

**WALDPORT CITY COUNCIL
JANUARY 9, 2020
MEETING NOTICE AND AGENDA
(Amended)**

The Waldport City Council will meet at 2:00 p.m. on Thursday, January 9, 2020 in the City Council Meeting Room, 125 Alsea Highway to take up the following agenda:

1. CALL TO ORDER & ROLL CALL
2. MINUTES: *December 12, 2019*
3. PUBLIC COMMENTS/PRESENTATIONS
4. DISCUSSION/ACTION ITEMS:
 - A) *Consideration of Resolutions*
 - 1) *To Authorize an Interfund Loan*
 - 2) *Amending Budget for FY 2019/2020*
 - B) *Review of Proposed Budget Schedule for FY 20/20/2021 Budget*
 - C) *Annual Review of Board Memberships*
 - D) *Water/Sewer Rate Discussion*
 - E) ***Open Space Discussion*****
 - F) ***Former Umpqua Bank Property*****
 - G) ***Council Rules*****
 - F) *Other Issues*
5. COUNCIL COMMENTS AND CONCERNS
6. STAFF REPORTS
7. EXECUTIVE SESSION: *Pursuant to ORS 192.660(2)(e): To conduct deliberations with persons designated by the governing body to negotiate real property transactions.*
8. ACTIONS, IF ANY, FROM EXECUTIVE SESSION
9. GOOD OF THE ORDER
10. ADJOURNMENT

The City Council Meeting Room is accessible to all individuals. If you will need special accommodations to attend this meeting, please call City Hall, (541)563-3561, during normal office hours.

* Denotes no material in packet

****Items may be deferred to next meeting due to staffing**

Notice given this 6th day of January, 2020

Reda Q. Eckerman, City Recorder

**WALDPOR CITY COUNCIL
JANUARY 9, 2020
MEETING NOTICE AND AGENDA**

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* Denotes no material in packet

Notice given this 3rd day of January, 2020

Reda Q. Eckerman, City Recorder

**WALDPORT CITY COUNCIL
DECEMBER 12, 2019
MEETING MINUTES**

1. CALL TO ORDER AND ROLL CALL: Mayor Cutter called the meeting to order at 2:00 p.m. Mayor Cutter and Councilors Virtue, Dunn, Dennis, Campbell, Holland and Woodruff answered the roll. A quorum was present.

2. MINUTES: The Council considered the minutes from the November 5th special meeting, November 12th workshop, and November 14 regular Council meeting. Councilor Holland **moved** to approve the minutes as presented. Councilor Virtue **seconded**, and the motion **carried** unanimously.

3. PUBLIC COMMENTS/PRESENTATIONS: Sgt. Etheridge from the Sheriff's office provided a review of activities of the department over the previous month. Hollis Lundeen addressed the Council, formally requesting to have the recent LUBA remand process begin at the Planning Commission level before proceeding to the City Council.

4. CORRESPONDENCE: The Council considered the letter from the County Board of Commissioners regarding the annual joint meeting. Following a brief discussion, **consensus** of the Council was to hold the joint meeting on June 17th at 6:00 p.m.

Mayor Cutter announced that, due to the anticipated length of the meeting, discussion items "B" (Former Umpqua Bank Property), "C" (Open Space Discussion), and "E" (Council Rules) would be moved to a subsequent agenda.

5. PUBLIC HEARING(S):

A. Proposed Amendment to Waldport Comprehensive Plan - Waldport Transportation System Plan: Matt Bell from Kittelson & Associates provided a PowerPoint presentation of the Transportation System Plan update process.

Mayor Cutter opened the Public Hearing, and asked for citizen comments. June O'Connor and Joanne Cvar, representing the Waldport Climate Crisis Committee, provided information and handouts on the possible effects of potential sea level increases due to climate change, indicating that the issue was not addressed in the Transportation System Plan. Hollis Lundeen noted her previous testimony at the Planning Commission public hearing, and her written submittal regarding specific recommendations in the study involving Norwood Drive and Starr Street, which had also been signed by other residents in the area. Jan Hansen, who had also commented during the Planning Commission's hearing, spoke about the proposed sidewalks on Crestline Drive, expressing a preference for the east side of the street, and noting the need for the improvement for general safety and potential tsunami evacuation. At 2:46 p.m., Mayor Cutter closed the public comments.

Following a brief discussion, Councilor Virtue **moved** to table the deliberations to the February 13, 2020 Council meeting. Councilor Holland **seconded**, and the motion **carried** unanimously.

