor; which also serves as a service drive for these properties, they would still continue to have access to 101. Murry would connect at 32nd, Investors XII at 32nd and also Abalone and 35th when constructed. Regarding the third criterion specifying that notice has been duly given, notice was provided by mail and was published in the Newport News-Times. Prior to the City Council hearing, we will also post the property. The fourth criterion is whether the public interest will be prejudiced by the vacation. Tokos noted that included in the packet is fairly lengthy analysis he put together for the City Council. The Council put together a policy for when they will initiate vacation; and there are a number of standards there. Effectively the City Council found in initiating this vacation that the public interest would not be prejudiced. Tokos explained that largely these rights-of-way are being vacated in concert with reconfiguration as part of the platting process so that we can extend the streets as they have been planned in the Coho/Brant Neighborhood Plan. It is a benefit to OMSI in developing their property, for Investors XII in preparing a portion of their commercial property for development as well, and Richard Murry for what he is trying to accomplish on his developed property.

Tokos noted that Area "A" depicted on the plat map falls in the coastal gully area. Through a Memorandum of Understanding (MOU), OMSI is looking to preserve that as a natural feature. A draft Conservation Easement that is pretty close to what it will look like is included with the subdivision materials. This is to ensure that that area is preserved while providing appropriate access. The reason it is being preserved is so that there are no chances of extending a street through there. Area "B" includes portions of 32nd, 33rd, Brant, and Coho Streets, which are the ones that cross through OMSI and are an impediment to their being able to develop. We have no plans to extend those streets. There are utilities in Brant and 33rd; but with the platting, there will be utility easements dedicated so we can maintain them. Area "C" is a small portion of Abalone that ties into 35th. There are no plans to extend beyond this. The TSP notes that there are no properties to the south to extend a collector roadway. It is State Park down there, so there is no reason to plan to extend a roadway. Lastly, Area "D" is that portion of Anchor being vacated. We don't need a public street long term in that location. It offsets some of the rights-of-way we are obtaining from those joint properties so they are not taking a loss. He said Investors XII may have a small loss. In the near term to make sure there is no adverse prejudices to the public, we will be maintaining a temporary access easement until 35th and Abalone is in place. There is a private property off Anchor that does need access there until there is the alternative access at 35th and Abalone; and that will ensure that property owner retains access. For Anchor, the road as traveled is not entirely in the right-of-way; when it was constructed the road didn't fall entirely within there. When the City was working with the property owners, they wanted to know where the road was in comparison to the right-of-way; and that is what the crosshatching indicates. Tokos noted that below 35th, one structure has been built on Lot 14. There are a couple of additional buildings below that; but they are outside the plat.

Tokos noted that lastly there's a standard under State law and NMC Chapter 14.25 that prohibits vacating rights-of-way that provide beach access. 33rd Street would provide direct access from Abalone to the State Park. That access is being replaced with OMSI's dedication of 30th Street. 30th will be improved between Brant and Abalone, which will effect access north of 33rd. Tokos said it is reasonable to find that the requirements of retaining public access have been maintained. The right-of-way will be replaced in an appropriate manner. Tokos noted that he did recommend one condition that he's suggesting the Planning Commission include. That is that should the City Council proceed with vacating the rights-of-way, to make it effective upon the recordation of the Sunset Dunes Plat and the conservation easement over Lot 1, Block 1. To make sure those are in place, he thinks those should occur simultaneously.

Berman asked if the funny shaped area on the left hand side of Lot 1 is the wetland; the conservation easement. Tokos said yes, that's correct. It's the surveyed gully area. Berman asked if there are plans by the owner to actually put in public access with natural walkways and that kind of thing; or is it just something in conservation. Tokos said he would defer that to OMSI.

Proponents: Jaimie Hurd with OMSI, 1945 SE Water, Portland. Hurd said that OMSI plans to maintain that conservancy and provide the public and OMSI with access. They are working with the City on that; but that is their intent. They will have educational signs and block it to protect the natural area.

Interested Parties: Robert Hoefs, PO Box 501, owner of the candy shop on 32nd Street and a partner in Ocean Investors. Hoefs said that he has some design things in the works to enlarge the candy factory and have a restaurant with a small bar. His plans are to develop that corner so we have a restaurant in South Beach that will seat 109 people. His understanding was that ODOT's plan is that once they have the new intersection at 35th, they will block the left lane traffic turning onto 32nd Street. He said that he doesn't own any of that property at 35th; but he wondered how that is going to lay out when the light goes to 35th Street. He said they took the turn lane out of his family's land with no argument from them because they gained a light. Now the plan is to move the light. Now the City is looking to buy property from the Schones for a lot of money and will compensate Dick Murry for his property.

