



OFFICE OF THE CITY MANAGER
City of Newport, Oregon
169 S.W. Coast Hwy.
Newport, OR 97365
541-574-0603
s.nebel@newportoregon.gov

MEMO

DATE: November 25, 2020

TO: Mayor and City Council

FROM: Spencer Nebel, City Manager

SUBJECT: Status Report for the Four-Week Period Ending Friday, November 27, 2020
Greetings and Happy Thanksgiving!

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

- Held a routine Department Head meeting.
- Met with Rolla Cleaver who is the Vision 2040 representative on the Finance Work Group to bring him up to speed on the work group, since he was unable to attend the first meeting of this group.
- Participated in a Council work session on November 2 to discuss electric vehicle charging, regulation of EPS foam, and the dark sky initiative.
- Participated in the regular November 2 Council meeting.
- David Allen and I met with Mayor Sawyer and Council President Parker to discuss the annual review of the City Attorney and City Manager. The Council does formal written reviews every other year. This year Mayor Sawyer and Council President Parker felt that an informal verbal review would be appropriate. This was scheduled for the November 16 meeting, but has been rescheduled to the December 7 work session since we ran out of time to have this discussion on November 16.
- Held bi-monthly meetings with Mike Cavanaugh, Derrick Tokos, Chris Janigo and Clare Paul.
- Barb James, Clare Paul, David Allen and I met with representatives of the Public Works Department regarding an employee issue. We have been sorting through some personnel issues to address concerns between employees in the department.
- Spoke with Joe O'Donnell and Jerry Glynn from Ameresco regarding street lighting projects they did in St. Helens and Coos Bay. I have contacted Randy Grove from Central Lincoln Public Utilities District (CLPUD) to set up a meeting. I have not heard from Randy yet. I will follow-up with him again.
- Met with Bud Shoemake and Faith Kreskey, Executive Director of the Lincoln County Historical Society, regarding several matters between the City and Historical Society. Faith has been hired to manage the Historical Society. She has used this period when the museums have been closed to work on various aspects of managing the collections held by the society. The Historical Society holds

several significant Native American artifacts known as the Copeland Collection. This collection was purchased by the City of Newport in the 1930s for display at City Hall. In the 1960s, the City transferred this collection to the Lincoln County Historical Society with the stipulation that they display these items. The Historical Society believes that these artifacts should be returned to the Siletz Tribe. This would require approval from the City Council at some point. There are several technical issues that the Historical Society needs to address to be sure that the transfer of these artifacts is done in accordance with the Native American Repatriation Act before they would be ready to ask the Council's authorization. Overall, I indicated that this seems to be the appropriate action to take with these artifacts, and I would share this information with Council to see if there any concerns following this path. I talked to former City Manager, Don Davis, regarding this issue. He felt it was appropriate that they be returned to the Siletz Tribe.

If there are questions or thoughts on this, please contact me. It will probably be several months before this item will be ready to be put on the agenda for consideration.

We also discussed several other issues, including the original grant the City gave the society for the development of the Maritime Museum. In accordance with the agreement between the City and the Historical Society, the City must act to confirm that the project is complete. When this grant was received, there was no active Maritime Museum operating on Bay Boulevard, so we can indicate that they have met the requirements of that grant agreement. The Historical Society is also evaluating the possibility of expanding conference space to the west of the theatre. This way they could accommodate small conferences without closing the museum. They continue to make significant progress with this impressive facility.

- Peggy Hawker, Derrick Tokos and I met on our car-camping ordinance. Letters have been sent to the faith community regarding the responsibility of establishing car camping at their organizations. We will be getting a second letter out to businesses indicating the same. We are also evaluating the possible use of City parking lots for car camping, as well.
- Participated in a bi-monthly meeting of our Emergency Coordination Center group on COVID-19. Just as things were settling down, the Governor's freeze in the State of Oregon indicates that Oregon is encountering the next phase of COVID-19 in the county, state and nation. We have all our emergency mechanisms in place, so we can quickly respond to changes in the future. City Council acted on the latest changes as part of the freeze. It is anticipated that Governor Brown will be laying out new criteria prior to the end of the freeze that will outline regulations as we deal with this wave of COVID-19.
- Met with Barb James to discuss various personnel issues.
- Participated in a Zoom meeting with Dig Deep Research to discuss various efforts relating to Big Creek Dams.
- Peggy Hawker, Clare Paul, David Allen, and I met with the City's legal Counsel to discuss the Longview Hills litigation regarding converting the development to a master meter.
- Barb James, Rob Murphy and I met to discuss changes to the City's face mask covering policy to comply with new requirements.