B. Development Code Amendment - Transportation Impact Analysis: City Planner Lewis noted that the Planning Commission had reviewed the Transportation Impact Analysis language, and recommended the Code amendment. Councilor Woodruff asked

about Item (B)(7), which stated "An increase in the use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day". She suggested this might be clarified by adding the word "regular" in front of "use", as there may be a particular project or development stage which could require the temporary need for large trucks. Following discussion, Councilor Holland **moved** to approve the addition of the word "regular", Councilor Virtue **seconded**, and the motion **carried** unanimously. The amended language, along with the adopting ordinance, will be considered at the January 2020 Council meeting.

6. DISCUSSION/ACTION ITEMS:

A. Annual Financial Report (Audit): Councilor Woodruff **moved** to accept the 2018/2019 audit. Councilor Holland **seconded**, and the motion **carried** unanimously.

B. Former Umpqua Bank Property: Deferred.

C. Open Space Discussion: Deferred.

D. City Manager Recruitment & Planning/Code Enforcement: City Manager Kemp noted that the proposal from Prothman for City Manager recruitment was included in the packet materials. An additional proposal from Kevin Greenwood was distributed at the meeting. Discussion ensued regarding the merits of both proposals, the recruitment scope and process, and the duties involved with the position. Councilor Virtue **moved** to retain the services of Prothman. Councilor Dunn **seconded**, and the motion **carried** unanimously.

With regard to Planning services, City Manager Kemp indicated that he has been working with the Council of Governments (COG), as they have a program to provide such services on a month-to-month basis. The final details are being worked out, but they can provide an on-site planner at least one day a week, with additional hours off-site if necessary.

Code Enforcement: City Manager Kemp reported on his continuing discussion with the Sheriff's Department for the eventual provision of services.

E. Council Rules: Deferred.

F. Other Issues: None.

7. COUNCIL COMMENTS AND CONCERNS: Councilor Dunn asked an apparently non-compliant fence behind the Community Center, and staff noted that the issue has been referred to municipal court for resolution. Councilor Dennis noted the bulb replacements on Highway 101, and suggested the City consider completely replacing the bulbs as soon as more than one of them are out. Councilor Dunn mentioned that the City might also want to consider providing holiday lighting, and Mayor Cutter suggested this could be a topic for the upcoming budget process. Councilor Woodruff reminded the Council about the Chamber's "Christmas in Waldport" celebration on Saturday, December 14.

8. REPORTS: The reports from the City Manager, Library Director, Public Works Director, City Planner and City Recorder were included in the packet. City Manager Kemp reported that the Industrial Park has been approved for the Regionally Significant Industrial Site designation. In other news, Mr. Kemp mentioned that staff has been researching updated software for accounting and utility billing. The recommendation is to go with Casselle, with

the software costs charged to multiple applicable funds, and a budgetary amendment will be forthcoming as needed.

9. EXECUTIVE SESSION(S): At 4:01 p.m., the Council recessed into Executive Sessions, pursuant to ORS 192.660(2)(e) and 192.660(2)(h). The topics of discussion were the college property and an update on the ongoing water tank litigation.

10. ACTIONS, IF ANY, FROM EXECUTIVE SESSION: At 4:46 p.m., the Council reconvened into Open Session. Mayor Cutter **moved** to authorize City Manager Kemp to proceed with the college property acquisition process as discussed. Councilor Woodruff **seconded**, and the motion **carried** unanimously. No action was necessary for the water tank litigation.

11. GOOD OF THE ORDER: Nothing further.

12. ADJOURNMENT: At 4:47 p.m., there being no further business to come before the Council, the meeting was adjourned.

Respectfully submitted,



Reda Q Eckerman, City Recorder

APPROVED by the Waldport City Council this ___ day of _____, 2020.

SIGNED by the Mayor this ___ day of _____, 2020.

Dann Cutter, Mayor

RESOLUTION # _____

TO AUTHORIZE AN INTERFUND LOAN

WHEREAS, ORS 294.468 allows for local governments to borrow internally, from one fund to another, and

WHEREAS, the Water Fund requires \$50,000 for the purpose of retaining legal counsel for litigation concerning the 2MG Reservoir Rehabilitation project; and

WHEREAS, the General Fund has Building Reserves money available which is not currently committed to fund activities; and

WHEREAS, the Water Fund will provide that the money so loaned shall be returned to the fund from which it was borrowed by the end of Fiscal Year 2023/24 or earlier, if possible;

THEREFORE, THE CITY COUNCIL RESOLVES:

The General Fund will lend the Water Fund \$50,000 for the purpose of retaining legal consul for litigation concerning the 2MG Reservoir Rehabilitation project. The Water Fund will repay the loan amount of \$50,000 plus interest that would have been earned through the local government investment pool to the General Fund by the end of Fiscal Year 2023/24. The principal and interest repayment is scheduled entirely for Fiscal Year 2023/24; however, may be repaid sooner if circumstances permit.

