

November 17, 2014  
6:55 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, Allen, Beemer, Swanson, Roumagoux, Saelens, and Busby were present. Sawyer was excused.

Staff present was City Manager Nebel, City Recorder Hawker, Community Development Director Tokos, Finance Director Murzynsky, Public Works Director Gross, Library Director Smith, Parks and Recreation Director Protiva, and Police Chief Miranda.

### **PLEDGE OF ALLEGIANCE**

Council, staff, and the audience participated in the Pledge of Allegiance.

### **PUBLIC COMMENT**

Jim Protiva, Parks and Recreation Director, invited the community to 60+ Center for a free Thanksgiving Dinner on Sunday.

### **CONSENT CALENDAR**

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the regular meeting of November 3, 2014.

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

### **PUBLIC HEARING**

**Public Hearing on Draft Ordinance No. 2073 - An Ordinance Repealing and Replacing the City's Business License Code.** Hawker introduced the agenda item. Nebel reported that at the October 21, 2014 City Council meeting, Council scheduled a public hearing for November 17, 2014, to allow for comments to be made on the proposed modifications to the city's business licensing code. He stated that barring any different direction from the City Council, staff will proceed with this schedule.

Roumagoux opened the public hearing on Ordinance No. 2073, an ordinance repealing and re-enacting the city's business license code, at 7:05 P.M. She asked for public comment. There was none. She closed the public hearing at 7:06 P.M., for Council deliberations. Busby stated that he hopes Council will receive input on this draft ordinance, and that the media gets the word out that the ordinance is under review. Saelens stated that he hoped that the people impacted by the ordinance would appear on January 5 to comment. Allen noted that once the draft has been reviewed by the City

Attorney, he may add a few things. He added that he hopes community members will attend and comment on January 5.

MOTION was made by Beemer, seconded by Saelens, that Council continue its deliberations on Ordinance No. 2073 to the January 5, 2015 City Council meeting. The motion carried unanimously in a voice vote.

**Public Hearing on Draft Ordinance No. 2058 - An Ordinance Repealing and Re-Enacting the City's Taxicab Licensing Code.** Hawker introduced the agenda item. Nebel reported that at the October 21, 2014 City Council meeting, the Council scheduled a public hearing for November 17, 2014, to allow for comments on proposed modifications to the city's taxicab licensing code. He noted that it was also indicated that no action would be taken on this matter until after the first of the year, so that incoming City Attorney, Steve Rich, can review the draft ordinance as well as consider any public comments made on the draft ordinance prior to the Council approving any changes. He stated that the City Council had referred the taxicab ordinance to the Business License Work Group to review and modify the ordinance as necessary. He noted that Busby chaired this effort, and that the Business License Work Group provided an update to the City Council on efforts to modify the city's processing of taxicab licenses.

Nebel reported that the most significant change to the city's taxicab license code is that it provides for a taxicab endorsement to be issued administratively without a hearing before the City Council. He stated that the license process would be more consistent with other business licenses issued by the city, and it would reduce the burdens for applicants to meet in applying for these licenses. He added that the Business License Work Group has made revisions to the draft ordinance relating to taxicabs, and that based on discussion at the October 21, 2014 Council meeting, the ordinance was forwarded to Speer Hoyt for legal review.

Nebel reported that Emily Jerome, from Speer Hoyt, indicated that the City Council may want to discuss the relative value of providing any special licensing for taxis operating in the city. He added that with taxi regulations, the city does increase its potential liability if the regulation as outlined in the ordinance is not met by a taxicab provider.

Nebel reported that there was a second concern over the lack of regulation for temporary taxis as compared to the regulation level for permanent taxis. He added that Speer Hoyt also outlined a number of other potential language modifications in the draft ordinance.

Nebel reported that following the public hearing, it is staff's intent to record any comments made, and any further direction from the City Council, and to refer the matter to Rich for a review before the January 5, 2015 City Council meeting.

Nebel reported that the purpose for tonight's meeting is to accept testimony on the proposed changes to the city's taxicab licensing code. He recommended that Council hold a public hearing on the proposed ordinance.

Roumagoux opened the public hearing at 7:12 P.M. She asked for public comment. There was none.

Roumagoux closed the public hearing for Council deliberation at 7:13 P.M.

Busby reported that the Business License Working Group had discussed whether a taxicab license should be required, and the group decided that it was in the city's best interest to require one.

