

July 1, 2013
6:14 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, Beemer, Allen, Roumagoux, Sawyer, Saelens, Swanson, and Busby were present.

Staff present was Interim City Manager Smith, City Recorder Hawker, Community Development Director Tokos, Public Works Director Gross, Police Chief Miranda, Parks and Recreation Director Protiva, Assistant Fire Chief Murphy, Police Sergeant Garbarino, and Assistant Finance Director Brown.

PLEDGE OF ALLEGIANCE

Roumagoux requested a moment of silence in honor of the firefighters lost in the Arizona wildfire.

Council and the audience participated in the Pledge of Allegiance.

ADDITIONS/DELETIONS AND APPROVAL OF THE AGENDA

Smith requested that Action Item A. be removed from the agenda. Allen stated that he has questions about this agenda item and wishes to get the questions on the record for clarification prior to sending it back to the Destination Newport Committee.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the work session and regular meeting of June 17, 2013;
- B. OLCC application - Deep End Café;
- C. OLCC application - Panache.

MOTION was made by Beemer seconded by Allen, to approve the consent calendar with the changes to the minutes as made by Allen, Busby, Saelens, and Sawyer. The motion carried unanimously in a voice vote.

OFFICER'S REPORTS

Mayor's Report. Roumagoux appointed Robin Dennis to the Wayfinding Committee. MOTION was made by Allen, seconded by Beemer, to ratify the Mayor's appointment. The motion carried unanimously in a voice vote.

Roumagoux reported that she had attended the quarterly ODOT meeting with Tokos, Miranda, and Smith.

Roumagoux reported that she had attended the Lincoln County Mayor's meeting hosted by John Robinson of Siletz.

Roumagoux reported that she attended a presentation on the Central Coast Fire Authority implementation plan. She noted that the next step is for the plan to go to the various departments for further review and discussion.

Roumagoux reported that she attended parts of the recent American Legion Convention with Miranda and Lorna Davis.

Roumagoux reported that she attended a farewell gathering for A.T. Ronan of the OCCC.

Roumagoux reported that she attended the Chamber of Commerce Awards Banquet.

City Manager's Report. Smith reported that he is meeting with as many city staff as possible. He added that one of his charges was to get out of the office and talk with city staff and community members. He noted that he believes that he has been accomplishing this.

Smith reported that he is endeavoring to attend as many committee meetings as possible.

Smith reported that there was a defect in the budget publication for the Fiscal Year 2013/2014 budget. He noted that the city's former Finance Director incorrectly included the Urban Renewal Agency approved budget amounts in the city's published LB-1 form. He noted that subsequent to the last Council meeting, where this item was addressed, a citizen complained to the Department of Revenue. He added that the "fix" for this incident is delineated in ORS 294.451(2) which reads, "At the first regularly scheduled meeting of the governing body of the municipal corporation that is held following the discovery of any publication error. . .the budget officer shall advise the governing body in writing of the error and shall correct the error by testimony before the governing body at the meeting." He noted that this discussion, at this meeting, rectifies the error. Allen stated that the information was there and since it was included, it did not prejudice anyone's rights.

Smith reported that the Infrastructure Task Force will meet July 31 from 3 - 4:30 P.M. Smith stated that he plans to attend, and that Linda Brown will be taking minutes. Allen reported that he and others had met with several state agencies last month, and during lunch, they became aware of a particular state fund that showed some opportunity for very meaningful grants. Gross reported that this funding opportunity is through the Infrastructure Finance Authority's Public Works Emergency Fund which is used to assist communities that have had declared natural disasters. He added that there are two ongoing projects that are almost out to bid. He noted that the city is eligible and that a preliminary application has been submitted. He stated that the final paperwork is being completed; it will be submitted this week; and the turnaround time is a few weeks. Gross reviewed other potential grant opportunities and partners.

DISCUSSION ITEMS AND PRESENTATIONS

Storm/Tsunami Ready Community Designation. Miranda, Murphy, Garbarino, and the Lincoln County Emergency Services Coordinator, Jenny DeMaris, reviewed the

Storm/Tsunami Ready designation and responded to Council questions. Miranda displayed the tsunami and storm ready recognition and signs.

Garbarino reported that a door-to-door outreach and a large readiness fair will occur in September. A discussion ensued regarding targeting specific populations, contents of emergency preparedness kits, and vendors.