PASSED by the Waldport City Council this _____ day of _____, 2019.

SIGNED by the Mayor this _____ day of _____, 2019.

Dann Cutter, Mayor

ATTEST:

Reda Q Eckerman, City Recorder

CITY OF WALDPOROT RESOLUTION # _____

AMENDING THE BUDGET FOR FISCAL YEAR 2019/2020

WHEREAS, ORS 294.463 provides for transfers of appropriations within a fund or from one fund to another,

WHEREAS, ORS 294.338 (2) provides for the expenditure of grants, gifts or devises transferred to a municipal corporation in trust for specific purposes,

THEREFORE, THE CITY OF WALDPOROT RESOLVES that budget appropriations for the fiscal year 2018/2019 are hereby amended as follows.

General Fund	Resource or Revenue	Amount Increased (Decreased)		Requirement or Expenditure	Amount Increased (Decreased)
Library	Grant Siletz Tribe	\$2,200	a	M & S- Equipment	\$2,200
Building Reserve	Reserve Funds	(\$50,000)	b	Transfer Out – Water Fund	\$50,000

- (a) Grant received from the Siletz Tribe
- (b) Building reserve loan to water fund – 2MG Reservoir

Water Fund	Resource or Revenue	Amount Increased (Decreased)		Requirement or Expenditure	Amount Increased (Decreased)
Contingency	Resource	(\$15,432)	a	Water Fund 2MG Reservoir	\$15,432
Transfer In	General Fund Loan	\$50,000		Water Fund 2MG Reservoir	\$50,000

- (a) Move contingency to the Water Fund – 2MG Reservoir

Adopted by the Waldport City Council this 9th day of January 2020

Signed by the Mayor this ____ day of January 2020

Dann Cutter, Mayor

Attested by Reda Eckerman, City Recorder

**CITY OF WALDPOR
PROPOSED SCHEDULE
FOR 2020/2021 BUDGET**

- 9 Jan 2020** **Amend or approve budget schedule. Appoint budget committee members as needed.**
- 31 Jan 2020 Notify committee members of budget meeting dates.
Distribute preliminary budget worksheets to department heads.
- 14 Feb 2020 Submit department budgets to finance.
- 2 Mar 2020 Department heads meet with Budget Officer to review and revise.
- 30 Mar 2020 Submit complete proposed budget to finance for compilation, printing, and binding.
- 15 Apr 2020 Distribute proposed budget to committee members. Publish notice of budget committee hearing on city's website (10 to 30 days before the meeting).
- 15 Apr 2020 Publish notice of budget committee hearing, as well as state revenue sharing, in News Times (10 to 30 days before the meeting)).
- 28 Apr 2020** **Hold budget meeting, from 1:30pm to 5pm, give budget message, and hold public hearings.**
- 29 May 2020 Publish financial summary, notice of budget hearing, and notice of state revenue sharing in News Times (5 to 30 days before the hearing).
- 11 Jun 2020** **Hold budget hearing and deliberations. Adopt budget, make appropriations, declare and categorize taxes, and elect to receive state revenue sharing.**
- 30 Jun 2020 Submit tax certification to County Assessor. Send complete budget documentation to County Clerk.

Budget Committee Members

Dann Cutter	Harry Dennis	Kärün Virtue
Duane Snider	Scott Perkins	Greg Dunn
Jan Hansen	Shari Virtue	Greg Holland
Mark Campbell	Shirley Hanes	Susan Woodruff
Kevin Quill	(Vacancy)	



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Board Memberships

REQUESTED BY:

FOR MEETING DATE: January 9, 2020

SUMMARY OF ISSUE:

There are several boards and committees that have City Council members appointed to represent the City. Council is asked to confirm or change representation on the following groups:

Solid Waste Advisory Committee (SWAC) – Harry Dennis

Cascades West Area Commission on Transportation (CWACT) – Susan Woodruff, Harry Dennis (alt)

Council of Governments (COG) – Dann Cutter

Lincoln County Transit Authority – Greg Holland

Local Public Safety Coordinating Council – Greg Dunn & Greg Holland

Facilities Co-Location Committee – Harry Dennis & Dann Cutter

From: Virginia Demaris <vdemaris@co.lincoln.or.us>
Sent: Tuesday, December 03, 2019 12:07 PM
Subject: Fwd: Volunteer Recruitment Announcement - Emergency Management Division

Email Distributed to: Community Groups, Public Safety Groups, Volunteer Groups and Local Government Groups

Please help us spread the word to recruit our 3 new volunteer support positions for CERT, Auxiliary Communications and our new Medical Reserve Corps volunteer groups. We will have a Facebook post that can be shared as well.