Allen noted that some additional comments had been received from Emily Jerome, of Speer Hoyt, this afternoon related to this topic. He noted that her firm advises cities not to regulate taxis, and that this is a position that is taken by some legal counsels. He added that lots of cities regulate taxis throughout Oregon. He noted that he had distributed two important statutory provisions, ORS 221.485 and ORS 221.495, which pertain to the importance of regulating taxis and a city's authority to do so. He stated that he was glad to hear that working group thought taxis should be regulated. He noted that Jerome had reiterated that if the city does regulate taxis, it is important that the requirements be conformed to by the city staff. He explained the Eugene case in which the city had an insurance requirement that it did not enforce resulting in a lawsuit against the city after an accident.

Saelens noted that even though there is a risk, it seems like the problem would still exist in that it is possible that an incident could occur with an unregulated taxi. He agreed that the ordinance provisions would need to be closely monitored by city staff.

Busby noted that the major change is that the licensing would occur through an administrative process as opposed to a Council hearing process.

Allen noted that Jerome was concerned regarding the lack of regulation of temporary taxi drivers. It was noted that the administrative requirements for a temporary taxi driver would likely mirror that of a full-time taxi driver.

MOTION was made by Allen, seconded by Beemer, that Council continue its deliberations on Ordinance No. 2058 until the January 5, 2015 City Council meeting. The motion carried unanimously in a voice vote.

**Public Hearing and Possible Adoption of Ordinance No. 2074 Withdrawing Territory from the Seal Rock Water District.** Hawker introduced the agenda item. Nebel reported that at the October 21, 2014 City Council meeting, the Council scheduled a public hearing on the withdrawal of property from the Seal Rock Water District. He stated that the city has been meeting with the Seal Rock Water District, over the past year, to discuss the withdrawal of land that is currently located in the city, served by the city water system, but remaining in the Seal Rock Water District. He added that in 2007, the city entered into an intergovernmental agreement with the Seal Rock Water District which provided that the city provide water service to an area including much of South Beach. He noted that this agreement did not address the withdrawal of properties from the district. He added that following this agreement, the Seal Rock Water District funded major improvements to its system with general obligation bonds that were financed in 2011 and 2012. He stated that these improvements have no benefit to the Seal Rock Water District properties located within the city's water service area, but that these property owners are being required to pay this debt, and that the district has recognized that this is unfair. He noted that the amended agreement does not hold the city or property owners responsible for any debt issued after 2008 should those properties be withdrawn from the district. He added that the city would be responsible for a pro rata share of any debt that existed prior to 2008 for these properties in accordance with the amended agreement.

Nebel reported that ORS 222.520 authorizes the city to withdraw territory from a service district if it has been annexed to the city. He added that the state statute requires that the governing body hold a public hearing, and following the public hearing, the city

may, by ordinance, declare that properties located within the city be withdrawn from the district. He noted that this action is subject to a subsequent citizen-initiated referendum.

Nebel reported that the packet includes an email that he received on this issue, and that additional communications were included in Tokos' report.

Nebel recommended that a public hearing be held on the withdrawal of territory from the Seal Rock Water District.

Adam Denlinger, General Manager of the Seal Rock Water District, appeared before Council and expressed several concerns. He stated that adoption of the ordinance is something that the district supports. He thanked city staff, including Tokos, Gross, and Nebel for their work toward annexing properties in the city service area into the city. He stated that the district has not had adequate time to review information that has been prepared for the ordinance, and that the district's legal counsel has been out of the area. He asked that consideration of the ordinance be deferred until the next meeting to allow the district's legal counsel time to review the information and work with city staff on the property descriptions. It was noted that the amendment to the intergovernmental agreement that was approved in May of 2014 uses a metes and bounds property description, and the ordinance uses specific language regarding each lot.

Nebel recommended holding the public hearing and considering action on this item after the public hearing. He added that it would be appropriate for Council to provide preliminary support of the ordinance pending review by the district.

Roumagoux opened the public hearing on Ordinance No. 2074, an ordinance withdrawing territory from the Seal Rock Water District, at 7:30 P.M. She called for public comment. There was none.

Roumagoux closed the public hearing at 7:31 P.M., for Council deliberation.

Allen asked why the ordinance does not take effect until July 1, 2015, and Tokos noted that this has to do with the way that the district levies its taxes.

Allen noted that the estimated fiscal impact to the city is \$55,322.49, but that it could be a higher number potentially.