- Barb James, Mike Cavanaugh, Jim Guenther and I met to discuss the shifting roles between custodial and parks maintenance for certain staff in the Parks Department. These possible changes were discussed with staff, and a decision was made to leave responsibilities as they currently are.
- Held a bi-monthly meeting with Richard Dutton.
- Had a meeting with Wayne Belmont regarding the animal shelter. Wayne has apologized for the delay in getting back to the City on this. With the COVID-19 and the fire emergencies monopolizing his time, he has not been able to draft a memorandum of understanding for our review. He is trying to get this done before the end of the year.
- Met internally with Rob Murphy, Barb James, David Allen and Mark Wolf from Speer Hoyt, to discuss IAFF negotiations.
- Participated in a dedication of the new sign for the Vietnam Vets Memorial Walkway. Councilor Goebel and I have been working with Tony Molina on this project. The signage we are using for the trail is a prototype for the signs we want to use in other park facilities where we have subcomponents of the park that should be identified. On Friday, November 6, Mayor Sawyer, Councilors Goebel and Hall, along with representatives from Vietnam Vets, participated in the unveiling of the new sign.
- Jason Malloy, Jovita Ballentine, Derrick Tokos and I met regarding the ongoing dispute The Landing has with The Embarcadero's garbage collection system. The Landing is looking to the City to push their issue with The Embarcadero to find another location for their container. To our knowledge, the container has been in this location prior to The Landing's existence. The Embarcadero has been responsive when there have been specific complaints. This has not been satisfactory to The Landing Homeowners Association. We will be meeting with the representatives of The Landing in December.
- Mike Murzynsky, Steve Baugher and I met to develop the budget calendar for the 2021-2022 budget year. This was presented to the Council at the November 16 Council meeting.
- Lance Vanderbeck, Peggy Hawker, Derrick Tokos and I met to review procedures for leasing land for development at the airport. We are working on procedures that will comply with our City code and FAA requirements regarding these types of leases. It has been several years since any leases have been signed, and having a process in place is critical to eliminate confusion and delays in working through these issues.
- Derrick Tokos and I met with Tom Linstrom and Julie Parker who are two owners of the condos at The Landing. Mr. Linstrom is challenging the interpretation of the requirements for units being included in the rental pool at The Landing. There are others at The Landing who are arguing that the units in the rental pool must be available for rental more often than the current practice. Derrick has sent two letters to The Landing on this issue. He is going to provide clarification to The Landing on this issue. In general, it is Derrick's opinion that the designated units are required to be in a rental pool. How often they must rent their units is a decision of the rental pool itself.
- Peggy Hawker, Derrick Tokos, Mike Murzynsky, David Allen and I met to discuss the Judy Latta lease for the City's bayfront commercial property. We have discovered from the County that Judy has not paid her share of property taxes, as required in the lease. For the property not be foreclosed upon, the City had to pay

the oldest amount due. Judy is willing to consider signing a promissory note for the real property taxes owed on the property. In addition, she would make a lump-sum payment to help catch up on the monies owed to the City. If this is done, we would then extend the agreement for an additional year with a possible renewal for a second year if payments are kept current. Because of this situation, we will be checking annually when this is a requirement of a lease of City property.

