



OFFICE OF THE CITY MANAGER
City of Newport, Oregon
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MEMO

DATE: December 21, 2017 (Happy Winter Solstice!)

TO: Mayor and City Council

FROM: Spencer Nebel, City Manager

SUBJECT: Status Report for the Four-Week period ending Friday, December 22, 2017

Highlights of Activities:

Highlights of activities over the past four weeks include the following:

- Met with Lance Vanderbeck, Jayson Buchholz, and Melissa Roman regarding new development of a project management plan between engineering and the airport.
- Met with Derrick Tokos, Tim Gross, and Jayson Buchholz regarding the LID Project for Golf Course Drive. We need to develop a policy regarding the allocation of funding between property owners and the city at large for these projects. Ultimately, we will present information back to the City Council during a work session to review the specific policies and how it would impact a project, such as Golf Course Drive. This will be our first LID Project under our new ordinance for consideration by our City Council.
- Tim, Steve Rich, and I met to discuss what steps would be required in order to proceed with condemnation of property. This was specifically for the property located in Agate Beach needed for the new sanitary sewer lift station. Since we have discussed this with the City Council, the property owner has sold this property to the city in accordance with the purchase agreement authorized earlier by the City Council.
- Derrick and I spent some time talking about our advisory committee structures, and whether there is any way that we could consolidate some of these efforts to assure that we have adequate administrative support for each of the advisory committees.
- Met with Jason Nehmer regarding a renewed effort to take a look at revitalizing the skateboard park. Jason indicated that Rogue Breweries has taken an interest in potentially participating in fund raising for this facility. A follow-up meeting was scheduled.

- Melanie Nelson and I have revamped my meeting schedule with the various department heads. Previously, I would meet with some department heads on a weekly basis, and other department heads as needed. We have revamped the schedule so that I am now meeting with all department heads at least every other week. This carves out a 45 minute, twice a month with each of the department heads, which I expect will improve general communications between me and the department heads.
- As part of this new plan, I conducted bi-weekly meetings with Jason Malloy and Lance Vanderbeck.
- Participated in a City Hall recognition of Tony Garbarino's retirement from the Police force. I certainly wish Tony well in the future.
- Derrick and I met on the development of a 2040 Visioning Committee to help oversee the implementation of the vision over the long haul. Council has approved this structure, and we are currently advertising for members to serve on the standing 2040 Vision Committee.
- Peggy Hawker and I conducted a wrap-up meeting with the organizers of the Farmer's Market. As they repeated to the City Council earlier, they were very pleased with the way the new location functioned for the Farmer's Market. Overall, they felt that the accommodation for parking during major special events occurring at the Recreation/Aquatic Center worked well without any detriment to the Farmer's Market. They are comfortable in controlling parking on those days where the parking lot behind City Hall, and on Angle Street is reserved for event parking. Coordination of parking during those major events worked well with the special events always having available parking. The Farmer's Market is looking forward to 2018. Overall, I am not aware of any complaints of any adjacent property owners regarding the Farmer's Market this year. It has greatly simplified the process for the Farmer's Market to setup, and provides a safe and accessible location for the Farmer's Market for residents and visitors alike. We will be proceeding with an issuance of a special event permit for 2018 for the Farmer's Market.
- Barb James, Steve Rich, and I met to review the status of the salary survey. Steve and Barb have taken the lead in the creation of a schedule and fitting the non-union employees into that schedule based on comparable wage data that was collected by LGPI. I certainly appreciate the effort that Barb and Steve have put into this process. Please note: with Steve's absence it has been Barb and I that have worked together on completing various phases of this work this month.
- Held a bi-weekly meeting with Ted Smith.
- Met with David Youngentob and Caroline Cummings from RAIN regarding a grant opportunity for Lincoln County to establish a greater presence for creating an entrepreneurial culture in Lincoln County. Originally they were asking the cities of Newport, Lincoln City, and Yachats to be the applicants. As discussions evolved, it appeared to make more sense that Lincoln County be the applicant, since it covers all three (3) cities. In discussions with Doug Hunt and Ron Chandler, there was concurrence to proceeding in this manner. By consensus, the City Council authorized a letter of support for this grant application.
- Participated in a YBEF meeting. At this meeting, it was decided to appoint a committee to review the by-laws for the association. Kevin Greenwood, John

Lavrakus, Frank Geltner, and I were asked to serve on this review committee. We anticipate having a report for the Board to consider in approximately six (6) months.

