

April 6, 2009
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, Brusselback, Kilbride, Patrick, Obtshka, and Bertuleit were present. McConnell was excused.

Staff attending was as follows: City Manager Shaddox, City Recorder Hawker, City Attorney Firestone, Finance Director Riessbeck, Community Development Director Bassingthwaite, Public Works Director Ritzman, Library Director Smith, and Police Chief Miranda.

PROCLAMATIONS AND RECOGNITIONS

Recognition of Rebecca Cohen on receiving the Oregon Library Association Distinguished Service Award. Library Director Smith recognized Rebecca Cohen for receiving the Oregon Library Association Distinguished Service Award.

K-9 Program – donor recognition. Miranda introduced Jason Malloy, and K-9 handler, T.J. Eriksen and his dog, Eyan. He thanked the program donors.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of minutes from the work session, executive session and regular City Council meeting of March 16, 2009, and executive session of March 20, 2009;
- B. Authorizing administrative approval of OLCC license renewals.

MOTION was made by Patrick, seconded by Bertuleit, to approve the consent calendar as presented. The motion carried in a voice vote with Brusselback abstaining.

COUNCILOR'S REPORTS AND COMMENTS

Obtshka reported on a recent FINE meeting where various marine-related issues were discussed.

Obtshka reported on a recent meeting of the Library Board. Issues discussed included hours and days of operation, items/services to be budgeted, and usage.

Obtshka reported that ODF&W is assisting the Port with a grant application that would fund the removal of the Hennebeque and Pasley.

Firestone reported on a recent meeting of the GP Task Force meeting. The Task Force worked through the entire document. Certain tasks were delegated to sub-groups to review language and scientific issues.

Kilbride reported on a recent meeting of the COG. He updated Council on the COG's services to Newport residents.

Kilbride reported on a recent Library Foundation Newport Reads event. He noted that the authors of the other books will be at the Library on Thursday evening.

Bertuleit reported on a recent meeting of the Airport Committee. Issues discussed included the restriping of the airport and the new air service.

Patrick reported on a recent meeting of YBEF, where the porting of NOAA research vessels was discussed. She distributed a letter supporting the project, and asked whether anyone objected to her signing it as "Councilor." MOTION was made by Bertuleit, seconded by Obtshka, to approve Councilor Patrick's placement of the letter in the paper.

Bain reported on a recent meeting of the Destination Newport Committee at which a discussion ensued regarding the use of different media for advertising.

Bain reported on a recent meeting of the air service consortium. He reviewed usage statistics, and noted that the consortium will meet again on April 29 to discuss the SeaPort Airlines marketing plan.

Bain reported on a recent YBEF meeting where priorities were discussed.

Bain reported on the recent deployment of Newport and Toledo police officers to Iraq.

Bain reported on City Hall Day, noting that various issues were discussed, and he and Shaddox had the opportunity to meet with legislators. He noted that there may be funding cutbacks from DLCDC for periodic review assistance to cities.

Bertuleit suggested signage at the airport noting the availability of commercial flights.

OFFICER'S REPORTS

Report of the Mayor. Bain reported that Richard Beemer has resigned from the Planning Commission.

Report of the City Manager. Shaddox updated Council on the recent bond sale and receipt of funds. The process has concluded. funds are available, and the design is underway.

Shaddox noted that the Bayfront project is ongoing. Ritzman reported that the city has been awarded a grant of \$593,000 in economic stimulus money for the Bayfront project. Additional information has been requested, and there is a tight deadline. He also noted that the water treatment plant project will begin Thursday with meetings with the consultants.

ACTION ITEMS

Intergovernmental agreement with State of Oregon, Department of Aviation for Statewide Airport Pavement Maintenance Program. Shaddox reported that the

staff report is self-explanatory, noting that this is an annual program requiring a 25% local match. MOTION was made by Bertuleit, seconded by Obteshka, to authorize city staff to submit the intergovernmental agreement to the State of Oregon Department of Aviation to enter into the Statewide Airport Pavement Maintenance Program (PMP). The motion carried unanimously in a voice vote.