Hoefs said his family never put up a stink when their property was taken. They agreed so that they had a turn lane to access their property. When they put in the light, that street that runs beside the Yaquina Inn was supposed to be blocked then. Now ODOT is saying they are moving the light for better flow over the bridge. He said the speed limit across the bridge was 55; now it's 35. He talked to PUD truck drivers who turn onto the highway from Hoovers, and they can't crest the bridge at 30 miles an hour now. ODOT says it's for flow of the bridge; it has no flow because of the 35 mile-per-hour speed limit. He said if they do take away the turn lane at 32nd Street, all the people turning to go to Pirates' Plunder and the hotels, will be turning at the new intersection at the light at 35th. If that is the case, all the traffic on that street will hinder traffic tremendously. If they leave a turn lane at 32nd, maybe you take at least half of that traffic. He said that he understands that OMSI needs that intersection. But those businesses on 32nd already have one in place. The patrons of the OMSI camp will be kids aged four to eight. They don't drive; they will be bused in. There are not cars being driven in there. There won't be much traffic flow into that area right now for OMSI; those people don't drive. He said that comment came from some other local people.

Tokos explained that the whole change in the Transportation System Plan (TSP) and the whole policy discussion and language added to the City's plan and the State's Highway Plan to relocate was part of the outreach in the timeframe of 2012. He said to be clear, the signal at 35th is about traffic flow on 101. It's not needed for OMSI. Their development didn't drive that at all. It was structurally about the traffic flow on 101 and getting the signal further south so that large vehicles would have more time to get up to speed going over the bridge. Tokos said, with regard to that, the State will be handling the construction of the signal and 35th Street. They are going to be initiating the design of that later this year. They anticipate construction starting in 2017. The specifics about what 35th will look like once the signal is moved has not been haggled out. Having a raised median and losing the left turn movement you want to have stay is a possibility. There's also a possibility that a turn lane can stay there. Some details need to be put together of what that design is. There's time to work that out when they begin the design before the actual construction in 2017.

Hoefs said there are several businesses here; 101 just happens to drive through the City. He said don't let ODOT affect the business owners and shut down that intersection and land lock their properties. Berman asked Tokos what the mechanism is for getting this to ODOT. Tokos said this has already been conveyed to ODOT and will continue to be. Hoefs said because of family health, he didn't catch any of those comment periods. He asked if since 2012, the speed limit on the bridge hasn't dropped. Tokos didn't know. Again, Hoefs said when they took a large chunk of his family's property, they didn't raise a stink; it never got to that. Croteau said ODOT looked at the issue of the speed limit going from the north side. The speed limit has to be reduced in downtown; and with increasing traffic to NOAA, HMSC, the aquarium, and the brewery, they didn't want them going across the bridge at 55. It was part of the TSP. Hoefs said as far as ODOT's reasoning, you would want to put the light even south of that for those trucks leaving the PUD.

Rocky Houston of Western Beverage, PO Box 40. Houston said he's not opposing the development. He has always had the conversation if you are moving the light, you should go to 40th instead of 35th. He said Western Beverage has trucks coming and going on a daily basis from 130 SE 32nd. He said that is the issue they are concerned with; it's more with the ODOT plan. He knows what they are talking about; but 35th won't do what they want. He said they are putting it in the wrong spot. His concern is with ODOT.

