

October 4, 2010
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, Bain, McConnell, Bertuleit, Patrick, Brusselback, Kilbride, and Obteshka were present.

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

PUBLIC COMMENT

Linda Neigebauer and Keira Morgan reported that the Mystery Weekend is scheduled next weekend, and reviewed the weekend activities.

PROCLAMATIONS AND RECOGNITIONS

Bain proclaimed October 1 - 8, 2010 as Oregon Days of Culture in the City of Newport. McConnell noted that the Rocky Horror Show will be opening at the PAC.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the City Council work sessions of September 20, 2010 and September 27, 2010, and the regular meeting of September 20, 2010;
- B. OLCC application for Full Circle Nye Gallery.

Hawker reported that a minor amendment had been made to the minutes. MOTION was made by Patrick, seconded by McConnell, to approve the consent calendar as amended. The motion carried in a voice vote with Kilbride abstaining from voting on the minutes.

COUNCILOR'S REPORTS AND COMMENTS

Kilbride reported that he had received the latest invoice from SeaPort Airlines and that, for Newport, ridership has increased over the last two weeks, but the subsidy continues to be approximately \$25,000 weekly. He prepared a schedule that he distributed to Council during the work session.

Kilbride reported that the city collected \$359,000 in transient room taxes for July, and that this amount is an increase from last year. He noted that TRT collections are down from what was budgeted, and suggested that Voetberg look at where cuts can be made.

Kilbride prepared and distributed a defined benefit plan position proposal on how the city could approach decommissioning the defined benefit plan. He asked that Council review the proposal and offer suggestions.

Brusselback asked whether the increase in airline passengers was due to the local marketing plan. It was noted that the marketing group had just met, and Brusselback asked when the local marketing effort will begin.

Bertuleit suggested summarizing what Council learned at the recent LOC Conference at an upcoming work session.

Bertuleit reported that he attended SeaPort's open house to debut the Cessna Caravan. He noted that it was well attended by the community.

Kilbride reported that he had participated in a ride-along with the Police Department. He noted that it was very informative and he recommended the experience to other Councilors. He added that the officer was extremely professional and handled situations nicely.

Patrick reported that she had gotten many good ideas at the recent LOC Conference, and suggested a discussion of ideas emanating from this conference occur at the next work session.

Patrick reported that she had attended the recent open house, by SeaPort, to unveil the Cessna Caravan.

Patrick reported that she had received phone calls as a result of the water bill flyer on the proposed swimming pool. She asked whether the city is shutting the pool down if it stops working, and suggested that a discussion regarding this occur to clarify the city's intent. She asked what would happen if the pool bond does not pass, and suggested that that discussion is a policy decision by Council that has not been made. Protiva distributed handouts of the flyer that was included with the water bills. He reported that there have been a series of community workshops and many questions. He added that no decisions have been made regarding the fate of the existing pool if it should cease operating. Protiva stated that all the questions in the flyer had been reviewed by the Department of Justice. A discussion ensued regarding the existing pool, and it was noted that if the bond issues does not pass, the pool will be a discussion at budget time every year.

Obtshka reported that the Greater Newport Restaurant and Lodging Association had a discussion regarding the business license and transient room tax ordinance amendments, and he anticipates members of this group will attend the work session on October 11.

Obtshka reported that he attended the SeaPort Air open house to roll out the Cessna Caravan.

Obtshka reported that the next Literary Flick will be the Hunchback of Notre Dame on October 12.

Obtshka recommended that citizens and business owners check the storm drains near their homes and businesses, and if they are full, to report them to city hall.

Brusselback reported that several people had told him they were glad to have received the flyer in the water bill, as it provided answers to their questions.

McConnell also recommended Council discuss what they learned at the recent LOC Conference.

McConnell reported that he attended the first meeting of the "Fly Newport" marketing group. He noted that no particular decisions had been made, but that everyone was

moving forward as quickly as possible to get the plan off the ground. He suggested that Cossey could report on activities since the meeting.

McConnell reported that he attended the SeaPort open house.

McConnell reported that he had thanked the audience at the jazz festival on Friday evening for supporting the festival, and he let them know that the city supported the event.

Obtreshka reported that the second annual middle school beach run had been successful, and he complimented the event organizers.

McConnell reported that a sustainability workshop will be held on Friday, October 22, at the Oregon Coast Community College. Interested folks can confirm attendance with Cheryl Atkinson.

McConnell reported that the Lincoln County Extension Service is hosting a series of natural resource classes, including forestry, farming, and sustainability.

Bain reported that he had attended the recent LOC Conference, and in addition to attending good sessions, he had met with state agencies and legislators.

Bain stated that the intersection of East Olive Street and John Moore Road continues to be a vexing problem.

Bain reported that the state department heads had visited Newport and received an update on the NOAA project.

Bain reported that his dogs escaped from his yard on Saturday, and was a lesson learned.

OFFICER'S REPORTS

City Manager's Report. Voetberg asked for direction on parking at Elizabeth and Olive Streets. It was the consensus of Council that Voetberg take the matter to the Nye Beach parking group.

Voetberg reported that the packet contains information on the 2009 material recovery report from Lincoln County.

Voetberg reviewed the upcoming holiday schedule, and noted that he would attempt to not schedule a Council meeting on December 20.