- Mike Murzynsky, Chris Janigo and I met regarding preparations for a “One Stop” meeting with the State of Oregon to look at funding opportunities for several infrastructure projects.
- Held bi-monthly meetings with Jason Malloy, Rob Murphy, and Lance Vanderbeck.
- Councilor Parker, Derrick Tokos and I met to develop a draft electric vehicle recommendation for Council’s consideration. This was reviewed and approved Monday night with certain amendments.
- Held a negotiations session with the IAFF Firefighters union with Barb James, Rob Murphy, David Allen and I participating. Mark Wolfe is representing the City for these negotiations. We are still working on non-economic issues.
- Met with Mike Cavanaugh regarding extending services at the Recreation and Aquatic Centers - these discussions became a little irrelevant following the Governor’s November announcement of a freeze.
- City Hall was closed in observation of Veteran’s Day.
- Worked on items for the November 16 Council meeting.
- Presided over my last regular OCCMA Board meeting. My term as president of the OCCMA ends on December 31. It has been an unusual year to be president, but we were able to move forward with the number of initiatives through this year. The Board meeting was followed by a virtual retreat planning the Association’s activities for next year.
- Barb James, Clare Paul and I met with Jason Maxon to discuss scheduling for Public Works. During the summer, Public Works worked for 10-hour days. This seemed to work well from an operational standpoint, and was favorably received by the crews. Once daylight savings time occurred, we went back to a five-day work week. We will stay on a five-day week through the winter. The Association is interested in to move to a four ten-hour week during the summer months. I have indicated, based on our experience this year, that this is something to consider doing regularly.
- Held a routine Department Head meeting.
- Participated in a Council work session which involved interviewing citizens to serve on the Short-term Rental Ordinance Implementation Work Group, discussion of the possible use of affordable use housing construction excise tax funds, and an executive session to discuss real property transactions. The executive session for evaluation of the public officials was pushed back to the December 7 Council meeting.
- Participated in a regular City Council meeting on November 16.
- Mike Murzynsky, Jason Malloy, Melanie Nelson and I met to review the process for dealing with restitution payments. These payments occur when an accident and/or vandalism damages City properties (stop signs or City facilities) and an individual is charged, arrested, and convicted for that vandalism. We are trying to clean up our processes internally to track those items where restitution could be received, and to track the receipt of restitution payments.

- Mayor Sawyer, Clare Paul, Chris Janigo, Jenny Dresler from Public Affairs, and I met with State Senate-elect Dick Anderson to provide an overview of the Big Creek Dams. We appreciate Senator-elect Anderson spending a few hours with us to gain some background about this project and to physically tour the dam site. Dick Anderson has advocated exploring Rocky Creek as a long-term solution, but he understands the urgency the City is facing in dealing with Big Creek dams. We appreciate his willingness to listen and spend time with us on this critical issue.
- Held bi-monthly meetings with Clare Paul, Barb James, and Derrick Tokos.
- The City was well-represented on the interview teams for the LOC recruitment of an Operations Membership Engagement Director. This position will be, in a sense, the Deputy Executive Director for the League. CM and I participated on two of the four interview panels for this position. There was a strong field of candidates and, I believe in the second effort, the League will be successful in hiring someone for this important position.
- David Allen, Clare Paul, Andrew Grant, Stephanie Kerns and I participated in a meeting with Rogue Ales regarding wastewater discharge issues. Rogue has made significant progress in addressing the pretreatment of wastewater from the plant, but we are still seeing occasional violations of discharging limits. We have been citing Rogue for these specific occurrences through a citation process that will be handled in Municipal Court. From all appearances, the treatment equipment acquired will need to be upgraded to regularly meet discharge limits. We will be discussing this in further detail in another meeting with Rogue in December.
- I interviewed Mike Cavanaugh on various issues of dealing with COVID-19 in Parks and Recreation on our “Newport Today” radio show.
- I had an eye doctor’s appointment in Springfield which took me out of the office for part of the day on Thursday, November 19.
- Held a bi-monthly meeting with Richard Dutton.
- Initiated a six-month performance review with Mike Cavanaugh. We will conclude this process in December.
- Met with Barb James regarding vacation accrual carryovers. We have had several requests to consider allowing the carryovers of additional vacation hours in 2020 due to COVID-19. We have previously allowed any employees that were furloughed to carry-over additional hours. We will look at doing the same for non-furloughed employees with a smaller carryover allowed due to the challenges of utilizing vacation during this year.
- Participated in a conference call with Wayne Belmont, Ron Chandler from Lincoln City, and Shannon Beaucaire from Yachats, to discuss enforcement issues relating to the Governor’s freeze. Generally, the role of local government will be to try to educate the public regarding the freeze. We sent out a notification of the Governor’s emergency order and the guidance from OHA which limits gatherings in residential homes to six persons or less, or two families. This is all very difficult to enforce. If there are egregious events happening, the Police will try to respond.
- Along with Mayor Sawyer, Councilors Goebel, Hall, Botello and Jacobi, I participated in the Transportation System Plan virtual workshop. There were over 37 people that participated in this workshop. While this was not the same as an in-person workshop, it did allow ideas to be collected to help guide this process. This is a beginning, and I would encourage all the Council members to drop in on the online open house that will continue until December 13. Please encourage others

