

May 2, 2011  
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, McConnell, Brusselback, Allen, Beemer, Roumagoux, Bertuleit, and Sawyer were present.

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

### PLEDGE OF ALLEGIANCE

Council and audience participated in the Pledge of Allegiance.

### PROCLAMATIONS AND RECOGNITIONS

Proclamation honoring John and Carol Rehfuss for their service to local governments and the City of Newport. McConnell issued a proclamation honoring the service of John and Carol Rehfuss to the City of Newport and other local governments.

Recognize CERT graduates. Sawyer made a PowerPoint presentation and presented certificates to the following CERT graduates: Richard Crook, Nancy Hawley, James Hawley, Sheri Miranda, Lisa Clarke, Troy Ness, William Clarke, Ernest Bussey, and Lavonne Bussey. Other program graduates not in attendance were Doug Holbrook, Joel Dordau, Tami Harris, Kathryn Hawes, and Cristi Fritz. Sawyer thanked John Rehfuss for going through the CERT program.

Proclamation for Police Week. McConnell proclaimed the week of May 15 - 21, 2011, as Police Week in the City of Newport, and May 15 as Peace Officer's Memorial Day. Miranda accepted the proclamation.

Recognize police officers: Tom Lekas, Keith Garrett, Kraig Mitchell, and Tony Garbarino. Miranda honored Tom Lekas as the 2010 Newport Police Department employee of the year. Miranda honored Keith Garrett, Kraig Mitchell, and Tony Garbarino with distinguished service awards for participation in the pursuit of a police officer shooting suspect on January 23, 2011.

Proclamation for Older Americans Month - May 2011. McConnell proclaimed the month of May 2011 as Older Americans Month in the City of Newport. Ann Davis accepted the proclamation.

### CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the work session and goal setting session of April 8, 2011, and regular work session, goal session, and regular meeting of April 18, 2011;
- B. OLCC application from the Bay Haven Tavern for additional privileges.

MOTION was made by Brusselback, seconded by Roumagoux, to approve the consent calendar as presented. The motion carried unanimously in a voice vote.

Allen thanked Rehfuss for his previous service on the City Council, and wished him well in his future endeavors. Brusselback noted his appreciation for having served on the Planning Commission with Rehfuss.

## OFFICER'S REPORTS

**Mayor's Report.** McConnell reported that he had met with the Lincoln County School District superintendent and board chair, and that the city will have a representative at the West Area Administrator's meeting on a regular basis.

McConnell reported that he had attended the official passing of the keys for the NOAA facility. He reported that an open house will be held in July and the official ribbon cutting will occur in August.

Other meetings McConnell attended include: Chamber of Commerce board meeting; Lincoln County Mayor's meeting; and the Joann Hamilton scholarship meeting.

McConnell thanked the Loyalty Days organizers for a successful event.

**City Manager's Report.** Voetberg reported that Miranda had been elected president of the Oregon Association of Chiefs of Police.

Voetberg reported that the monthly departmental reports are included in the packet.

Voetberg updated Council on the status of the citizen requested changes in the water billing code. He reported that staff had identified three requests. The first is to change the current code so that unpaid water bills are the responsibility of the account owner, rather than the property owner. The second is to increase the deposits to address concerns that account owners, who are not the property owners, may not have sufficient deposits to cover unpaid balances. The third is the change to the recently adopted code amendment that requires payment of a base fee whether there is consumption or not, allowing temporary water shut-offs at no charge. It was noted that staff has no recommendation on the first request. He added that staff believes, relative to the second request, that if Council recommends changing the code to make the account owner ultimately responsible for unpaid bills, that the deposit stay the same or be slightly increased to cover approximately two to two and one-half months of unpaid bills. He noted that staff does not recommend changes regarding the third request. He stated that staff can draft an ordinance if directed by Council.

Bertuleit suggested the water accounts remain in the account holder's name.

McConnell asked about the status of the SOS water fund. Voetberg reported that it will be in effect before winter.

Sawyer asked whether there could be two fee levels for water shut-offs based on the shut-off time.

Allen asked whether staff had discussed the recommendations with the citizens who suggested the changes, and Voetberg noted that they will be contacted.

Voetberg addressed the letter to the editor that appeared in last Friday's News-Times regarding the Naterlin sidewalk project. He reported that there was a difference of opinion regarding what was said, and that Ritzman had prepared a letter regarding the conversation. The letter was distributed to Council. McConnell stated that he planned to have coffee with Mike Becker, who had written the letter, tomorrow. McConnell reported that the city, in coordination with State Parks, may utilize the space under the bridge to the state park for additional trail.

