

July 2, 2012
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, Beemer, Allen, Bertuleit, Brusselback, Sawyer, and Roumagoux were present. McConnell was excused.

Staff present was City Manager Voetberg, City Recorder Hawker, Community Development Director Tokos, Public Works Director Gross, Fire Chief Paige, Parks and Recreation Director Protiva, and Police Chief Miranda.

PLEDGE OF ALLEGIANCE

The City Council and audience recited the Pledge of Allegiance.

ADDITIONS/DELETIONS AND APPROVAL OF AGENDA

It was announced that the proclamation, and letter of recognition for Meredith Savage, would be heard before the first public comment period.

The Thompson Rate Review will be moved to action item A.

An action item, "Notice of Intent to Award Naterlin Drive to Yaquina Bay State Park Sidewalk Improvement Project," was added as action item D.

It was noted that the special City Council meeting minutes of June 19, 2012 will be on next agenda for approval.

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 18, 2012, and the executive session of June 19, 2012;
- B. OLCC license approval for:
 - 1. Sabai Thai Kitchen;
 - 2. Panache;
 - 3. Stonecrest Cellars, LLC.

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

PROCLAMATIONS

Parks and Recreation Month. Allen, on behalf of the Mayor, proclaimed the month of July as Parks and Recreation Month in the City of Newport. Protiva thanked Council and

recognized some of the employees instrumental in running the department. Voetberg reported that Protiva had received the Businessperson of the Year Award at the recent Chamber of Commerce banquet.

Letter of Recognition for Meredith Savage, Past Newport Volunteer Firefighter Association President. Allen read a letter recognizing Meredith Savage for her work with the Newport Volunteer Fire Department. Paige praised Meredith's work as president of the Newport Volunteer Fire Association, and read excerpts from an e-mail that Meredith had sent earlier in the day.

OFFICER'S REPORTS

Mayor's Report. Allen, on behalf of the Mayor, appointed Richard Reynolds and Donna Fogarty to the Senior Center Advisory Committee. MOTION was made by Roumagoux, seconded by Bertuleit, to ratify the Mayor's appointments of Richard Reynolds and Donna Fogarty to the Senior Center Advisory Commission. The motion carried unanimously in a voice vote.

Allen reported that he had received communications from the Oregon Parks and Recreation Department regarding tsunami debris response. He read excerpts from a press release on where and how to report tsunami debris. Voetberg noted that this press release was available on the city's website.

Allen reported that the city attorney's last billing statement was fairly high. Along the lines of the Mayor's earlier request, he suggested that this item be scheduled for discussion at the next work session or the first work session in August to discuss attorney fees and services.

Sawyer asked whether there had been any substantive changes with current litigation, and whether Council could be updated by the city attorney and/or insurance defense team.

City Manager's Report. Voetberg reported that the packet contained a letter of appreciation for the city's help with the Marathon. He noted that the event was well attended and went well, and that the proceeds go to student athletes.

Voetberg reported that representatives from ESCI made a presentation to the six participating fire organizations. He noted that Paige will update Council on parts of the presentation applicable to the city at the next work session.

Voetberg reported that the packet contains a project update. Gross updated Council on a new water break on SW 11th Street.

Voetberg reported that the packet contains weekly manager's reports for the weeks of June 11 and June 18.

Voetberg reported that job descriptions will be developed for firefighter, firefighter/engineer, and captain. He noted that this will give the department staffing flexibility and create a career path for firefighters.

Rob Thompson reported that the Marathon generated approximately \$90,000, and more than \$40,000 went to student athletes. Voetberg noted that teams from Waldport and Toledo help with the event and benefit as well.

Allen asked about the update on potential airport development that was discussed at the last Airport Committee meeting. It was noted that Ted Jones had given a status report on various AIP projects.

DISCUSSION ITEMS AND PRESENTATIONS

Photo Voice-AmeriCorps/Vista Presentation - Elise Jordan. Elise Jordan, AmeriCorps/Vista volunteer, working with the Commission on Children and Families, on a homeless youth project, displayed the “Photo Voice” poster. She described the project, noting that four students had been involved in the project designed to empower the students through the art of photography. She recognized Bob Gibson, photographer, and Casey McEneny, visual artist, for their work with the students. She noted that this was a wonderful opportunity for the students to express themselves. She thanked the city for allowing the display to stand in City Hall, noting that it will travel throughout the county in the coming weeks.

LOC Legislative Priorities List. Allen reported that the LOC has many different policy committees that Councilor’s might be interested in participating on. He noted that the legislative priorities list has been distributed to Council. It was agreed that each Councilor would list their top four legislative priorities; send the list to Hawker by Wednesday, July 11; and the list will be tallied by the city manager for presentation and discussion at the next meeting.

ACTION ITEMS

Thompson Sanitary 2012 Rate Review Report. Ken Riley and Rob Thompson appeared on behalf of Thompson’s Sanitary Service. Riley reported that the Parks and Recreation Department had done an outstanding job in facilitating the youth baseball weekend. Rob Thompson and Ken Riley, from Thompson’s Sanitary Service, made a PowerPoint presentation regarding the 2012 Solid Waste Franchise Rate Review Report, and responded to Council questions. It was noted that the rate review report recommends a two percent rate increase based on the CPI as provided for in the city’s solid waste franchise agreement with Thompson’s Sanitary Service. MOTION was made by Beemer, seconded by Roumagoux, to accept the 2012 Solid Waste Franchise Rate Review Report, submitted by Thompson’s Sanitary Service, and approve a two percent rate increase. The motion carried unanimously in a voice vote.