- Kevin Greenwood, John Lavrakas, and I met as part of a committee to review the bi-laws for the Yaquina Bay Economic Foundation (YBEF). Over the years, the operational procedures have departed a bit from the by-laws and certain amendments have been made in past years that the current membership wishes to have clarified. Furthermore, we want to make sure that YBEF is in good stead with both the IRS and the State of Oregon.
- Had a meeting with the Beautification work group. The group is developing areas to focus on improving in the 2017-18 Fiscal Year. Councilor's Engler and Goebel are a part of this effort.
- Jason Malloy, Barb James, and I met with Bill Carroll to consider utilizing Mr. Carroll's services on conducting background checks for those positions that require the higher level of background checks than just criminal records. Overall, Mr. Carroll's costs are likely lower than what it is costing us to try and do these internally. Furthermore, it takes Police detectives away from their regular work, which is problematic as well. In reviewing Mr. Carroll's qualifications and background, we believe this may be a cost effective way to do the background checks and return this information on a quicker basis than we can currently do internally. We will work with Mr. Carroll on a couple of background checks to see if we are comfortable with the work we receive from his company.
- Prepared agenda reports for the December 4, City Council meeting.
- Held bi-weekly meetings with Richard Dutton and Jim Protiva.
- Met with Tim, and Olaf Sweetman regarding two pedestrian projects that have been in the budget for a number of years. One is the sidewalk by the hospital, the second being a walkway at the Best Western down to the Agate Beach wayside. It had been our hope to design those projects internally; however, in order to move them forward it will be necessary to have the development of a design and specs for those projects be farmed out. We have authorized the consultants to begin work on those projects. This will eat into some of the available funding for the project; however, if we can get the projects designed and ready for bid, we can deal with any shortfalls for these projects in the 2017-18 Fiscal Year.
- Participated in the City Hall gift exchange.
- Jim Protiva, Tim, Derrick, and I met regarding the mountain bike trail development in the reservoir area. As a result of that meeting, we want to have discussions with Hancock Forest folks, since part of the trail development preferably will be on their property as well.
- Held a routine department head meeting.
- Participated in a City Council work session with the 60 Plus Advisory Committee, Pacific Communities Hospital District, and Dr. Leslie Ogden, CEO of Samaritan Hospitals regarding the accessibility to health care in Newport. This was the highest area of concern of folks that responded to the 60 Plus Advisory Committee survey, and was a recurring theme throughout the visioning process. Overall, I believe we had a good exchange among the various groups and

perhaps a little better understanding of the issues and challenges in improving accessibility to health care in Newport. I will be convening a group to continue having dialog on this issue to determine what type of steps can be taken by various stakeholders in order to improve this element of our quality of life in Newport and Lincoln County.

- Participated in the December 4, 2017, regular City Council meeting.
- Derrick, Tim, and I met regarding the Windhaven housing development that is proposed for property located off of Harney Street. The developers are proposing to build several phases of multi-family housing in this area. The first phase will be located on the east side of Harney Street near Lakewood Drive. Other phases would be developed on the west side of Harney Street. The developers own a large swath of canyon/wetland property that they have been discussing deeding to the city. They are also asking for alternative ways to address pedestrian needs through this area. It appears the water and sewer utilities are sufficient to serve this development as it builds up. The primary concern is road access for this project. Thirty-Second (32) Street is in a slide area, and regularly needs work in order to address parts of the road to slip down into the canyon. Big Creek Road is a one way gravel road heading to the south with the only reliable two-way street being 36th Street. Before any specific commitments are made, we will be reviewing this with the City Council for direction in dealing with these negotiations. It is exciting that we are seeing this type of development being proposed for Newport.
- Met with Jason Nehmer, Lisa Johnson from Rogue Brewery, and Kevin Kowalski, a local national competitive skateboarder on moving forward with improvements to the skate park. Rogue has indicated a willingness to participate in fund raising activities regarding the skate park. I have indicated that the city could work towards securing some immediate funding for basic repairs that need to be completed in order to make the skate park more functional for skateboarder's use. The fund raising would be to enhance the facility beyond where it is currently. We also met with representatives of the skateboard design company in Lincoln City, who are willing to assist in these efforts. They informed us there are quite a few Newport kids that are traveling to Lincoln City to utilize the skateboard facilities there due to the quality of Newport's facility. It is also their opinion that this facility can economically be rehabbed in order to put it back into productive use. A conference call was set up with the neighbors of the condos across the street from the park. They indicated support for this effort during that conference call. They also offered to make their building available if the city wanted to mount cameras for park surveillance. The group would like to make a report to the City Council at the January 2, Council meeting.
- Met with Mike Murzynsky and Tim to review our financials as we are closing out the Aquatic Center. At this point, it appears that we will have over \$100,000 of the budget left when all the final bills and retainage is paid for this project. One of the potential uses for these funds would be the construction of a sidewalk and extension of a retaining wall on the backside of the Aquatic Center and Recreational facility to facilitate improved pedestrian safety, particularly when people are parking on 10th Street for special events. Furthermore, if the sidewalk was built along this stretch of road, we would likely shift all the parking to the