Possible New Municipal Swimming Pool. Protiva introduced Sophia Koukoulas, a Parks and Recreation Department intern. Protiva made a PowerPoint presentation regarding the proposed new municipal swimming pool. He reported that the Parks and Recreation Advisory Committee had looked at the community needs which included: water safety training and instruction; recreation; fitness; competition; and therapy. Protiva displayed a floor plan and noted that the proposed pool would fit on the property next to the Recreation Center. He added that there would be adequate space for warm water opportunities and eight lanes for competition or lap swim. Protiva reported that there would be seating and adequate deck space for hosting competitions. He stated that there is existing space for dryland exercises and team meetings. He added that this plan would improve the existing building around the aerobics room and control area. He reviewed a drawing of the warm water component. Swanson asked whether the facility would be open to private therapists, and Protiva responded that it would. Swanson asked whether there were any issues with tots being around adults, and Protiva responded that this could be controlled through programming. Allen asked whether eight lanes is sufficient for a lap pool, and Protiva responded that the current facility only has six lanes. Allen asked whether the slide and hot tub were necessary to the plan, and Protiva noted that there are therapeutic benefits to a hot tub. Protiva noted that it could be eliminated, but that there is enough demand for it that it was deemed important enough to include in the plan. It was noted that the cost of the water slide is \$210,000, and that it has been a toss-up as to whether it is a deal breaker. Allen asked what the perception to voters will be when looking at this proposal. Protiva reported that the survey suggests that if a family has young people, it might be inclined to want a slide while seniors are not interested in the slide. He added that the slide is a financial concern, and the deck space can be utilized if the slide is not constructed. Saelens noted that from the beginning of the pool planning process, it was recognized that there are amenities that a significant part of the community is interested in. It was noted that the concept was to maximize as many water features that the city and tourists want to see over the life span of this pool. Allen noted that he is thinking about the voters and the property tax increase to property owners who do not use the pool. He asked whether the hot tub and slide will have an influence on those who do not use the pool. Busby noted that \$210,000 is not important as a taxpayer, but that it needs to be couched in terms of tax. Protiva stated that this is a municipal style design rather than an aquatic park design, and specifically designed to meet community needs at a good price point.

Protiva reviewed parking at the proposed site. He noted that there are 205 parking spots on the current campus which are shared among buildings and users. He noted that there is currently adequate parking to accommodate all facility users on average days, but that there is inadequate parking for major events. He added that parking can be controlled through programming. He noted that adding parking on Second Street has been discussed. He stated that as part of this project, and being fair to the future, he thinks it would be appropriate to add an expense for future parking needs. He added

that there are very few decisions left, as a sound body of work has been completed. Protiva stated that the timelines are on schedule. He reiterated that questions still need to be answered regarding whether to include funding for a slide and parking. Swanson stated that she supports inclusion of a slide. Saelens thanked Protiva for highlighting the additional parking spaces. Protiva reported that it is responsible to set aside some funding for future parking. Allen asked whether locating the pool next to the Recreation Center would reduce the subsidy level. Protiva stated that both facilities could share a control area. He stated that the current level of subsidy to the pool should be able to be maintained. Roumagoux asked whether the issue is on track for the November election. Protiva noted that it is on track for the election and that he is willing to return with final thoughts and figures. Allen noted that the goal is to put something before the voters that is reasonable and has a chance for success. Saelens noted that Protiva periodically reports on various special events designed to make the Recreation Center more self-sufficient. Roumagoux asked whether the Parks and Recreation Foundation would be active in promoting this bond measure. Protiva reported that the Foundation has found funding that has strings attached. He added that when the measure moves forward, there will be viable information regarding costs, a timeline, and a group to promote the measure. Protiva noted that this is a great opportunity for the community and a modest amount of tourists. He stated that the Recreation Center was initially designed to accommodate an aquatic facility such as this. Allen noted that this will be the second time in three years that this bond measure will have been presented to the voters. He noted that he wants to ensure that when the bond measure goes out, it does not add more than is needed. Protiva reported that the design and body of work will meet the needs today and into the future.

Sawyer asked whether there has been any discussion on making Second Street one way to accommodate additional parking. Swanson stated that she would like to see funding for parking. Busby added that he does not think that parking is a limiting factor.

Protiva noted that the city is at the point where fundamental decisions are required, and added that he will return to the next meeting for further decisions.

Allen asked about the status of the ocean bioaccumulation survey that is being conducted with Georgia-Pacific right-of-way funding. Hawker reported that the draft report has been submitted and that the survey team is working on a final report. Allen asked that the draft report be placed on the city's website.

PUBLIC HEARINGS

Initial Public Hearing to Consider the Withdrawal of a 71.39 Acre Portion of the Wolf Tree Destination Resort Site from the Corporate Limits of the City of Newport - Tax Lot 801, Section 5, T12S, R11W, W.M. Roumagoux opened the public hearing at 7:14 P.M. and asked Tokos for the staff report. Tokos reported that this is the first of two public hearings required regarding whether it is in the public interest for the city to withdraw a 71.39 acre property from the corporate limits. He noted that the property is a part of the larger 668 acre Wolf Tree Destination Resort site. He added that Council initiated the withdrawal process on June 3, 2013, by Resolution No. 3632, at the request of Terry Lettenmaier, the property owner. Tokos noted that Lettenmaier wishes to build a house on his property, and withdrawing the property from the city helps achieve his objective

by allowing him to approach Lincoln County to rezone the site to a designation where that use would be permitted. Tokos noted that Steel Strings indicated that the withdrawal may have an impact on extending future utilities to the resort. He added that the Steel Strings attorney is preparing an easement that protects both interests, and that it is expected that the easement will have been executed before the August 19 meeting.