to go online to provide their input regarding the long-term transportation needs of the City.

- Completed the evaluation of Library Director, Laura Kimberly. Laura is doing a great job in her capacity as Library Director for the City. This has been a difficult year, and she has now mitigated these challenging waters well. We are grateful to have Laura on our staff fulfilling the responsibilities of Library Director.
- Held bi-monthly meetings with Jason Malloy and Lance Vanderbeck.
- Met with Barb James to review various recruitment efforts. We will be initiating the recruitments of a city engineer and public works director. These will be separate positions with separate responsibilities. I believe this will allow for a much greater focus on Public Works operations than having these two responsibilities tied together in one position. I've had discussions internally with staff about this direction, with general support proceeding in this direction. Let me know if you have any thoughts which are contrary to separating these positions. Generally, I have heard support from individual Council members for proceeding along this pathway.
- Along with Mayor Sawyer and Councilor Hall, we conducted a very low-keyed COVID-19-friendly lighting of the tree in front of City Hall. With the Governor's current freeze, it was not appropriate to try to do a more public tree lighting ceremony. Also, as is appropriate for 2020, we did the tree lighting photo op in the rain!
- City Hall is closed on Thursday and Friday November 26 and 27 in observation of the Thanksgiving holiday.

Upcoming Events:

- In December, Council will only meet once on December 7. There is not a meeting scheduled for December 21.
- The drop-in online open house for the Transportation System Plan update runs until December 13. Take some time to visit this site and provide your input to develop the transportation plan. Also, please pass this information along to others. A link is provided to this site for your use, and to and pass along for input to be used for planning purposes. The link is: <https://sites.jla.us.com/newport-tsp>
- City Hall will be closed half-day on December 24 and all day on December 25 in observation of the Christmas holiday.
- City Hall will be closed on Friday, January 1, in observation of the New Years holiday.
- The organizational meeting for the City Council will take place on Monday, January 4 at 5 PM. This will be followed at 6 PM by the first regular meeting of the new Council. (which looks amazingly like the old Council!)
- The Goal setting will take place February 8 from 9 AM to 3 PM.
- The Preliminary Budget meeting is scheduled for March 2 at 6 PM.
- The first Budget Committee meeting is April 27 at 5 PM.
- The second Budget Committee meeting is set for May 18 at 5 PM.
- The third Budget Committee meeting is May 25 at 6 PM.

Attachments:

- Attached is a notice for the drop-in online open house soliciting information plan update with the open house being run through December 13.

- Attached is a communication from the Department of Environmental Quality (DEQ) that the airport has received a waiver from doing storm water testing for pollutants based on previous testing done at the airport. This will save some money for the airport in the future. This is somewhat ironic since last year the DEQ imposed fines on the City for storm water monitoring.
- Attached is information provided by Tony Molina regarding the Lincoln County Vietnam Commemorative Walkway Memorial at Don and Ann Davis Park. Tony provided copies of this information for those participating in the sign unveiling on November 6. The timing is perfect since it is just before Veterans Day!

I hope everyone has a great Thanksgiving.

Respectfully submitted,



Spencer R. Nebel, City Manager

cc: Department Heads

City of Newport Transportation System Plan Update



The City of Newport and the Oregon Department of Transportation are updating the Transportation System Plan (TSP). The TSP is a long range plan that will guide future investments in the city's transportation system.