Patrick closed the hearing at 7:35 p.m. for Commissioners' deliberation. East felt that the Commission should forward the action to the City Council with a recommendation for going ahead with the street vacations. Croteau said it is necessary preliminarily as the South Beach area is going to be developing. It just has to be done. There's no alternative. Berman concurred. Hardy agreed; but she thought an interesting discussion was the impact on businesses. She didn't know if there was any way to change ODOT's plan. She asked if whether the plan to vacate these streets and replace them with what we are talking about later was designed around ODOT'S location; or was the location just an unrelated event. Tokos said that losing Abalone and tying in is part of the package. The signal at 35th is an important piece with Abalone coming down and looping. It's not needed for access to the OMSI property specifically. They could be separated. The signal is not part of this proposal. The intersection construction and signal are under a STIP-funded project with ODOT. He doesn't know of any further land use actions needed at this point. It was put into the TSP; and we informed the public through public hearings at that time. The project is moving to design and is fully funded at this point. Hardy said that she sees no problem going ahead with the street vacations. Patrick said the light was getting moved to 35th whether there was a road on the west side or not. It didn't exist until this proposal came about. The change of the signaled intersection goes back quite a ways. He said we talked about it in 2008. The TSP followed after that. That is how it got there. He said that was ODOT. Berman asked when Anchor Way is vacated, how the land is allocated between the two owners. Tokos said it typically splits 50/50. However, in this case between the two owners it worked out better having Dick Murry having more and compensating Investors XII for the extra area. As part of this, we had to appraise the rights-of-way we are needing. The rest is balancing out with OMSI. Dick Murry and Investors XII didn't need to have Anchor vacated at all; but they were fine as long as they got the land. Berman asked if the access to the industrial buildings was 35th. Tokos said what will happen is when the temporary access easement ends when 35th and Anchor is finished, then Dick Murry will be relocating the "as traveled" Anchor on his property. He would have that access to those industrial properties and still have access at 32nd. It would be his road at that point; and also access at 35th. Once 35th and Abalone is in place, Anchor between 32nd will go away; but he has business access, and those three buildings will have access on 35th. The buildings are all on the same lot. Berman said that the parking is now on the west side of those three buildings. Tokos said there will be two accesses. Dick Murry will be shifting Anchor onto his property. Those three industrial buildings will have access on Anchor, just slightly to the east. There will be a curb cut onto 35th. Patrick said he is in favor of the street vacations. He said we worked back in 2008 with all of the workshops. He said this is a good idea. Patrick said he was looking for a motion to

recommend to the City Council that they approve the vacation with the two conditions; the temporary access way and the conservation easement. Tokos said that the condition is that the vacation go into effect when the subdivision plat and the conservation easement are recorded. Croteau said that there have been some legitimate issues raised that need consideration; but he feels the proposal meets the statutory criteria.

MOTION was made by Commissioner Croteau, seconded by Commissioner East, to recommend File 1-SV-14 favorably to the City Council with the provided conditions indicated in the document. The motion carried unanimously in a voice vote.

2. 1-SUB-13: A subdivision plat initiated by the Newport Urban Renewal Agency that will reconfigure properties owned by the Oregon Museum of Science and Industry (OMSI), Investors XII, LLC, and Dick Murry in order to position SW 30th Street, SW 35th Street, and SW Abalone Street rights-of-way for future street improvements. New rights-of-way need to be dedicated for this purpose, and a subdivision platting process is the most efficient method of establishing the location of the road rights-of-way.

Patrick opened the public hearing for File No. 1-SUB-13 at 7:45 p.m. by reading the summary from the agenda; and he called for the staff report. Tokos said on this action he needed to disclose that this is from the Urban Renewal Agency, and he is also staffing that agency as well as representing the Community Development Department. If he were the decision-maker, it would be a conflict issue. He is not the decision-maker; therefore it's fine. He is wearing the applicant's hat and the staff's hat at the same time on this one. He said this is a subdivision plat as noted. This reconfigures privately-owned property for positioning rights-of-way for this 33 acres that will connect 30th between Brant and Abalone and Abalone to 35th. The street alignment for Abalone and 30th were worked out as part of the Coho/Brant Refinement Plan. Tokos noted that the staff report includes a number of findings in applying the subdivision criteria. Typically with a subdivision plat, the improvements have to be constructed before final recordation. However, if the subdivision is strictly to reconfigure rights-of-way, you don't have to have the improvements in before the final plat is recorded; and that is the case here. So this meets that standard. The plat would be recorded before the street improvements are done. Funding is in place between the Urban Renewal Agency and OMSI to construct 30th and Abalone all the way down basically where Anchor comes into 35th. The State when it does 35th will construct across and tie in at that point. The plans have Abalone Street with a multi-use path along the OMSI frontage. It will be a little narrower than full build-out. Investors XII when they make their improvements will put in sidewalk and widen the road. 30th will be constructed with a multi-use path on the south side between Brant and Abalone. Funding is in place for this. This will be part of the Phase 2 borrow that Urban Renewal will be doing in the spring. There are three phases; and each has a program of projects. These are in Phase 2 at about \$5.4 million. For each project, we do the borrowing and build the projects. These projects are budgeted and are scheduled for construction for the summer of 2015. We are working on the design work for some of the elements of this already. Tokos said the owners impacted here would be OMSI, Investors XII, and Dick Murry; and he has outlined the properties in the staff report. He noted also that he had the full case record with him if anyone needed it.