MOTION was made by Allen, seconded by Beemer, to support Ordinance No. 2074, and defer final action on a vote on the ordinance until the December 1, 2014 meeting, to allow the Seal Rock Water look at the attachments and evaluate the property descriptions in the attachments. The motion carried unanimously in a voice vote.

**Public Hearing and Possible Adoption of Resolution No. 3696, a Supplemental Budget for Fiscal Year 2014/2015.** Hawker introduced the agenda item. Nebel reported that as part of the budget process, department heads were asked to project a full expenditure of dollars that had been appropriated for capital projects in the last fiscal year to create the estimated expenditures for the 2013/2014 fiscal year as a basis to develop the 2014/2015 budget. He stated that the purpose of this effort was to create a clean beginning fund balance in each of the city's operating funds that support capital outlay expenditures. He added that in the 2014/2015 fiscal year, the budget appropriated funding on a project specific basis in separate capital outlay funds. He noted that in the past, there was a lump sum available for capital outlay within the operating budgets for water, sewer, streets, and other similar departments, and that this created significant confusion in determining how much of the fund balance was truly intended for capital improvements that did not get expended in the fiscal year versus operations cost. He stated that by segregating capital outlay monies into separate

capital outlay funds with the revenues for those projects being directed to the capital outlay funds, it provides a much clearer picture of the operating fund balances. He noted that in order to create accurate beginning fund balances, staff assumed that the capital outlay funds would be expended in the previous fiscal year. He added that staff indicated to the Budget Committee, and the City Council, that it would carryover those funds in supplemental budgets during the first half of the current fiscal year. He stated that while this task remains a bit convoluted, once the work is completed, the budgeting for capital projects will be much cleaner and more transparent in the future.

Nebel reported that the City Council has previously dealt with the capital outlay projects for the airport and the water fund, and that this amendment will deal with the street and stormwater funds as well as other miscellaneous items. He added that the final amendment, which will be forthcoming, will deal with sewer and wastewater and will complete the transition on budgeting for capital outlay projects from the carryover from the previous year.

Nebel reported that Resolution No. 3696 provides \$80,000 for re-carpeting the Library, and that this is offset by a grant from the Newport Library Foundation of the same amount. He stated that the budget amendment decreases line item appropriations for four construction projects by (\$99,312); the budget carries over the funding for the Agate Beach Wayside Improvements of \$557,696 which is being funded by a federal Scenic Byways Grant; provides for additional appropriations for the Sam Moore Water Quality and Trail Project of \$3,421; carries over the appropriation for the 7<sup>th</sup> and Iler Streets Storm Drain Repair project in the amount of \$55,000; increases the appropriation for the NW 6<sup>th</sup> Street Sewer project from carryover by \$33,579; decreases the appropriation from the Water Fund to the Proprietary Capital Projects Fund by (\$176,546); creates a new line item appropriation of \$21,524 in Capital Outlay for the Storm Sewer Master Plan utilizing unexpended carryover project funds from the infrastructure fees; carries over \$6,000 in Capital Outlay for the Wayfinding Sign Project from unexpended project funding in the Contingency Account; provides for an additional appropriation of \$22,666 in Materials and Services for the strategic grant consulting services contract previously underfunded; and decreases the Contingency Account by (\$6,000) to cover the appropriation for the wayfinding sign project.

Nebel reported that the city expects to have one more supplemental budget to complete the process of carrying over funds and establishing special project funds in the sewer and waste water area, and that this may occur for either at the meeting of December 1 or the first meeting in January. He stated that this will complete the transitional process.

Nebel recommended that Council hold a hearing on the possible adoption of Resolution No. 3696 which would adopted a supplemental budget for Fiscal Year 2014/2015.

Roumagoux opened the public hearing at 7:35 P.M. She called for public comment. There was none. She closed the public hearing for Council deliberation at 7:36 P.M.

MOTION was made by Allen, seconded by Beemer, to adopt Resolution No. 3696, approving a supplemental budget for Fiscal Year 2014/2015. The motion carried unanimously in a voice vote.