Voetberg reported that the Public Works Department project update is included in the packet. A discussion ensued regarding whether any of the projects were subject to real estate tax, and it was noted that some would be subject to SDC's and building permit fees. Tokos noted that some projects have smaller SDC's because of the methodology.

Voetberg reported that information on land use and building activity is included in the packet. Tokos noted that land use reviews are similar to last year, but that building permits are ahead of last year.

Voetberg reported on the potential participation of the Lincoln Land Legacy in the South Beach property purchase. McCarthy will ask Wayne Belmont to address Council at the next meeting. Patrick noted that the discussion should occur during the Urban Renewal Agency meeting.

Voetberg reported that the latest suggestion/concern/complaint list is included in the packet.

Voetberg reported that the city had applied for a grant for aesthetic lighting of the Yaquina Bay Bridge. Hawker reported that ODOT had underestimated the costs of

design and construction, and that the project could not be completed for \$70,000. She noted that ODOT had proposed an alternative pedestrian light that was wholly unacceptable. Bain stated that he would have a discussion with ODOT.

Bertuleit asked when a discussion on the overrun of the water treatment plant would come to Council. Voetberg stated that he is aiming for the first meeting in November. Patrick asked about the overrun, and it was noted that the project is approximately three million dollars over budget. Patrick asked how this happened. Bain noted that the city has to figure out what can be cut, and the secondary issue is how we got there. Obteshka stated that he would like to see more than one option.

City Attorney's Report. McCarthy reported that the work session on business license and transient room tax amendments would be held on October 11, 2010, at 4:00 P.M. She will provide information to Council beforehand outlining the issues.

McCarthy distributed materials for the upcoming sustainability workshop. Obteshka encouraged Council to invite everyone they know to attend this workshop.

DISCUSSION ITEMS AND PRESENTATION

Presentation by Barbara Dougherty on the Homeless Connect Project. Barbara Dougherty provided information on the 4th annual Homeless Connect project. She explained the project, its services, and invited Council to attend.

Obteshka reported that Local Ocean Seafood is donating ten percent of its proceeds this Wednesday to Samaritan House.

Agreement between property owner and the city relative to a new municipal pool. McCarthy invited Bill Barton to address Council regarding his offer of property to benefit the proposed swimming pool. Patrick stated that she has property across the street from the recreation center and the proposed pool site, and she has potential to sell it and profit from it if the pool is constructed, as the pool will increase the value of the property. McCarthy stated that she discussed the issue with the ethics commission, and that Patrick is able to participate. Patrick recused herself for consistency, having recused herself in previous discussion of the pool. McCarthy noted that city staff cannot advocate for the pool in any way.

Bill Barton explained that he has lived in Newport nearly 40 years, and looks at this as an opportunity to be a catalyst and give back to the community. He noted that youth, seniors, and the economy will be direct beneficiaries of the pool. He reported that if voters approve the bond measure; he will donate South Beach property to the city that can be sold with the proceeds designed for improvements at the pool. Kilbride asked why the lien was not cleared by the seller who sold the property to Barton. Barton reported that he paid for the property and assumed the lien. Brusselback stated that when Council adopted the pool resolution on March 15, it became an advocate for the pool and process, and he asked what Council can do to make the pool happen. Barton stated that he hoped that this was such a self evident opportunity that it would sell itself. Barton noted that he has tried to rely on volunteers to carry the day, but would be happy to return as a proponent. A discussion ensued regarding the lien amount, and McCarthy noted that the lien increases by approximately \$36 daily. Obteshka asked whether Barton would pay the lien if the pool measure fails, and Barton stated that he would pay

the lien in that circumstance. Bertuleit discussed a delayed close for the property, and earmarking the proceeds from the sale. Barton stated that he expects the proceeds to be used to enhance the facility, not to retire debt.

Bain suggested that when Barton returns, that he should suggest things that would be most beneficial and least offensive.

Patrick noted the need to address issues such as what would happen to Barton's gift if the operation of the pool and recreation center was contracted. Barton agreed to return to Council on October 18.

MOTION was made by Kilbride, seconded by McConnell, that the city attorney be authorized to negotiate an agreement with Mr. Barton regarding the donation of land for purposes related to a new municipal pool, and for the city manager to execute the agreement. Bertuleit stated that this would basically approve something that Council has not seen, and he is concerned about accepting limitations on the property and a delayed close. He added that he believes the agreement should come to Council for approval. Kilbride amended the motion, and McConnell concurred, to reflect that the agreement come back to Council for approval prior to signing by the city manager. The motion carried in a voice vote with Patrick abstaining.

Presentation on Newport swimming pool by community action committee. Stephanie Simpson presented a DVD encouraging a yes vote on the proposed municipal swimming pool. She stated that she hoped the bond measure will pass. McConnell thanked Simpson for her work. Obteshka asked how many groups have seen the DVD, and Simpson replied that the Chamber has a copy, she is trying to get a copy to the Boosters Club, and that other people are taking it to other groups. She added that she is still working on disseminating this information to the public. Brusselback noted that this will be a win for the community, and that if people know the facts, they will automatically vote for it. He added that it is critical the public understand that it is not a choice between one or another pool, but that this is about the municipal pool.

Bill Barton thanked Stephanie Simpson.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:45 P.M.

Margaret M. Hawker, City Recorder

William D. Bain, Mayor