

October 5, 2015  
6:00 P.M.  
Newport, Oregon

The City Council of the City of Newport met on the above date in the Council Chambers of the Newport City Hall. On roll call, Allen, Engler, Busby, Saelens, Swanson, Sawyer, and Roumagoux were present.

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

### **MOMENT OF SILENCE**

The City Council, staff, and audience held a moment of silence for the City of Roseburg and the victims of the recent violence at Umpqua Community College.

### **PLEDGE OF ALLEGIANCE**

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

### **PROCLAMATIONS, PRESENTATIONS, AND SPECIAL RECOGNITIONS**

Proclamation for National Fire Prevention Week. Hawker introduced the agenda item. Roumagoux proclaimed the week of October 4 - 10, 2015 as National Fire Prevention Week in the City of Newport. Murphy accepted the proclamation.

Proclamation Recognizing October 2015 as the Great Oregon ShakeOut Month. Hawker introduced the agenda item. Roumagoux proclaimed the month of October as Great Oregon ShakeOut Month in the City of Newport. Murphy and Miranda accepted the proclamation.

### **PUBLIC COMMENT**

Dr. Susan Andersen stated that she was disappointed that no Councilors attended the presentation, on fluoride, held last Wednesday at the PUD. She noted that she would like to meet with Councilors individually to review the issue, and respond to questions, as there is so much information.

### **CONSENT CALENDAR**

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the special meeting, executive session, and regular meeting of September 21, 2015.

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

## CITY MANAGER'S REPORT

**Possible Adoption of Ordinance No. 2083 Establishing the Newport Northside Urban Renewal District.** Hawker introduced the agenda item. Nebel reported that on Monday, September 21, the City Council held a public hearing on the possible adoption of Ordinance No. 2083, which would establish the Newport Northside Urban Renewal District. He stated that Council accepted the final public comments on establishing this district. He added that an issue that was discussed during the public hearing was in relationship to housing, and he noted that the Northside Plan includes references to the city's goal to provide adequate housing, affordable to Newport workers at all wage levels. He stated that investments in infrastructure to improve this type of housing is emphasized in the plan. He noted that based on the comments, the language has been clarified to indicate that consideration for workforce housing is encouraged through the "strategic site acquisition for economic development" category, which would allow for a mixed-use concept in the City Center or other similar opportunities that may come out of any future refinement plans. He stated that language has been added indicating that the Planning Commission may recruit members of the public in an ad-hoc capacity to assist with advisory responsibilities.

Nebel reported that following the end of the public comment period, the public hearing was closed. He stated that Council then discussed a number of issues that have been modified to reflect that conversation. He noted that there will be emphasis on the Planning Commission being empowered to tap members of the public in an advisory capacity to assist the agency with plan administration. He added that the legal descriptions are now incorporated in each plan.

Nebel reported that the city established an Urban Renewal Agency in 1972. He stated that since that time, the Urban Renewal Agency has had two separate districts; one north of Yaquina Bay and the second district in South Beach. He noted that these districts have played an influential part in creating the city as it is today with improvements such as the Nye Beach Turnaround, the PAC, the VAC, the Library, Recreation Center, City Hall, the Bayfront boardwalk, the Oregon Coast Aquarium, and helped facilitate the coming of NOAA to South Beach, the development of improved roads and bike paths throughout South Beach, and currently, the reconstruction of a number of streets in accordance with the refinement plans that were developed after much public input to define the elements of that plan in past years. He stated that the Northside Urban Renewal District has the potential to redefine other areas of the city including the City Center, the Highway 20 corridor, and Agate Beach. He noted that the proposed Northside Urban Renewal District is 545.9 acres in size and has a duration of 25 years with a maximum level of indebtedness of \$39.92 million over the life of the plan. He added that urban renewal projects are generally described in order for the community to have an opportunity to refine the plans and identify projects in which urban renewal funds can be utilized in the future.

Nebel reported that the creation of an urban renewal district does not increase individual property taxes in that district. He added that it creates a base value with those property taxes from the base value going to those taxing entities that currently receive those amounts. He noted that as the value in the district grows, that increment is captured and redirected to the Urban Renewal Agency for the completion of projects that are in accordance with the urban renewal plan. He stated that the urban renewal district does not provide a quick fix to projects, and it may likely be a decade or more before major projects can be accomplished with the urban renewal funds depending the growth of the district between now and that point. He added that initially, the district will likely pursue refinement plans for Agate Beach and for City Center. He noted that both of these plans will involve significant public input to develop the best plan for those two parts of the city.

Nebel reported that originally it was hoped to meet a time schedule in which the county tax assessor would be able to initiate the capture year now if we were able to have the ordinance approved at this time. He stated that unfortunately, this will not occur, which allows the actual approval of the districts to occur at a later point.