## CITY MANAGER REPORT

**Adoption of Resolution No. 3695 - Approving Minor Amendment Eleven to the South Beach Urban Renewal Plan and Report.** Hawker introduced the agenda item. Nebel reported that the Urban Renewal Agency, earlier this evening, considered a minor plan amendment to the South Beach Urban Renewal Plan to allow for the acquisition of a 2.33 acre parcel at the NE corner of Highway 101 and 35<sup>th</sup> Street. He stated that this opportunity came along after the initial discussions with the property owner about acquiring land for a right-of-way for the new 35<sup>th</sup> Street intersection that is going to be constructed at Highway 101. He noted that at the time of discussion, the property owner indicated that they may be interested in selling the entire parcel to the city instead of carving out a public roadway from this property. He added that in reviewing the matter, there were several advantages to this option including affording the city the opportunity to locate the new 35<sup>th</sup> Street right-of-way at the best location with the best design to facilitate traffic flow in the area. He noted that acquisition of this property will allow the city to position the balance of the property for resale to a private developer once the infrastructure work is completed. He added that the city would be in a position to guide the type of development that would be appropriate for this property.

Nebel reported that an outreach meeting was held on October 27, 2014, at which the URA invited the public to provide feedback on this plan amendment. He noted that 464 notices were sent to property owners and interested parties. He added that 12 individuals attended the meeting including four individuals representing the owners of the property. He stated that the letters also included notice of the November 17, 2014 City Council meeting to allow people to participate in that meeting as well.

Nebel reported that at the outreach meeting, there was discussion on the channelization of the 32<sup>nd</sup> Street and Highway 101 intersection. He stated that this issue does not affect the minor plan amendment being considered by the URA since the channelization issue is not addressed here. He added that other issues relating to the decision to amend the plan include the potential impact on future projects within the district, particularly the property located at the 40<sup>th</sup> Street and Highway 101 intersection, and concerns as to whether the agency or city should be in the land speculating business. He stated that a list of comments from the meeting is included in the packet in Tokos' report. He added that he has had a number of conversation with individuals (some of whom participated in the October 27 meeting), and he has shared excerpts of those conversations which are included in the packet. He added that concerns were expressed about the property appraisal, and that those concerns, along with the response from the appraiser, have also been included in the packet.

Nebel reported that in reviewing this opportunity, the city really has two primary choices. He added that in order to proceed with the acquisition of the entire parcel, the city would need to approve Resolution No. 3695 approving the minor amendment. He stated that this would provide the authority to proceed with the purchase of this property. He noted that in the alternative, if the City Council chooses not to approve the minor amendment, then the city would need to send notification to the property owner that the city is not interested in going forward with the purchase before November 30 in order to recover the \$50,000 deposit which was part of the purchase agreement for this property.

Nebel reported that as with many of these types of decisions, there are valid arguments and concerns on all sides of this issue. He stated that if the city chose not to

buy the entire parcel, it could begin negotiations for acquiring only the right-of-way necessary for 35<sup>th</sup> Street. He noted that if the seller is supportive of carving off a portion of the property for this purpose, this process could happen fairly quickly. He stated that if the property owner is concerned about reducing the overall footprint of the property and/or an agreement cannot be reached on the right-of-way values, this could extend the process of acquiring right-of-way access from this property.

Nebel reported that while the city is typically not a land developer, he sees some benefit in marketing the portions of the property that are not used for the right-of-way. He added that he believes that this is an opportunity to redevelop an area that has some degree of blight within the community and would keep a larger parcel intact to accommodate a potentially larger service and/or retail use for the South Beach area. He stated that while there is a countering argument that the market forces should determine how this property develops in the future, the city and URA will not have control over that development which could include parceling out the large parcel of property allowing the individual structures to remain in place, or could result in a future use that does not meet the long-term development needs of South Beach. He noted that this is truly a unique opportunity in this area.

Nebel reported that another valid observation is that the city does not have a clear vision as to the preferred type of development that would occur on this property. He added that there is not a specific type of service or use identified at this time. He noted that this would ultimately require the South Beach community to be part of a discussion as to uses that would complement the South Beach community.

Nebel reported that the other valid concern is that these funds will delay development of the Phase 3 projects, so that they may not be accomplished before the expiration of the district. He stated that depending on what happens with other development in the district and particularly with the property in question, this could result in less funds being available to accomplish tasks in the last phase of the project. He noted that if development is done right, it could accelerate the development of South Beach and the building of captured tax base to fund the remaining projects that are outlined in Phase 3. He stated that the Phase 2 projects close out on December 31, 2016, and the Phase 3 projects then are eligible for consideration beginning in 2017. He added that the packet includes a detailed report from Tokos with various documents that will help review the issues that need to be considered regarding this particular decision.