Initiate Renaming of City Property at 1212 NE Fogarty Street as “Forest Park.” Tokos explained that the issue before Council is consideration of Resolution No. 3604 initiating a hearings process to designate 77.43 acres of city property at 1212 NE Fogarty Street as “Forest Park.” He noted that the resolution also calls for a property management strategy to be developed to provide appropriate levels of access to the property while preserving the natural scenery. He added that this matter will not be sent to the Planning Commission until a management strategy has been drafted, and that may be four to six weeks. Allen noted that findings 7 and 8 indicate that the zoning will not change, but that the management strategy would work compatibly with the public zoning designation. Tokos reported that he had met with the folks who proposed this idea and they seem to

be comfortable with this direction. He added that he will continue to work with them. MOTION was made by Beemer, seconded by Sawyer, to adopt Resolution No. 3604, initiating a hearings process to rename property at 1212 NE Fogarty Street as "Forest Park." The motion carried unanimously in a voice vote.

Initiate of Statutory Process to Legalize a Portion of NE Big Creek Road. Tokos reported that the issue before Council is consideration of whether the city wants to initiate proceedings to legalize the portion of NE Big Creek Road within its jurisdictional limits. He added that the section of the road at issue extends north from NE 12th Street to the city limits, which is approximately 330 feet east of the intersection with NE Iler Street, opposite the lower reservoir dam. He noted that staff would follow a typical land use approach providing two weeks' notice to neighbors prior to the hearing which would be held at one of the August meetings. He noted that if, after the hearing, it is appropriate to move forward with the legalization, a final order would be prepared and filed with the county clerk. Gross noted that there has been no final word from FEMA, but recommended moving forward with this legalization regardless. MOTION was made by Roumagoux, seconded by Sawyer, to direct staff to initiate the statutory process to legalize this portion of NE Big Creek Road. The motion carried unanimously in a voice vote.

Notice of Intent to Award the Naterlin Drive to Yaquina Bay State Park Sidewalk Improvement Project. Gross reported that the issue before Council is consideration of the notice of intent to award a contract for the Naterlin to Yaquina Bay State Park Sidewalk Improvement Construction to Frank Construction, in the amount of \$182,417.05, of which \$150,000 of this is funded through an ODOT grant. A discussion ensued regarding finances and whether this project will negatively impact the city's ability to perform smaller sidewalk projects throughout the year. Gross reported that there will be approximately \$43,000 left in the fund which is sufficient to do some smaller projects throughout the year. MOTION was made by Brusselback, seconded by Beemer, that the City of Newport Public Works Department issue a notice of intent to award the Naterlin to Yaquina Bay State Park Sidewalk Project to Frank Construction in the amount of \$182,417.05, and contingent upon no protest, authorize award and direct the city manager to execute the contract after seven days on behalf of the City of Newport. The motion carried unanimously in a voice vote.

COUNCIL REPORTS AND COMMENTS

Sawyer reported that the following clean-ups have been scheduled: July 4, 10:30 A.M. - 1:30 P.M., at the Lucky Gap Trail; and July 7, from 10:00 A.M. - 1:00 P.M., at the South Beach State Park. Gross stated that bags can be picked up as a part of parks maintenance.

Roumagoux reported that the recent Chamber of Commerce awards banquet was enjoyable, and that the city received several great awards, including Protiva's award for "Businessperson of the Year."

Allen reported that he had attended several meetings over the past few weeks, including: June 19 - monthly FINE meeting, at which several issues were discussed, including wave energy and territorial sea planning; June 25 - the joint meeting between

the City of Newport Planning Commission and the Lincoln County Planning Commission, at which various issues were discussed including the transportation plan update and local outreach on the territorial sea plan; June 26 - Port of Newport meeting as liaison from the City Council, at which the Task Force created to establish a pedestrian/vehicle safety plan was discussed; June 26 - DSL meeting at which the three new marine reserves were discussed; June 27 - YBEF meeting at which economic development and marine research were discussed, along with the Premier Project, and the name change from YBOOI to Oregon Ocean; June 28 - Plastic Bag Community Plan Task Force at which it was decided that the agenda for the July 26 meeting would focus on education and outreach, and that if more time was needed to let the City Council know.

Beemer reported that he attended the Chamber of Commerce awards banquet. He also attended the ESCI presentation on the draft fire study. He noted that he has a copy of the study and will place it in the Council office for Council review. It was noted that Paige would be updating Council on the parts of the study relative to Newport at the next work session. He added that some of the recommendations have already been instituted.

Allen noted that Council had received a letter from Oly Olson regarding the Port's Pedestrian/Vehicle Safety Plan Task Force. He noted that Olson will bring this letter to the Port's attention at its next meeting on July 24.

PUBLIC COMMENT

Marletta Noe asked when construction would begin on the 3rd and 6th Street sidewalk project. Gross explained that the bids came in high and the Public Works staff is conducting an analysis to determine the next course of action, and that a bid may be awarded as soon as the next Council meeting.

ADJOURNMENT

Having no further business, the meeting adjourned at 8:12 P.M.

Margaret M. Hawker, City Recorder

David N. Allen, Council President