Nebel reported that on Monday, September 21, 2015, the final public hearing was conducted to close out the public testimony on the plans. He noted that public testimony has to be incorporated into the record that ultimately is approved by the Council as part of the plan. He stated that Council can now proceed with approval of the Northside Urban Renewal District.

MOTION was made by Swanson, seconded by Saelens, to read Ordinance No. 2083, establishing the Newport Northside Urban Renewal District, by title only, and place for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2083. Voting aye on the adoption of Ordinance No. 2083 were Allen, Sawyer, Engler, Saelens, Busby, Swanson, and Roumagoux.

**Possible Adoption of Ordinance No. 2086 Establishing the McLean Point Urban Renewal District.** Hawker introduced the agenda item. Nebel reported that on September 21, 2015, Council held a public hearing on the establishment of the McLean Point Urban Renewal District. He stated that final comments were read into the record and the public hearing was closed. He added that Council discussed possible modifications to the report for the McLean Point Urban Renewal District, which included incorporating members of the public in an advisory capacity with the Port Commission to advise on various aspects of the district. He noted that this district will likely have very little activity until certain steps occur that will generate a tax increment to capture for this project. He added that it was not the desire to create a standing committee that may not have to meet, but that if there are issues of substance relating to advising the Urban Renewal Agency on any modifications to the plan, there should be citizens added to that advisory group. He stated that the legal descriptions are included in the plan.

Nebel reported that the city established an Urban Renewal Agency in 1972, and since that time, the Agency has had two separate districts; one north of Yaquina Bay and the second in South Beach. He stated that these districts have played an influential part in creating the city of today with improvements such as: the Nye Beach Turnaround; the PAC; the VAC; the Library; Recreation Center; City Hall the boardwalk on the Bayfront; as well as helping to facilitate the coming of NOAA to South Beach; the development of improved roads and bike paths throughout South Beach; and currently,

the reconstruction of a number of streets, in accordance with the refinement plans that were developed after much public input to define the elements of that plan.

Nebel reported that the creation of an urban renewal district does not increase individual property taxes in the district. He stated that it creates a base value with those property taxes from the base value going to those taxing entities that currently receive those amounts. He added that as the value in the district grows, that increment is captured and redirected to the Urban Renewal Agency for the completion of projects that are in the urban renewal plan. He noted that with the McLean Point Urban Renewal District, the potential for incurring significant projects may be quicker than the Northside Urban Renewal District, since the entire taxable value will be captured in its entirety as property is placed on the tax rolls.

Nebel reported that it was originally hoped to meet a time schedule in which the county tax assessor would be able to initiate the capture year if the ordinance was approved at this time. He stated that unfortunately, this will not occur, which allows the actual approval of the districts to occur at a later point.

Nebel reported that on September 21, 2015, the final public hearing was conducted to close out the public testimony on the plans. He noted that public testimony has to be incorporated in record that ultimately is approved by the Council as part of the plan. I move the adoption of Ordinance No. 2086, establishing the McLean Point Urban Renewal District be read by title only and placed for final passage.

MOTION was made by Swanson, seconded by Engler, to read Ordinance No. 2086, establishing the McLean Point Urban Renewal District, by title only, and place for final passage. The motion carried unanimously in a voice vote. Hawker read the title of Ordinance No. 2083. Voting aye on the adoption of Ordinance No. 2083 were Allen, Sawyer, Engler, Saelens, Busby, Swanson, and Roumagoux.

**Consideration of Resolution No. 3727 Establishing a Vision 2040 Steering Committee.** Hawker introduced the agenda item. Nebel reported that at the September 21, 2015 meeting, Council accepted a report from the Community Visioning Work Group regarding conducting a community vision. He stated that the report suggested that a community vision should be completed by January 2017, and to proceed with this schedule, it is imperative that several steps be initiated. He noted that the first step is to create a Vision 2040 Steering Committee to help guide the city through the initial process of developing a request for proposals to engage a visioning consultant. He added that if this resolution is approved, it is his intent to invite the members of the work group to continue as potential members of the Vision 2040 Steering Committee. He recommended expanding the membership of the committee to broaden the perspective of the effort.

Nebel reported that the Community Visioning Work Group consisted of the following membership:

1. One representative from the City Council with one alternate;
2. One representative from the Planning Commission;
3. One representative from the Chamber of Commerce;
4. One representative from the Port of Newport;
5. One representative from the Oregon Coast Community College;
6. Two citizen representatives.

Nebel suggested that Council consider the addition of the following to the membership of the Vision 2040 Steering Committee:

1. One representative from the Lincoln County School District;
2. One representative from Lincoln County;
3. One representative from the Latino community;
4. One representative from the commercial fishing community;
5. One representative from the marine science community;
6. One representative from the religious community;
7. One representative from the arts and cultural community;
8. One additional member of the Council.