Nebel reported that after reviewing various issues, he recommends that the city approve the minor plan amendment and pursue the purchase of the property located at the northeast corner of the proposed 35<sup>th</sup> Street/Highway 101 intersection. He stated that while there are risks, it is his opinion that there are more benefits for the city owning this entire property, carving out what is needed for public purposes, and marketing the remaining property for a use to meet the service needs of South Beach.

MOTION was made by Saelens, seconded by Swanson, to adopt Resolution No. 3695, a resolution adopting Minor Amendment Eleven to the South Beach Urban Renewal Plan. The motion carried in a voice vote with Allen voting no for the reasons he mentioned during the URA meeting.

Approval of a Memorandum of Agreement between the City of Newport and the State of Oregon Relating to the Delegated Building Inspection Program. Hawker introduced the agenda item. Nebel reported that the city operates its building inspection

program under the authority of the state, pursuant to ORS Chapter 455. He stated that as part of this program, the city is required to update its building inspection operating plan every four years, and the state building code division is requesting that each jurisdiction sign a memorandum of agreement outlining the minimum standards that the city agrees to follow when administering the building inspection programs.

Nebel reported that the memorandum of agreement follows the city's existing program standards. He added that there are a couple of issues that are currently being discussed that may modify the memorandum of agreement from the draft copy that is included in the packet. He reviewed suggested changes made by Speer Hoyt, and noted that the document is still under review by the state.

It was noted that Tokos had distributed an amended memorandum of understanding. Tokos reviewed the changes. The template is the state's original template with changes suggested by city's legal counsel.

MOTION was made by Swanson, seconded by Saelens, to authorize the City Manager to sign the Memorandum of Agreement with the Oregon Building Codes Division relating to the city's building inspection program. The motion carried unanimously in a voice vote.

**Approval of Memorandum of Agreement between the State of Oregon and the City of Newport Relating to Multimodal Transportation Enhancement Program (MTEP) for Preliminary Engineering for Improvements on Highway 101 from SE 32<sup>nd</sup> Street to SE 35<sup>th</sup> Street.** Hawker introduced the agenda item. Nebel reported that on November 27, 2012, the City Council submitted an application for improvements on Highway 101 in South Beach between SE 32<sup>nd</sup> Street and 35<sup>th</sup> Street to implement the alternative mobility standard that the Oregon Transportation Commission had recently adopted into the Oregon Highway Plan. He noted that this revised plan eliminated the trip cap from the SE 40<sup>th</sup> and Highway 101 intersection and reduced the level of improvements that a new development would have to make to the highway system go forward. He stated that the elimination of these provisions will greatly facilitate future development along this corridor.

Nebel reported that in order to move forward with this program, the State of Oregon has provided a local agency agreement for Multimodal Transportation Enhancement Program funding (MTEP) to initiate the preliminary design of the improvements through this corridor. He stated that this will be the first of two agreements that the city will be asked to enter into with ODOT in order to complete this project. He noted that the improvements, as stated by the agreement, will implement the alternative mobility standards that include the preliminary engineering services to design a signalized intersection at Highway 101 and SE 35<sup>th</sup> Street; elimination of the signal and channelization of the Highway 101 and SE 32<sup>nd</sup> Street intersection; closure of the SW Ferry Slip Road and Highway 101 intersection; and installation of bike and pedestrian facilities along Highway 101 between the Yaquina Bay Bridge and SE 35<sup>th</sup> Street. He added that the total estimated cost for preliminary engineering for this project is \$316,000 with \$283,547 coming from available state and federal funds with the balance of \$32,453 being covered by local funds.

Nebel reported that Rob Hoefs, from Newport Candy, has indicated his opposition to the channelization of the Highway 101 and 32<sup>nd</sup> Street intersection. He stated that Hoefs has indicated that his father gave the right-of-way to ODOT so that the signal could be

installed a number of years ago, and that he would like to see left turns for southbound 101 traffic continue at this intersection. Nebel stated that the city has had preliminary discussion with ODOT and they have indicated that, as part of the preliminary design process, they will meet with property owners to discuss various issues and concerns. He added that ODOT also indicated, after being questioned by city staff, that the channelization of this intersection was a major part of the agreement previously entered into by the city and ODOT that resulted in the elimination of the trip cap on Highway 101. He stated that changing this provision would require a complete review of the mobility study on Highway 101 and would certainly delay, by years, any improvements being funded by ODOT, since this was the plan that was previously agreed to by ODOT, the city, and Lincoln County to eliminate the trip caps previously in place.