recreational building side of the street. This eliminates a number of driveways and streets, and would substantially increase the available parking at this location. This is an item that we would bring to the City Council to see if they would like us to proceed along those lines, or use these funds in order to make an advanced payment for a portion of the Agate Beach Landfill Closure Fund that was borrowed from for this project.

- Met with Tim, Jim Guenther, and Barb regarding parks and custodial staffing levels. One of my key concerns, and a concern of the Beautification group is our ability to adequately maintain public spaces in Newport. Furthermore, we need to up our ability to keep street, sidewalks, and parking lots free from litter and cigarette butts, and other blight. Our staffing levels do not permit us to do this adequately. We will be developing some potential strategies for consideration by the Council at their budget time in this regard.
- Held a routine bi-weekly meeting with Barb James.
- Participated in an hour long interview with Cheryl Harle of BOSS radio.
- Barb and I spent a couple of hours working on the salary schedule.
- Met with local Pacific Seafood manager, John Moody, and Josh Hulseby to discuss various issues of mutual concern. John is the new manager for Pacific Seafood in Newport. He would like to play a more active role in the community and specifically with the city departments, and City Council. John indicated that seasonal housing limitations restricts the size of crews they can have work in Newport. He estimated they could employ an additional 150 seasonal people during the peak of the fishing season. He has also offered to give a tour of the Pacific Seafood facilities to the City Council in 2018. He wants the city to fully aware of the scope of their operations in Newport.
- Barb and I carved some additional time to work on the salary survey.
- Participated in a bi-monthly meetings with Mike Murzynsky and Peggy Hawker.
- Barb and I met on revamping the tools used for performance evaluations. We do not believe our existing process is very effective. There is a lot of discussion in management world that performance appraisal processes can be more destructive than beneficial to employee morale. I have held off on performance evaluations until we can put in place a new system on a trial basis for department heads.
- Along with most members of the City Council, participated in the city Employee's Recognition Dinner. We had a great turnout, and had a chance to recognize employees for their service to the city. Again, special congratulations to Judy Mayhew on receiving the Elton Pier employee award in 2017.
- Mike and I participated in a conference call to FCS Group, who is conducting the rate study for our city utilities. We are anticipating a report to the City Council at a work session in February, with our consultants.
- Held bi-monthly meetings with Jason, Rob, and Lance.
- Participated in the monthly lunch meeting of the Lincoln County Managers. The managers have asked the city to reconvene the elected officials to do a recap of what has occurred in various locales regarding housing during the past year.
- Held a grievance meeting on the termination of a Public Works employee. I agreed that the termination was warranted. This could go to arbitration.