Nebel reported that while this is a large group, he believes that having a representation group is essential to guide community process. He recommended that these appointments be made at the October 19, 2015 Council meeting.

Nebel reported that staff is working on the R.F.P. and should begin requesting proposals in November. He stated that it is anticipated that the Vision 2040 Steering Committee will continue through the selection of the consultant. He noted that at that time, the Committee will be restructured as necessary in consultation with the consultant, and the agreed upon approach to tackle the visioning effort.

Allen stated that he would like to see a recreational fishing representative on the stakeholder list. Nebel noted that if Council has other suggestions, they should be provided to the Mayor or to him, as appointments will likely occur at the October 19 meeting.

MOTION was made by Allen, seconded by Engler, to adopt Resolution No. 3727, as modified tonight with the addition of a representative of the recreational fishing industry, establishing a Vision 2040 Steering Committee to guide the development of a Request for Proposals, and selection of a professional consulting firm for the 2040 visioning process. The motion carried unanimously in a voice vote.

**Approval of Simulcast Radio System Maintenance Intergovernmental Agreement with Lincoln County.** Hawker introduced the agenda item. Nebel reported that since 2007, various public safety agencies in Lincoln County, including the City of Newport, have been involved in discussions regarding the replacement of an obsolete and antiquated public safety radio communication system. He stated that the new system has been online since June of last year, and since that time, certain improvements have been made to address some initial coverage problems that occurred in the city. He added that the new system is doing a great job of meeting the radio communication needs for the agencies. He noted that for the past year, various agencies, utilizing this radio system, have been meeting to discuss the allocation of expenses to operate and maintain the system. He added that Miranda and Murphy have been part of the negotiations, and that he and Rich have reviewed the agreement.

Nebel reported that the costs of the system are divided among the various system users. He stated that from a law enforcement standpoint, the city's Police Department is responsible for 12% of the operational costs as well as a \$4.825 dispatch connection fee. He added that the county fire agencies are responsible for 40% of the cost, plus \$9.650 in connection fees. He noted that these costs have been allocated based on the agreement of the eight fire agencies with the city's Fire

Department responsible for \$14,155.07 or about 10% of the total cost of the system.

Nebel reported that a budget oversight committee has been established which includes two members from law enforcement, a member of the Lincoln County Public Works Department, and two members appointed by the fire agencies to review the proposed budget for the next fiscal year established by the Sheriff's Office. He noted that the committee will establish cost shares by March 1 of each succeeding fiscal year. He added that the term of the agreement is through June 30, 2018, unless terminated earlier.

MOTION was made by Engler, seconded by Busby, to approve an intergovernmental agreement between the City of Newport and Lincoln County regarding the maintenance of the Simulcast Radio Communications System for the Police and Fire Departments. The motion carried unanimously in a voice vote.

**Report on the Great Oregon ShakeOut.** Hawker introduced the agenda item. Nebel reported that the packet contains a list of activities that will be coordinated as part of the statewide ShakeOut drill that will occur on October 15, 2015. He stated that internally, the primary emphasis will be employee preparedness and safety; and that externally, this month will be used to create display tables showing examples of "Go Packs" for both the public and staff. He noted that staff will be adding links to the city's website so that citizens can obtain additional information. He added that the city will be hosting two informational sessions, at City Hall, about Cascadia events and general disaster preparedness. He stated that these sessions will be held on Tuesday, October 27 from 3:00 P.M. to 5:00 P.M. and 6:00 P.M. to 8:00 P.M.

Marletta Noe addressed Council regarding an episode of Oregon Field Guide that reviewed preparedness relative to tsunamis. She suggested that cargo bikes might be the only vehicles that will be able to access damaged roads. She noted that the engineers from the National Guard might be needed north of the bridge after an earthquake. She added that this episode of Oregon Field Guide can be viewed at [www.opb.org/unprepared](http://www.opb.org/unprepared). She reported that Chris Rampley, from the Fire Department, provides excellent disaster preparedness and training. Allen noted that some cities are geographically situated so that a tsunami will cause severe damage. Nebel stated that Newport is fortunate for its topography. Carla Perry asked whether the link to the program could be placed on the city's website.

## LOCAL CONTRACT REVIEW BOARD

The City Council, acting as the Local Contract Review Board, began its meeting at 6:35 P.M.

**Notice of Intent to Award a Contract to Fire Mountain Farms, Inc., for Backwash Pond Sludge Removal at the Water Treatment Plant.** Hawker introduced the agenda item. Nebel reported that one proposal was received for the removal of sludge from the water treatment facility backwash pond. He stated that this is part of the city's water treatment process where solids are allowed to settle and then removed as sludge. He noted that based on the removal of 150 tons of sludge, the contract amount will be \$98,527.50.