Nebel reported that the city will want to review the options during the preliminary design phase to minimize the impact of channelizing the 32<sup>nd</sup> Street intersection on the affected property, but added that he believes that, based on our initial discussions, ODOT believes that this would be a very significant change to the previously agreed upon alternative mobility standard that has been adopted into the Oregon Highway Plan. He stated that this certainly would create a significant delay in improving this corridor that will tie into access improvements to Safe Haven Hill; the extension to SW Abalone Street; and the widening of SE Ferry Slip Road to create the necessary connections that are a part of the previously approved plan to improve both vehicle and non-motorized transportation in South Beach.

Allen asked why Hoefs did not raise this issue during the TSP issue. Tokos reported that Hoefs was involved but had to step away.

Swanson asked the definition of channelization, and Nebel noted that it pertains to an intersection that physically prevents you from making a left hand turn.

MOTION was made by Swanson, seconded by Beemer, to authorize the Mayor to sign the local agency agreement with the State of Oregon through the Multimodal Transportation Enhancement Program (MTEP) for preliminary engineering on Highway 101 from SE 32<sup>nd</sup> Street to SE 35<sup>th</sup> Street within the City of Newport. The motion carried unanimously in a voice vote.

**Status Report on Scheduled Increases of Recreation Center and Swimming Pool Fees for 2015.** Hawker introduced the agenda item. Nebel reported that in 2014, the City Council approved a resolution to suspend increases in swimming pool and recreation center fees for one calendar year until January 1, 2015. He stated that the resolution then instructed staff to increase rates based on the Consumer Price Index beginning on January 1, 2015, for that year and continuing annually thereafter unless otherwise directed by City Council. He noted that the current inflation rate is 2.6%, and that Parks and Recreation Director Jim Protiva has adjusted the rates as indicated in the packet materials factoring in a 2.6% increase rounded to the nearest \$.05 increment for the various rates for the Recreation Center and the Pool. He added that no action is required at this meeting, and the rates will take effect on January 1, 2015.

Nebel reported that it is his intention to develop a comprehensive fee schedule that will be considered annually as part of the budget, for all city fees charged for various services. He stated that this will assure that all departments, the Budget Committee, and City Council will have an opportunity to review all fees charged on an annual basis and

make appropriate adjustments as part of the budget process. He noted that this will then allow departments to project revenues generated from user fees as part of the budget process based on any changes that would be effective in the next fiscal year. He stated that this will create a much more transparent and deliberative review process on an annual basis for all fees that are set by resolution of the City Council for various city services.

**Excuse of City Manager from March 2, 2015 City Council Meeting.** Nebel reported that he was going to include this item on the consent calendar, but that he would include it at the next regular meeting.

### **LOCAL CONTRACT REVIEW BOARD MEETING**

The City Council, acting as the Local Contract Review Board, began its meeting at 7:54 P.M.

**Approval of Contract with Carpet One Floor and Home - Carpet Installation at the Newport Public Library.** Hawker introduced the agenda item. Nebel reported that requests for quotes were sent to three local floor and carpet companies. He stated that Carpet One Floor and Home provided the only response to the request. He added that this is work that is being funded by the Newport Public Library Foundation as part of a general upgrade of the city's Library. He recommended approval of the contract with Carpet One Floor and Home.

Smith appeared before Council and explained the funding for the Library renovation. He reported that he had written successful grants totaling \$174,000, and that the Library Foundation had committed several hundred thousand dollars, and that approximately \$40,000 was coming from the city's General Fund. He reviewed the project.

MOTION was made by Beemer, seconded by Busby, to authorize the award of a contract to Carpet One Floor and Home in the amount of \$77,752.00 to install carpet throughout the Newport Public Library. The motion carried unanimously in a voice vote.

### **RESUME CITY COUNCIL MEETING**

The City Council resumed its regular meeting at 7:58 P.M.

Nebel reported that a work session will be scheduled at noon on December 1, and that the evening meeting will include an executive session prior to the regular City Council meeting.

Nebel asked Council to let staff know if they plan to attend the city's awards banquet on December 19.

### **REPORT FROM MAYOR AND COUNCIL**

Roumagoux reminded Council that she has been excused from the December 1 Council meeting as she will be hanging an exhibit at the Blackfish Gallery in Portland on that date. She added that she will be giving a talk, entitled "Artist Conversation," on December 7.