The plan will guide how we develop and invest in streets, sidewalks, bike lanes, and transit to meet the current and future needs of Newport and surrounding areas. It helps determine which projects, policies and programs are important to protecting and enhancing the quality of life in the City of Newport.

What will the Newport TSP do?

- Review community, business, visitor and stakeholder input to identify and prioritize future transportation projects and investments.
- Provide a strategic investment plan that enhances safety, access and economic opportunities for the community.
- Align and implement strategies within the Greater Newport Vision 2040 and Northside Urban Renewal Plan.
- Consider issues such as increased traffic volumes on Highway 101 and Highway 20, citywide pedestrian and bicyclist activity, opportunities for enhanced connectivity, funding opportunities, and consideration of updated and flexible street design standards to adapt to unique development conditions in the city.
- With community input, identify strategies to improve mobility through the city center, along US 101 and US 20, and throughout Newport, considering bike and pedestrian needs, connectivity, increased traffic volumes, funding opportunities, street design, development conditions, and user preferences.

Project Information

- [Newport TSP Fact Sheet](#) (PDF, 1.6 MB)
- [Ciudad de Newport Actualización del Plan de Transporte en Español](#) (PDF, 1.6 MB)

Upcoming Events

Share your input on (and learn more about) the future of Newport's transportation system:

- 11/16 – 12/13 [Drop-in Online Open House](#)
- [La jornada de puertas abiertas completa en línea está disponible en español](#). Imprima y devuelva antes del 13 de diciembre de 2020.

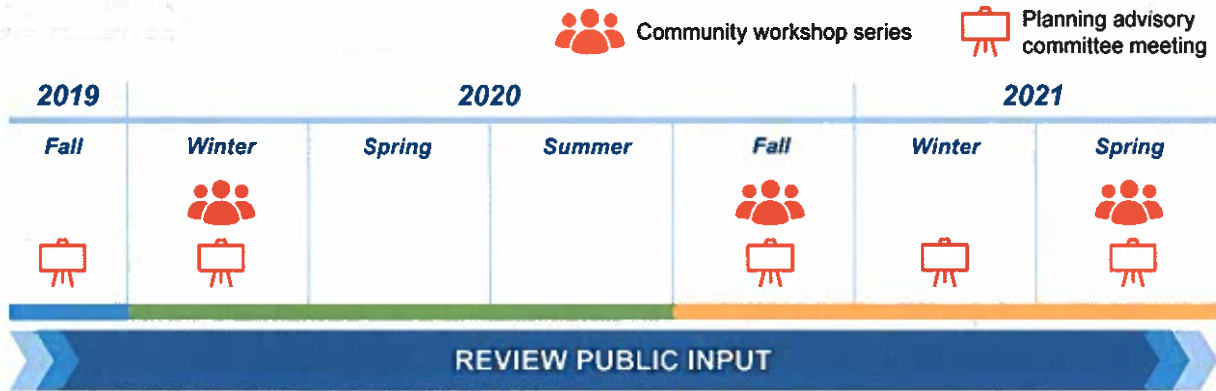
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Bi-lingual Video (2 min 39 sec) - Learn about the Newport TSP

Sign up for Updates

Anticipated Project Schedule



Anticipated Project Schedule, 2019-2021

Learn & Understand

- Introduce project to stakeholders.
- Evaluate existing conditions and future growth trends.
- Discuss community values and transportation goals.
- Develop performance measures and evaluation.
- Coordinate with state and regional plans.

Analyze & Evaluate

- Determine future conditions.
- Develop alternative solutions for all modes of travel.
- Evaluate and refine draft solutions with the community.

Recommend & Adopt

- Identify preferred alternatives.
- Develop draft plan for public review.
- Hold public meetings with city boards, commissions and council.
- City Council adopts TSP.