## DISCUSSION ITEMS AND PRESENTATIONS

**Newport Marathon presentation by Tom Swinford.** Tom Swinford addressed Council regarding the upcoming Newport Marathon. He gave each Councilor a t-shirt; reviewed the history of the event; and the details of the 2011 event. McConnell stated that he would prepare a letter for the participant's package.

**Discussion regarding the purpose for the tourism promotion and tourism facilities funds.** McConnell noted that community input should be considered before finalizing the process. He added that the first decision is whether to continue on this path; and the second decision is to define a process for distributing tourism promotion and facilities funds. He noted that the Aquarium, Maritime Museum, OCCA, Friends of the Oregon Coast Aquatic Center; and Lincoln County have expressed interest in the funds. A discussion ensued regarding the development of criteria and which fund the monies would be placed in the next budget. Marshall recommended the funds be placed in contingency and that would require a formal action to release them. It was the consensus of Council to move forward, and that the Budget Committee public hearings would allow for feedback from the public and Budget Committee members.

## PUBLIC HEARINGS

**Public hearing on the legalization of NW 68<sup>th</sup> Street.** The public hearing opened at 7:12 P.M. Tokos reported that the issue before Council is whether the city should legalize NW 68<sup>th</sup> Street, west of Highway 101. He reviewed the history of the initiation. There was a brief discussion, the hearing was closed at 7:18 P.M. MOTION was made by Roumagoux, seconded by Beemer, to adopt the Final Order legalizing NW 68<sup>th</sup> Street, west of Highway 101, as presented. The motion carried unanimously in a voice vote.

**Public hearing on renaming a portion of SE 84<sup>th</sup> Street to SE C.N. Winningstad Way.** The hearing was opened at 7:18 P.M. Tokos reported that the issue before Council is whether the city should rename a portion of SE 84<sup>th</sup> Street to SE C.N. Winningstad Way. He reported that the Planning Commission had discussed the matter and provided an unfavorable recommendation to Council, although all public testimony was in favor of the renaming. He added that the Planning Commission believed this would set an inappropriate precedent. It was reported that six letters supporting the renaming had been distributed to Council this evening. Carla Perry spoke in support of the renaming.

A discussion ensued and the hearing was closed at 7:29 P.M. for Council deliberation. Roumagoux asked the opinion of the pilots on Council. Bertuleit reported that the Airport committee is in favor of the change. Sawyer stated that he did not see a groundswell from the pilots and is opposed to the name change. MOTION was made by Bertuleit, seconded by Allen, to rename a portion of SE 84<sup>th</sup> Street to SE C.N. Winningstad Way and direct staff to prepare an implementing ordinance for consideration at a future Council meeting. The motion carried in a voice vote with Beemer and Sawyer voting no. McConnell reported that the City of Mombetsu had donated money in Winningstad's memory and that the Rotary Club will use it in refurbishing Mombetsu Park. McConnell reported that the Mombetsu delegation will not visit Newport this summer due to recent events in Japan, but will visit at the beginning of May 2012.

## ACTION ITEMS

**Appoint subcommittee of Council to review the tourism promotion proposals received April 20, 2011.** Voetberg reported that the city currently receives these services from the Chamber of Commerce, and that the city had received three proposals for service, one of which was from the Chamber. He reported that his wife works for the Chamber and that he will not be involved in the selection process due to a potential conflict of interest. He recommended appointing a three member Council committee to review the RFP's and make a recommendation of award at the May 16, 2011 meeting. MOTION was made by Allen, seconded by Beemer that Brusselback, Sawyer, and Roumagoux be appointed to a committee to review the three firms/organizations who submitted proposals in response to the Tourism Promotion Services RFP and to make a recommendation of award at the meeting of May 16, 2011. The motion carried unanimously in a voice vote.

**Approval of ODOT Fund Exchange Agreement No. 27,551.** Ritzman reported that the issue before Council is the adoption of Resolution No. 3540 authorizing the mayor to sign the State of Oregon's 2011 Fund Exchange Agreement. MOTION was made by Bertuleit, seconded by Beemer, to adopt Resolution No. 3540 authorizing the mayor to sign ODOT's Fund Exchange Agreement No. 27,551. The motion carried unanimously in a voice vote.