Roumagoux reported that she and Allen attended the Otter Rock Marine Reserve meeting. She noted that the purpose of the meeting was to bring signatories to the 2009 memorandum of understanding up to date on the progress and how to move forward.

Allen reported that the Otter Rock Marine Reserve is one of five marine reserves put in place pursuant to a recommendation by OPAC. He noted that ODF&W provided an update on research projects planned for the area. He added that the goal is to meet yearly.

Allen reported that he attended a community summit entitled, "Preparing for Climate Change in Lincoln County," that was presented by the Lincoln County Public Health Advisory Committee. He noted that there is some planning going on in addressing issues as some of the impacts of climate change are clearly observable. He added that OPAC was asked to look at ocean acidification which is affecting oyster hatcheries. He stated that the Whiskey Creek Hatchery is trying to make changes to address this. He stated that this summit was more of a check-in to show what is going on at the state and local levels. He added that Lincoln County plans to check with local entities to determine how to proceed in addressing certain issues. He asked that the information from the summit be placed in the Council office.

Allen reported that the League of Oregon Cities will be presenting a workshop tomorrow at City Hall entitled "Council/Manager/Staff Relations." He suggested distributing the workshop materials to all Councilors and placing a discussion on the workshop on the December 1 work session.

Allen reported that he had received a flyer in his Thompson's Sanitary Service bill that pertained to the curbside compostables program. He noted that Resolution No. 3665 addressed the development of a survey after the program had been operable for approximately four to six months. He suggested checking in with Thompson's regarding the survey. Nebel reported that representatives of Thompson's are scheduled to present a status report at the January 5, 2015 City Council meeting.

Allen asked whether there were any updates on the announced closure of the U.S. Coast Guard air facility at the Newport Airport. Nebel reported that there is still a lot of effort going on with a lot of people, including federal officials, officials in South Carolina, the Fishermen's Wives, and others. He noted that a two-page fact sheet has been prepared for use in talking with people about the issue. He added that this document, along with others, is on the Port of Newport website. He stated that the Fishermen's Wives are working on other strategies which should be known soon.

Beemer reported that he will be attending the Port of Newport meeting next week, and that it will be his last meeting with this group as a City Council liaison.

Beemer reported that he heard a talk by an OSU geologist, at Cape Perpetua, regarding Cascadia subduction zone earthquakes. He noted that the earthquakes occur every 200 to 600 years, and the last one was 315 years ago.

Busby reported that he attended the City Employee Committee meeting this week, and the significant problem that was raised related to the quality of the toilet paper.

Busby reported that he will be attending the Airport Committee meeting and the Public Arts Committee meeting later this week.

Swanson reported that the Senior Center plans to budget for new entrance awnings in next year's budget. She reported that the Senior Center Advisory Committee was disappointed that ODOT had rejected a request for a street sign. She suggested that when new signage is installed for the city campus area, that the same font be used on

all signs. She reported that the Committee will be meeting with John Baker in January to develop a three to five year plan. She stated that memory screenings are planned tomorrow at the center.

Swanson reported on the Library's media statistics.

Saelens reported that he attended the Wayfinding Committee meeting on November 7, and the Bicycle/Pedestrian Advisory Task Force meeting on November 10. He noted that the Bicycle/Pedestrian Advisory Task Force is comprised of more bike centric members who did not want to take on the multi-modal component of transportation. He suggested that Council consider creating an alternate transportation group for ongoing discussions with the Lincoln County Transit District. He noted that he feels strongly that something needs to happen in this arena.

Saelens stated that he is going to miss Councilor Beemer, and that Council should begin thinking about the groups that Beemer has been liaison to, and determine who will monitor those groups in the upcoming year.

Tokos reported that an informational public meeting on the Agate Beach Wayside project will be held tomorrow night at 6:00 P.M., in the Council Chambers. Beemer agreed to attend.

Miranda reported that Swanson had participated in a ride-along on Halloween evening. He encouraged Councilors to participate in a ride-along with a police officer.

Saelens noted that there is confusion when driving up from the east or west at the south end of Walgreens. He added that no one knows what to do when coming out of Walgreens. Gross reported that staff had discussed this issue, and that he plans to place stop signs and striping to provide clarity to the intersection.

## ADJOURNMENT

Having no further business, the meeting adjourned at 8:27 P.M.

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Margaret M. Hawker, City Recorder

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Sandra N. Roumagoux, Mayor