Berman asked if 33rd Street is going away entirely in the vacation the Commission just did. Tokos said that will go away. That is being vacated because it is in the OMSI campus. The City will be retaining an easement over the existing water and sewer lines that are partially within 33rd and partially in Brant. Tokos said that construction of 35th will possibly be about the same time as Abalone. We have a pretty good idea how that will happen. Berman asked if SW Abalone will go around Safe Have Hill and then turn south for all access to the OMSI property. Tokos said they can access on Abalone to the north where the curved road is. Until 35th is constructed, Anchor will continue to be public. Anchor to Abalone, they will be able to tie in at the south end there. Also at the north end where the new Abalone will tie into the existing, which is essentially the Pioneer Cemetery access now.

Proponents: Jaimie Hurd with OMSI, 1945 SE Water, Portland. Hurd said they expect to start these site improvements in March 2015, which is slightly in advance of the real construction. They are working with the City to coordinate those efforts.

Interested Parties: Robert Hoefs, PO Box 501, owner of the candy shop on 32nd Street and Ocean Investors. Hoefs asked Tokos if the way this is set up, 32nd Street can be terminated on the west side of 101. Tokos said no, there will still be a stub. It's still public access to Dick Murry and Investors XII who have a large commercial piece there. Investors XII sold to OMSI the portion west of Abalone and retained the portion between Abalone and 101. What they retained is under commercial zoning. Hoefs said if they ever develop that or sell 32nd Street; when they all come down to 35th, ODOT will be back doing something to the 32nd access. Tokos said that Investors XII is comfortable with the scenario where we restrict access at 32nd but keep that stub for their personal use. It is better for them to keep that stub as a city public street as opposed to them having to ask ODOT for a private access. They were comfortable with having access to 35th via Abalone. Hoefs wondered if, from the Fire Marshal's perspective, a turn lane is needed at 32nd. If there is a fire at any of those places there, the fire trucks would have to go 15, 20, or 30 blocks to get to anything back in there if it gets blocked at 32nd. He said the City can throw that out to ODOT. Patrick said typically you get a raised median, and fire trucks just drive over it.

Patrick closed the hearing at 7:58 for Commissioners' deliberation. Hardy saw no problem with the subdivision request. Berman said that he didn't see any problem other than timing and phasing for construction vehicles getting in and out with some efficiency. He had no objections. Croteau said there are a lot of issues to be worked out; but for what he sees in front of him, the request meets the criteria. East concurred. Patrick also felt it meets the criteria. He said we will note on the record that there are some objections to how 32nd Street is being handled on the east side. He said that we will address the issues if we get the chance.

Hoefs said if ODOT is taking away the existing turn at 32nd and not allowing people to turn there any more, he has a problem. He said fire trucks will drive over the median; and so will anybody else. If they do an island there, then they made it impossible for fire trucks to get across. He said even a flashing light there so they can turn. For people coming off the bridge, it gives them a chance to be able to brake for a traffic light. Patrick reminded Hoefs that the hearing portion was closed and the Commission was now in deliberations. He recommended that Hoefs take this up at City Council to get the process started.

Croteau felt that the criteria for granting approval of this tentative subdivision plat have been met.

MOTION was made by Croteau, seconded by East, to approve File No. 1-SUB-13. The motion carried unanimously in a voice vote.

G. New Business. No new business.

H. Unfinished Business. Tokos said, going back to the action item with the workforce housing letter of support, he thought it would be helpful if a Planning Commission member was in attendance to present that letter to the City Council on July 21st. Croteau said that he could do that.

I. Director's Comments.

1. Tokos gave an update on the status for medical marijuana dispensaries. The City Council will consider an ordinance that puts in place some standards, many of which the Planning Commission recommended. They added in a couple of additional ones; the Police Department's request with respect to alarms is going in, as is hold harmless language that the City Attorney is putting together. The rest of the standards were recommendations made by the Planning Commission; additional background checks, Police access to the same records that OHA has, and Police access to the facilities when somebody is there. The City Council will be considering that ordinance on July 21st. It will be as a business license endorsement with supplemental standards. They will be repealing the temporary moratorium as of the date the ordinance becomes effective (30 days essentially). The moratorium will expire at that time.