If you have questions or comments, please contact
 Derrick Tokos AICP
 City of Newport Community Development Director
 541-574-0626 - d.tokos@newportoregon.gov

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Select Language ▼



Oregon

Kate Brown, Governor

Department of Environmental Quality
Western Region Eugene Office
165 East Seventh Ave., Suite 100
Eugene, OR 97401
541-686-7838
Fax 541-686-7551
TTY 711

November 17, 2020

Lance Vanderbeck
City of Newport
135 SE 84th St
Newport, OR 97366-9710

Issued by email: L.vanderbeck@newportoregon.gov
gerickson@shn-engr.com

Re: Monitoring Waiver Approval
1200-Z NPDES Industrial Stormwater Discharge General Permit
Permit Term August 1, 2017 – July 31, 2022
DEQ File #106902, EPA Permit #ORR801429
Site: Newport Municipal Airport, 120 SE 84th St., South Beach
Lincoln County

Dear Mr. Vanderbeck:

The Department of Environmental Quality received a monitoring waiver request on 10/14/2020 for the facility referenced above in accordance with the 1200-Z NPDES general permit, Schedule B.4. DEQ approves waivers for the pollutants at the monitoring locations marked with a **W**:

Monitoring Location	Benchmark						Numeric Effluent Limit
	pH	TSS	Oil and Grease	Total Copper	Total Lead	Total Zinc	Ammonia as Nitrogen
001	W ¹	W ¹	W ¹	W ¹	W ¹	W ¹	No waivers for ELG
002	W ¹	W ¹	W ¹	W ¹	W ¹	W ¹	No waivers for ELG
003		W ¹	W ¹	W ¹	W ¹	W ¹	No waivers for ELG
004	W ¹	W ¹	W ¹	W ¹	W ¹	W ¹	No waivers for ELG
005							Substantially Similar to #004
006							Substantially Similar to #004
007	W ¹	W ¹	W ¹	W ¹	W ¹	W ¹	No waivers for ELG

¹Waiver approved 11/17/2020

This facility also has Numeric Effluent Limits, and there are no waivers available for this required monitoring. Review this facility's sector-specific Numeric Effluent Limits monitoring requirements in Schedule E of the permit, beginning on permit page 36, and the permit assignment letter.

The permit registrant must resume monitoring for any of the reasons listed in Schedule B.4(g) on page 26 of the 1200-Z permit. DEQ may revoke monitoring waivers in accordance with Schedule B.4(h) of the 1200-Z permit. Otherwise, monitoring waivers are valid for the remainder of the permit term. Upon renewal into a subsequent permit, permit registrants must reinstate all monitoring and re-establish the basis for all monitoring waivers.

This waiver only applies to the monitoring indicated. There is no reduction in monitoring allowed for visual observations unless the registrant requests and is granted a waiver for an inactive and unstaffed facility in accordance with Schedule B.4.a.iii, permit page 25, or numeric effluent limit guidelines.

Please contact me with any questions at jacobsen.kathy.r@deq.state.or.us or 541-687-7326.

Respectfully,



Kathy Jacobsen
Stormwater Specialist

A Poem For Hope and Healing

by Tony Molina

Approaching the boulders
I notice a path
With the roar of the ocean
Quickly!
Thoughts come from the
past . . .

I look to the wall
And down to the shore
The wind seems to call
Many names from my mind.

Showered with memories
Some happy, some sad . . .
I turn to the wall
Thinking
Could these stones be
symbols
Of family and friends?