**Big Creek Road repair - Oregon Emergency Manager Contract.** Ritzman reported that the landslides on Big Creek Road are eligible for FEMA reimbursement for repair at a 75% level. He reviewed the next steps in the process. A brief discussion ensued. MOTION was made by Sawyer, seconded by Roumagoux, that the city manager be authorized to sign State of Oregon Emergency Management Infrastructure contract 1956-DR-OR. Wayne Brunelle, president of the Lakewood Hills Neighborhood Association, voiced his support of the project. The motion carried unanimously in a voice vote.

**Consideration of request for advertising and marketing Funds - Northwest Poets' Concord.** Voetberg reported that he received correspondence from the Northwest Poets' Concord and noted that it had requested a tourism promotion grant. He noted that the city was unable to locate the application, the event is May 6 - 8, and that there is

inadequate time for the DNC to meet and make a recommendation to Council. Dr. Sandra Ellston reviewed the history of the Northwest Poet's Concord and requested Council consider the request by the Northwest Poets' Concord for a tourism grant in the amount of \$1,700. MOTION was made by Beemer, seconded by Sawyer, to approve the request by the Northwest Poets' Concord for a tourism grant in the amount of \$1,700. The motion carried unanimously in a voice vote.

## COUNCIL LIAISON REPORTS AND COMMENTS

Bertuleit reported on a recent meeting of the Airport Committee. He noted that the AIP project is nearly complete, and planning will begin on the next project. The Committee received an update on SeaPort's efforts, and noted that rooms for pilots can be exchanged for tickets. Also discussed is the impact the airport could have on economic development, particularly if water and sewer were upgraded.

Bertuleit thanked the Loyalty Days organizers noting that there were a lot of tourists that attended this event.

Sawyer reported that the DNC will meet on Thursday. He agreed with Bertuleit about Loyalty Days, and noted that he was impressed with grand marshal, Steve Dodds. He thanked the Police and Fire Departments and the parade committee.

Roumagoux reported on a recent meeting of the OCCA board. She reported that OCCA is meeting with the Red Cross regarding tsunami issues.

Roumagoux reported that the Parks and Recreation Committee is beginning work on an herbicide use policy, and at least two public hearings will be planned. She noted that another policy draft should be available for Council review in four to six weeks.

Allen reported that he and McConnell, as members of the Audit Committee, had met with two of the CPA's from Pauly Rogers. He noted that the interim field work on the audit had been completed last week. He distributed a handout regarding the audit process and expectations. He noted that the URA needs to convene and appoint an audit committee and budget officer.

Allen reported on the recent OSU accreditation process, and the HMSC's economic connection with education and the Aquarium. He added that he hopes representatives will come to Council with periodic updates.

Allen reported that an OPAC meeting would be held on May 10, from 12:30 - 4:30 P.M., in the City Council Chambers. He noted that this meeting would include a presentation on how to use the on-line marine mapping tool. He added that he also attends the monthly FINE meetings.

McConnell reported that Council received an e-mail from the auditors requesting completion of a questionnaire. He added that a discussion may occur at a work session regarding the cover letters that were included with the audit.

Beemer reported on a recent meeting of the Tsunami Preparedness Task Force. He noted that a preliminary report will be discussed at an upcoming work session.

Beemer reported that paving on the South Beach project was delayed due to weather. He added that a stakeholders meeting would be held Thursday.

Beemer reported that the Library Committee will meet on May 8.

Brusselback reported on a recent meeting of the Port of Newport Commission. He noted that the Port is using surveillance cameras for the terminal, Port Dock 5, and the

offices. Other matters discussed included an update on the renovation of the Pasley; and update on the NOAA project; and the Bayfront Parking District.

Brusselback reported on a recent meeting of the Technical Monitoring Task Force at which it was determined that bioaccumulation was the primary gap that the Task Force saw in the CH2MHill testing. He noted that the Task Force will be drafting an RFP and defining the scope of work at its next meeting.

### **PUBLIC COMMENT**

Wayne Brunelle asked Council to review its previous decision not to improve 31<sup>st</sup> Street. He also requested a traffic count for both NE 31<sup>st</sup> and 36<sup>th</sup> Streets. He requested information regarding accidents at 36<sup>th</sup> Street, noting that it might be time for a traffic light at 36<sup>th</sup> Street and Highway 101. Council agreed to add this to the suggestion/complaint grid and add it to the work session of June 20.

Brusselback suggested the city consider a tree ordinance and a Tree City USA designation, and that this be added to the list of goals.

### **ADJOURNMENT**

Having no further business, the meeting adjourned at 8:35 P.M.

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Margaret M. Hawker, City Recorder

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Mark McConnell, Mayor