Oregon Coast Council for the Arts Tourism Marketing Grant Fund application. Catherine Rickbone, executive director of the OCCA, and Claire Little appeared in support of the application. MOTION was made by Bertuleit, seconded by Brusselback, to approve the tourism marketing grant fund application, submitted by the Oregon Coast Council for the Arts, for assistance with national/regional marketing and graphic services for Jazz at Newport, in the amount of \$7,650. The motion carried in a voice vote with Kilbride voting no.

Hatfield Marine Science Center – Tourism Marketing Grant Fund application. Ken Hall made a brief presentation in support of the application. Motion was made by Patrick, seconded by Bertuleit, to approve the tourism marketing grant funding request, in the amount of \$2,500, submitted by the Hatfield Marine Science Center, for assistance with marketing its SeaFest program in the Portland and Eugene areas. The motion carried in a voice vote with Kilbride voting no.

Public hearing on proposed Council initiated street vacation (File No. 1-SV-08) of a portion of SW 12th Street just south of SW Abbey Street abutting property known as 1140 and 1206 SW Abbey Street. Bassingthwaite entered the entire file into the record and presented the staff report. Bain read the statement of rights and relevance and asked for declarations of conflict of interest, bias, and ex parte contact. Obteshka, Bertuleit, and Patrick reported that they had visited the site. Bain noted that he was familiar with the site. There were no objections to any individual Councilor, or the Council as a whole, hearing this matter. Bain opened the public hearing at 7:44 P.M.

Bain called for proponent's testimony. Dennis Bartoldus and Peter Lawson appeared in support of the proposed street vacation. They addressed the three conditions as noted in the staff report: utilities; access; and vegetation.

Bain called for opponent's testimony. There was none.

Bain called for rebuttal. There was none.

Obteshka suggested that the adherence to the geotechnical recommendations be made a condition of approval.

Bain closed the public hearing for Council deliberation at 8:02 P.M. MOTION was made by Patrick, seconded by Obteshka, to approve the proposed street vacation of a portion of SW 12th Street as identified in File No. 1-SV-08 as being in compliance with the applicable criteria and with the three conditions of approval recommended by staff and the Planning Commission as identified in the Planning Staff Report, and direct staff to bring back an ordinance that includes the requirement for adherence to the geotechnical reports for the garage rehabilitation, and that staff would work with the applicant on appropriate language for the ordinance. The motion carried unanimously in a voice vote. A discussion ensued regarding whether the property is above the Bayfront.

MOTION was made by Patrick, seconded by Obteshka, that the property is on the hillside above the Bayfront. The motion carried unanimously in a voice vote.

Amendment to Local Improvement District Code provisions and adopting policies regarding LID's. Firestone reviewed the proposed amendment and policies regarding LID's. MOTION was made by Patrick, seconded by Bertuleit, to read Ordinance No. 1977 by title only and place for final passage. The motion carried unanimously in a voice vote. Shaddox read the title of Ordinance No. 1977. Voting aye on the adoption of Ordinance No. 1977 were Brusselback, Bain, Patrick, Obteshka, Kilbride, and Bertuleit.

MOTION was made by Patrick, seconded by Bertuleit, to adopt Resolution No. 3462 regarding Local Improvement District policies. The motion carried unanimously in a voice vote.

Approval to apply for COPS grant. Shaddox explained the grant, noting that this is a good option at this time. Miranda noted that the primary position is to re-employ officers who have been laid off, adding that the department is down two positions from six years ago. MOTION was made by Patrick, seconded by Bertuleit, to approve the application for two police officer positions funded by the COPS grant. The motion carried unanimously in a voice vote.

COUNCIL COMMENTS

The Volunteer Dinner is scheduled for April 28, 2009.

Congressman Shrader will be in town on Thursday and Friday.

The city has received a letter from FEMA regarding flood insurance study revisions.

ADJOURNMENT

Having no further business, the meeting adjourned at 8:28 P.M.

Margaret M. Hawker, City Recorder

William D. Bain, Mayor