Roumagoux asked for public testimony. Terry Lettenmaier, property owner, thanked the Mayor, City Council, and Tokos for their work. He stated that he would like to see the property de-annexed so that he can speak with Lincoln County about rezoning the property so that he can build a house.

Roumagoux closed the public hearing at 7:19 P.M. for Council deliberation. MOTION was made by Beemer, seconded by Saelens, to adopt Order No. 2013-3 indicating that Council still favors the withdrawal of the territory and that a final hearing on the matter be set for August 19, 2013. The motion carried unanimously in a voice vote.

Public Hearing and Consideration of Resolution No. 3631 Establishing Hiring Standards, Criteria, Policy Directives, and a Timeline for the Recruitment and Hiring of the City Manager for the City of Newport, Oregon. Roumagoux opened the public hearing at 7:21 P.M. Hawker reported that the issue before Council is to hold a public hearing on Resolution No. 3631 which establishes hiring standards, criteria, policy directives, and a timeline for the recruitment and hiring of a new City Manager.

Roumagoux asked for public testimony. There was none.

Roumagoux closed the public hearing at 7:22 P.M. for Council deliberation. Allen suggested changes to Exhibit B (job description), including the deletion of the word "Confidential" at the top of the job description and several minor scrivener's errors. MOTION was made by Sawyer, seconded by Beemer, to adopt Resolution No. 3631 establishing hiring standards, criteria, policy directives, and a timeline for the recruitment and hiring of a new City Manager as amended. The motion carried in a voice vote with Saelens abstaining.

ACTION ITEMS

Consideration of an Award for Print/Outdoor Marketing Production to the Newport News-Times. It was noted that this item had been removed from the agenda. Allen stated that he had communicated with staff due to the lack of a personal services agreement, and the amount of money being requested. He noted that this matter was not on the agenda of the June 18, 2013 Destination Newport Committee, and that he was informed that the Newport News-Times publisher had brought the issue to the DNC at the last minute. He stated that there is a current agreement in place with the News-Times and noted that the publisher should have caught this. Allen added that the publisher signed off on the agreement last year and presented a similar agreement to the DNC two weeks ago. Allen noted that the letter (agreement) required the News-Times to provide reports. Smith noted that committees, including the City Council, allow additions/deletions to agendas at the last minute. He added that a lot of committees operate as if they are administrative rather than advisory. He noted that some committees appear to believe that they have right to direct staff.

COUNCIL REPORTS AND COMMENTS

Saelens reported that he had attended the radio amateur's field day in Toledo.

Swanson thanked Gross for repairing the hazard in the City Hall pedestrian ramp, and noted that there are four other areas on the ramp that are a problem.

Swanson requested an excused absence from the July 15, 2013 City Council meeting. MOTION was made by Allen, seconded by Saelens, to excuse Swanson from the July 15, 2013 City Council meeting. The motion carried unanimously in a voice vote.

It was noted that July 29, 2013 is the fifth Monday of the month, and a Town Hall meeting will occur.

Busby noted that amateur radio provides a great service.

Busby reported that he had attended the opening of the Maritime Heritage Museum, and noted that this facility is a great asset to the Bayfront.

Beemer congratulated Gross for the work at Betty Wheeler Field, and particularly the new sidewalk along Nye Street.

Beemer reported on a recent meeting of the Port of Newport. He noted that construction on the international terminal is winding down; dredging needs to be completed; and that contract discussions are underway with Teevin Brothers.

Beemer reported that the Library produced an entertaining skit at the recent Chamber of Commerce luncheon.

Allen reported that he had attended a recent FINE meeting. He noted that there was a brief update from the Oregon SeaGrant and representatives from NNMREC. He noted that the OSU test device, Sentinel, will be deployed in late July for approximately six weeks, and that it is possible that a developer will use that facility next spring.

Allen reported that he had attended a meeting of the Bureau of Ocean Energy Management/State of Oregon Task Force for Renewable Energy at which BOEM talked about leasing in the outer continental shelf. He noted that one of the leases filed was for the PMEC site that was awarded to Newport about six nautical miles southwest of the jetty, and that this location is in the outer continental shelf. He added that the jurisdiction for leasing the seafloor is through BOEM, and that FERC issues the hydrokinetic licenses. He noted that the process could take over a year with construction occurring in two or three years, with an operational facility in 2016.

Allen reported that a small group met regarding recycling. It included Doug Hunt, Wayne Belmont, Rob Thompson, Ken Riley, and he and Saelens. He noted that a public forum may tentatively occur in September. He added that he had toured the composting facility near Coffin Butte, and that if other Councilors wish to take the tour to let Hawker know. Saelens noted that this is the largest composting facility between Seattle and San Francisco.

It was noted that Council had been invited to the Maritime Museum on July 4.

Gross reported that there will be a public open house regarding the Highway 101 crosswalk project tomorrow night.

Smith reported that Lance Vanderbeck was selected city employee of the year by the Greater Newport Chamber of Commerce, and recognized at the recent Chamber banquet.

ADJOURNMENT

Having no further business, the meeting adjourned at 7:52 P.M.

Margaret M. Hawker, City Recorder

Sandra N. Roumagoux, Mayor