MOTION was made by Engler, seconded by Swanson, to issue a Notice of Intent to Award a Contract to Fire Mountain Farms, Inc. for Backwash Pond Sludge Removal in the amount of \$656.85 per dry ton with an estimated total contract amount of \$98,527.50 based on 150 tons, and contingent upon no protest, authorize award and direct the City Manager to execute the contract after seven days on behalf of the City of Newport. The motion carried unanimously in a voice vote.

## **RETURN TO REGULAR CITY COUNCIL MEETING**

The City Council resumed its regular meeting at 6:37 P.M.

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

Roumagoux reported that she attended the recent League of Oregon Cities Conference and the Oregon Mayor's Association meeting. She stated that she was elected to a three-year term on the OMA Board of Directors. She noted that she also attended some very helpful and interesting educational sessions, including: "Our Seniors/Our Cities;" "Latino Voices Including Everyone;" and a tour of Madras and the Erickson Air Museum. She reported that Redmond is a Sister City to Astoria, and it was suggested that the city talk with Bend about becoming Sister Cities.

Allen reported that he attended a recent meeting of the Audit Committee. He noted that newly-appointed member, Don Huster, was unable to attend. He added that the Committee reviewed financial statements, the schedule, and other related work to be undertaken. He noted that the Audit Committee will report on the audit late this year or in early January of 2016.

Allen reported that he attended the Legal Issues Workshop at the recent LOC Conference. He noted that marijuana was discussed several times during the day-long workshop.

Allen reported that he attended a recent meeting of FINE at which attendees heard updates on the NEMREC site, the territorial sea plan, and several other issues.

Allen reported that he met with representatives from the Clean Water Newport group, and Rick North, from Portland. He stated that he asked candid questions related to costs, and on placing the issue on an upcoming ballot, and recommended that the information that this group provided to him be incorporated into their written report to Council. He added that to be fair, he contacted representatives from the Lincoln County Health Advisory Committee with whom he met the following day. He stated that he asked the same questions of this group, and again, recommended that any information they provided to him be incorporated into their written report to Council. He noted that he would forward an e-mail to Council that contains a response to a question related to cost, including the cost of removing as well as the cost to those who want to get other fluoride treatment if it is not included in the water.

Engler reported that she attended the recent LOC Conference. She noted that there is more information regarding marijuana on the LOC website. She added that she attended several housing sessions along with two tours and a seminar. She stated that she looks forward to working together with Council on housing issues.

Engler reported that someone suggested that the city befriend Mountain Home, Idaho, as a potential Sister City as it has an air base.

Engler reported that she attended the recent Jazz Festival, and that the musicians expressed appreciation for the PAC facility.

Engler reported that she has received many individual contacts regarding fluoride. She asked what programs could be instituted to reach the target population if fluoride is not added to the water.

Busby reported that he had attended the opening performance of Newport Symphony.

Busby reported that he participated in a tour of the Highway 20 project. He noted that a tremendous amount of fill was used in this project, along with horizontal drains, stabilization bulkheads, and other techniques. He reviewed the remaining major contract to be completed, and noted that the estimated completion date of the entire project is the fall of 2016.

Busby addressed the issue of the possible gun buy-back program. He noted that he has some minor issues with the program, and suggested that the program takes advantage of people who do not understand the value of firearms by providing them with gift certificates for turning in guns. He stated that it is perceived as a gun control measure, and asked whether the city supports gun control. He added that the city is taking a stance on a controversial topic, and suggested additional discussion at the next Council meeting or an upcoming work session. He reiterated that Council should take a position with a reason that it supports, or does not support, this program.

Saelens reported that he also met with Rick North, adding that he did not hear anything that has not already been stated. He added that he did not officially talk with representatives of Clean Water Newport, but had met with Gary Lahman earlier today.

Allen reported that he will clear up the issue of whether Gary Lahman and Bill Wiist are representing themselves or the Lincoln County Health Advisory Committee.

Sawyer reported that he attended the recent LOC Conference. He thanked Tokos for the presentation, in which he participated during the Conference, on Safe Haven Hill.

Sawyer complimented the airport staff noting that they were very helpful to the pilots and passengers of a Bombardier that was preparing to leave the airport yesterday.

Sawyer asked whether the OLCC would have information on how much recreational marijuana was sold in Newport during the first month of sales. It was noted that if the information is available, it would likely be available from the Oregon Health Authority.

Sawyer reported that CERT training started two weeks ago, and that last week, the group had an exciting fire extinguisher training.

Roumagoux reported that Allen had been elected to the LOC Board of Directors; that Nebel was elected to the OCCMA Board of Directors; and that Hawker is active in OAMR.

## ADJOURNMENT

Having no further business, the meeting adjourned at 7:02 P.M.

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Margaret M. Hawker, City Recorder

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Sandra N. Roumagoux, Mayor