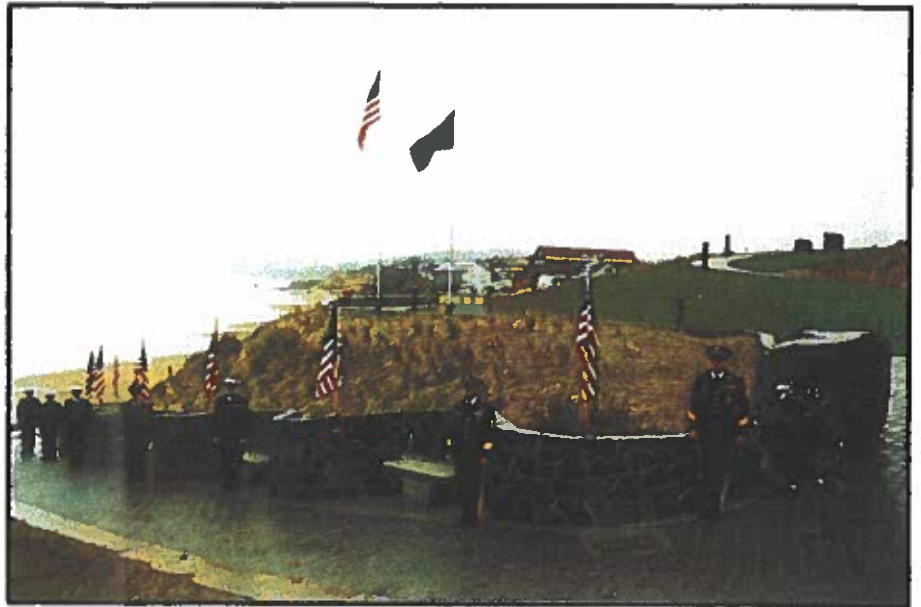
These rocks so colorful,
Yet many gray
Somberly have
Much to say.

The wall is not straight,
But gently curves
A wall of length
With rocks of strength.

This wall displays courage
And breathes!
Tales of old . . .
Of people!
People, gallant
People bold.

Hear the wind
Feel, the breeze
The ocean applauds
Its daughters and sons . . .

As waves
Endlessly strum
Welcome home!
Welcome home!!!



Vietnam Veterans of America - Chapter 411

P.O. Box 1161

Newport, OR 97365



A perpetual maintenance fund and a high school scholarship has been established.





DEDICATION ROCK

statement by Ron Cornelius

This walkway is dedicated to the twenty-four men of Lincoln County who served and died in Viet-nam, all POW-MIA'S, and to their fellow veterans. It is offered to their families and loved ones that the shadows fall at end of war may bring them comfort.

Dedication Rock – Statement by Ron Cornelius

This boulder, though it was not planned, points directly to South Vietnam

" In Remembrance"

Gary Eugene Elford
 Thomas Taylor Walker
 Lyman Allister McMullen
 Gerald Don Huffman
 David Rawson Blackman III
 Charles Eugene Johnson
 Ronald Allen Siane
 Robert William Eagleson
 Jack Leroy Goodwin
 Michael Dee Oliver
 Paul Arnold Youngman
 Thomas Clyde Schriver
 Keven Wayne Bowdish
 Robert Lloyd Coulter
 Michael James Gwinn
 Bruce Mayo McClellan
 Gerald Dever Pochel
 Dennis Eugene Edge
 Charles Martin Bear
 Philip Edwin Smith, Jr.
 Gary William Britton
 Larry Michael Gassner
 Gary Wayne Smith
 Clifford Thomas Johnson
 All POW/MIA's
 All Veterans



The Commemorative Walkway and Sculpture Plaza

Commemorative Walkway Design:
 David Baker

Masonry Companies:
 Owned by: Ted Warren &
 Gordon Jamugaard

Memorial Sculpture:
 Frank Boyden

Design Committee:
 Don Davis, Ron Cornelius, Marge
 Hammond, Marge Huffman, Nancy
 Lindberg, Joan Lofton, Sharon
 Morgan, Tony Molina

Planning & Direction:
 Sharon Morgan - OCCA
 Don Davis - Consultant
 Tony Molina & Ron Cornelius - Board
 Members of VVA, Chapter 411
 Fred Glick
 Frank Boyden

Special thanks to Jane Boyden who assisted with the alignment of the granite arm so that the obelisk's shadow will fall across it on April 30 at the time of the Armistice.





A POEM FOR HOPE and HEALING

by Tony Molina

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I notice a path
With the roar of the ocean
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I look to the wall
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symbols
Of family and friends?

These rocks so colorful,
Yet many gray
Somberly have
Much to say

The wall is not straight,
But gently curves
A wall of length
With rocks of strength.

This wall displays courage
And breathes!
Tales of old...
Of people!
People, gallant
People bold.

Hear the wind
Feel, the breeze
The ocean applauds
Its daughters and sons...

As waves
Endlessly strum
Welcome, home!
Welcome, home!!!