- Barb and I spent time finalizing the part-time salary schedule.
- Had a contract signing with Jonathan Anderson, President of the Firefighters Union, once the final contract language was completed and agreed upon by both the city and the union.
- Tim, Dave White, Barb, Jim Salisbury, and I participated in a conference call with Oregon OSHA regarding the lost time injury that occurred at Running Springs. OSHA has investigated the incident, and their conclusion is that the accident was caused when the city did not have the water main secured when the water was turned on to complete the project. They have indicated that the city will be responsible for a \$500 fine for this violation of OSHA rules.
- Had a meeting with Jason Buchholz, Lance, Melissa Roman, and myself to finalize our plan for moving forward with the Airport construction projects. Jayson drafted an initial letter, and certain modifications were made based on our discussions to that letter. The letter will be revised and our process should be more clearly delineated going forward.
- Barb and I worked on the salary scales for non-union employees.
- Held bi-monthly meetings with Richard Dutton and Jim Protiva.
- Prepared materials for the December 18, City Council work session.
- Participated in a work session on Monday, December 18, 2017, on the non-union compensation schedule. In addition, at the work session the Council, by consensus, had no objections to sending a letter supporting the County's efforts to apply for grant funds for entrepreneurial services in Lincoln County, and held an executive session to discuss possible work arrangements relating to the City Attorney, who is currently on medical leave.
- Spent time out in the field on Tuesday, December 19, observing various flooding situations at Nye Beach, the 60 Plus Center, Newport Café, and other areas within the city due to heavy rain. Storm drain systems were fully surcharged in many locations in the community for about a twenty (20) minute period when heavy rains occurred. Engineering spent time during this rain event evaluating what is happening at the 60 Plus Center, since that situation seems to have gotten worse with the construction of the Aquatic Center and the rerouting of storm sewer that was done as part of that project. The good news is that the new storm system in the Bay Moore area functioned well without any flooding on Bay or on 4th Avenue up at the Yaquina View School. There have continued to be some stability issues on the slope on the west side of the homes on that line of 4th Avenue. With the new storm sewer system, there was no evidence of sink holes recurring from this latest rain event. Furthermore, the Agate Beach lift station functioned well during this event, and did not overflow, which was not the situation with a couple of other lift stations on Tuesday. While progress has been made, it is frustrating that we will continue to have flooding situations in other parts of town until similar investments are made to address and manage storm water throughout the city.
- Tim, Olaf, Derrick and I met regarding accommodations requested for constructing a new pier at 795 Bay Blvd. The property owners are going to tear out the existing pier, build a new pier, and on top of that pier they plan to construct a building on the Bayfront. Because of the very tight circumstances,

they are requesting use of the right-of-way during certain phases of the construction. This would include shifting the travel lanes all the way over to the other side of the street, eliminating about seven (7) or eight (8) parking spaces., while a temporary construction platform is built over a period of three (3) weeks for staging the rest of the work on the Bornstein property. Hopefully, the property owners will be amenable to facilitating this work. The project is under deadlines to get the in-water work completed before the end of February.

- Richard Dutton, Peggy, and I met to discuss our e-mail training and time management training that we would like to see accomplished in 2018. Peggy will pull together draft proposal statements to circulate to the two providers of these services that we have discussions with to see how we want to proceed with this effort.
- Held bi-monthly meetings with Derrick, Tim, and Barb.
- Met with Ralph Kline, Jean Nez, and others on concerns regarding the current condition of 10th Street off of Eads Street. Tim, Derrick, and I will get together to discuss potential approaches to an LID project to make certain improvements to this location. We also discussed the possibility of restricting parking at the west end of the street. The property owners appeared supportive of that.
- Prepared a grievance response as the result of the grievance meeting held on December 12.
- Reviewed the IAFF contract changes with payroll.
- Reviewed with Attorney Robert Franz, the claim with Sunwest. Attorney Franz indicates that the unusual easement document between the city and Sunwest is key to determining whether the city has any financial responsibility for the damages to the building for the storm sewer pipe that was installed in the ravine so the building could originally be built. He is going to suggest mediation as a way to try to resolve this claim. I indicated I would be in support of that.
- Depositions were taken from our employees regarding a broken ankle injury on the slide in Coast Park. As you are aware, we have a number of individual employees that were named in this lawsuit. This resulted from the Supreme Court ruling that agents of cities were not exempt from being sued for damages for use of recreational facilities. If this injury happened before the court ruling, or after legislation was approved to close this loophole, there would likely be no lawsuit.
- Held bi-weekly meetings with Mike and Peggy.
- City Hall was closed at noon on Friday, December 22, in observance of the Christmas holiday.

Upcoming Events:

- City Hall will be closed in observation of Christmas for half a day on Friday, December 22, and all day Monday, December 25. I am planning on taking vacation on Tuesday, December 26.
- City Hall will be closed in observation of the New Year's holiday on Monday, January 1, 2018. The first City Council meeting in January will be on Tuesday, January 2, 2018.