2. Regarding the South Beach Town Hall meeting on June 30th, Tokos noted that there were about 120 plus people there. We had an opportunity to talk about a lot of things including a lot of these projects we've discussed tonight. He noted that Jaimie Hurd made a presentation for OMSI. HMSC had a presentation and announced that they received a substantial donation of \$20 million; so they are well on their way to securing financing for the building where they will have space for classrooms and research. Berman asked where the location was for this new building. Tokos said west of the Library in that undeveloped area. He continued that he had a chance to talk about the Urban Renewal work at that meeting. The biggest thing was that the URA entered into a purchase agreement with the Schones family who own the northeast corner at 35th and 101. It's about 2.3 acres and is a \$1.5 million acquisition. The purpose of that purchase is for a couple of things. One, we will need additional right-of-way off 35th to accomplish those improvements. The Agency believes that this is a good opportunity when putting that kind of investment into infrastructure to have control over one corner so we can sell it afterward for some kind of development. Hopefully to attract service uses not currently in South Beach. That purchase agreement provides about six months for outreach for a minor amendment to the SBUR Plan. There will be some outreach. The City Council wants to hear what people feel about this; so they will give people a chance to weigh in before it's a done deal. This purchase was announced at the Town Hall meeting and we entered into the purchase agreement on the 7th. Bonnie Serkin with Wilder gave a presentation on where they are heading with their plans. They are just about sold out of lots in Phase 1 and are looking at Phase 2. One thing that they will be constructing where the dog park is now is a coffee shop; and the dog park will get relocated.

Croteau asked Tokos if there is any word on how HMSC will house their 500 students. Tokos said that they don't have a clear plan at this point. Their focus is getting funding in place for their building. As they get closer to bringing more students in, they realize that is something that needs to be addressed. Croteau asked if they have no dormitory or housing. Tokos said it's not funded. He said HMSC also recognizes that with 500 students, they won't be able to continue the housing they have now, which is in a tsunami area. If students are housed there 24/7, they don't want them in that tsunami area. It remains to be seen whether HMSC takes a proactive approach in finding housing or funding it, or lean on the community to absorb that. And we already have such a tight rental market here.

Patrick said that one thing that came up at that meeting was that a temporary batch plant was put in down there in South Beach. He said evidentially they do not need permitting. He wondered if the Planning Commission should take that up. He wondered if there is an outright ban against doing that. Is there any way to require them to get permission to do that? Tokos said he would be cautious about that. That land was brought into the City with heavy industrial zoning around the same time as Landwaves. That is an outright permitted use in the I-3 zone. He said had they been looking to do that on a permanent basis, they would have had to do a Traffic Impact Analysis (TIA), and we would be looking at the traffic they generate like Teevin Bros. had to do. It would have been only the TIA for the road uses and vehicle safety; not noise and smell. It is an outright permitted use, and we don't get into those types of issues. The City has a nuisance code that deals with noise and has with this particular issue. They had to get a business license. Croteau asked what the State had to do. Was it entirely on the operator to find a site? Tokos said DEQ primarily; the landowner through DEQ. They cleared the land. They are permitted for storm water impact and air emissions, which DEQ deals with. This particular operation has an operational permit from DEQ. The City has a temporary permitting process for temporary structures like

the cherry stands and offices such as the Port's. In this case it was a temporary batch plant for four months. They did obtain a temporary permit from the City. The TIA didn't apply because it gets to permanent improvements. We do have the capacity when they start getting dirt on the road to enforce against waste discharge on roads. That's a nuisance issue; not a land use.

3. Berman wondered if there has been any thought put into normalizing the city limits in South Beach. Tokos asked if he meant annexing those properties that are surrounded by city limits and said that is a Council goal; but they haven't gotten to that conversation. One of their goals is to sort that out. Especially getting those properties annexed where the City extended water and sewer.

4. Tokos was asked how the talks with the taxing entities regarding the north side urban renewal district are working out. He said that he had to side bar that through the budget cycle and hasn't picked it up yet. He is hoping within the next couple of months to start to move on that again.

K. Adjournment. Having no further business to discuss, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Wanda Haney
Executive Assistant