- January 15, 2018, is Martin Luther King Day, and City Hall will be closed. The regular Council meeting will be on Tuesday, January 16.
- Council previously excused me from attending the January 16, 2018, Council meeting. I will be on vacation from January 16-29. Angela and I will be out of the country during that time. Ted Smith will be the Acting Manager during my absence.
- Monday, February 19, 2018, is President's Day and City Hall will be closed in observation. The regular Council meeting will be held on Tuesday, February 20, 2018.
- The annual Goal Setting Session with Council will be held on Monday, February 26, 2018, from 9 AM to 3 PM.
- The preliminary Budget Committee meeting will be held Tuesday, February 26, 2018, at 6 PM
- The first Budget Committee meeting will be held Tuesday, April 24, 2018, at 5 PM.
- Tuesday, May 1-4, 2018, will be the Northwest Regional Management meeting at Skamania Lodge in Stevenson, Washington.
- The second Budget Committee meeting will be held Tuesday, May 8, 2018, at 5 PM.
- The third Budget Committee meeting will be held at 6 PM on Tuesday, May 15, 2018.
- The Memorial Day observance will be on Monday, May 28, 2018, and City Hall will be closed.
- City Hall will be closed on Wednesday, July 4, 2018, in observance of the holiday. Please note the only City Council meeting scheduled for July will occur on Monday, July 16, 2018.
- Tuesday, July 10-13, is the OCCMA Summer Conference at Mt. Bachelor Village Resort in Bend.
- Monday, September 3, 2018, is Labor Day, and City Hall will be closed. The regular Council meeting will be held on Tuesday, September 4, 2018.
- September 22-26, 2018, will be the annual ICMA Conference in Baltimore, Maryland.
- September 27-29, 2018, are the dates scheduled for the League of Oregon Cities Conference being held at the Hilton Hotel in Eugene.
- November 8-9, 2018, is the OCCMA Board of Directors' Retreat at the Oregon Garden Resort in Silverton.
- City Hall will be closed Thursday and Friday, November 22-23 in observation of the Thanksgiving holiday.
- Please note that the only Council meeting scheduled for December will be held on December 3, 2018.
- City Hall will be closed on December 24-25, 2018, in observation of the Christmas holiday.

Attachments:

- ❖ Letter of Support for Rural Opportunity Initiative Funding for Lincoln County.

Best of wishes for everyone to enjoy this holiday season!

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "S. R. Nebel". The signature is written in a cursive style with a large initial "S" and "R".

Spencer R. Nebel
City Manager



Spencer R. Nebel
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December 19, 2017

Lincoln County Board of Commissioners
LINCOLN COUNTY
225 West Olive Street, Room 110
Newport, OR 97365

RE: Letter of Support for Rural Opportunity Initiative Funding for Lincoln County

Dear Commissioners:

The City of Newport enthusiastically supports a county wide effort to secure Rural Opportunity Initiative funding to continue efforts to build an entrepreneurial economy for Lincoln County. This is fully consistent with the goals of the greater Newport area Vision 2040, which states:

In 2040, the Greater Newport Area collaborates to create economic opportunities and living wage jobs that help keep Newport dynamic, diverse, and affordable. Our economy is balanced and sustainable, producing living wage jobs in the trades and professions, while supporting new start-up companies and small businesses based on local talent, entrepreneurship, ideas, and resources.

Newport and Lincoln County are well placed to build a thriving entrepreneurial economy based in part through opportunities created by locally based research organizations, such as: OSU's Hatfield Marine Science Center (and the new Marine Studies Initiative), the Northwest National Marine Renewable Energy Center (which has been awarded a \$40 million grant from the US Department of Energy to create the World's Premier Wave Energy Test Facility in Newport), the Oregon Sea Grant, NOAA, and a host of other Federal and State agencies relating to marine sciences.

Please let me know if I can provide any additional information that will help secure a county wide grant to help build on the entrepreneurial foundation established by RAIN (Regional Accelerator Innovation Network) during this past year.

Respectively submitted,

A handwritten signature in black ink, appearing to read "S. Nebel", is written over a light blue horizontal line.

Spencer R. Nebel
City Manager

cc: Mayor & City Council
Derrick Tokos