Full volunteer position announcement at <https://www.co.lincoln.or.us/emergencymanagement/page/lcso-volunteer-recruitment-announcement>

Jenny

Virginia "Jenny" Demaris
Lincoln County Sheriff's Office
Emergency Management Division
Emergency Manager
Phone 541-265-4199 | Cell 541-270-0702
vdemaris@co.lincoln.or.us

www.lincolncountysheriff.net

225 W. Olive St., Suite 103, Newport, OR 97365

Lincoln Alerts



OFFICE OF THE SHERIFF

Sheriff Curtis L. Landers
225 W. Olive Street
Newport, Oregon 97365
(541) 265-4277
Fax (541) 265-4926

MEDIA RELEASE

FOR IMMEDIATE RELEASE

Date: December 3, 2019

Contact: Virginia "Jenny" Demaris, Emergency Manager
(541) 265-4199
vdemaris@co.lincoln.or.us

VOLUNTEER RECRUITMENT ANNOUNCEMENT – EMERGENCY MANAGEMENT DIVISION

(12.03.19 - Lincoln County)

The Emergency Management Division of Lincoln County Sheriff's Office is recruiting three volunteer positions to assist local volunteer organizations with administrative support coordination.

Open Volunteer Support Liaison Positions:

- Lincoln County Citizen Corp Coordinating Council (LC5)
 - Provides support to the CERT Chapters of Lincoln County - Community Emergency Response Teams
- Lincoln County Sheriff's Office Auxiliary Communications Services (ACS)
 - Provides support to the amateur radio operators team (no radio experience needed)
- Lincoln County Public Health Medical Reserve Corp
 - Provides support to new volunteer group supporting community medical response (no medical experience needed)

The new volunteer positions require the same level of administrative support skills and experience and will be recognized as Volunteer Support Liaisons to their respective volunteer organizations.

The County Emergency Manager will coordinate the application, selection process and the supervision of the selected volunteers. Each position is expected to volunteer approximately 4-10 hours per month and would need to serve a term of at least one continual year with encouragement to renew annually.

Lincoln County Sheriff's Office

[facebook](#) | [twitter](#) | [website](#) | [emergency alerts](#) | [contact/newsbites](#)

The selected individuals should enjoy working in a group environment and must be comfortable with general clerical, administrative duties. The position announcements and application instructions are available on the County Emergency Management website at:

Application Process:

- Review the position recruitment announcement at <https://www.co.lincoln.or.us/emergencymanagement/page/lcso-volunteer-recruitment-announcement> then
- Forward an email of interest to County Emergency Manager by December 20th; if no interested applications are received the position will remain open until filled.
- Interview with Volunteer Coordinator then submit digital application for background check process.

For More Information - Contact:

Virginia Demaris
Lincoln County Emergency Management
Courthouse, Room 103
225 W. Olive Street
Newport, OR 97365
Phone: 541-265-4199 (work)
Email: vdemaris@co.lincoln.or.us

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Respectfully submitted,

Virginia "Jenny" Demaris
Emergency Manager
Lincoln County Sheriff's Office
Emergency Management
225 W. Olive St.
Newport, Oregon 97365
vdemaris@co.lincoln.or.us
(541) 265-4199 Office



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Water/Sewer Rate Discussion

REQUESTED BY: Staff

FOR MEETING DATE: January 9, 2020

SUMMARY OF ISSUE: The Council, at their December meeting, revisited and confirmed the decision to proceed with the AMI metering system. As noted in previous agenda memos, a rate increase will be needed in order to implement the meter replacement program. The topic for the current discussion will be two-fold, one part being the meter program itself, and the other being the overall financial health of the water and sewer funds, in light of current needs as well as long-range planning.

In the short term, current calculations show it will apparently be necessary to raise the water rates by 1.5% and the sewer rates by 14% (yes, there is no decimal there). This increase will be needed to pay back the loan for the meter program. For the “average” water/sewer customer, who uses about 4 units of water per month, the charge for one month would go from \$79.98 to \$86.85, an increase of \$6.87. For the older population, who may only use 1 or 2 units a month, the increase would be \$5.37 - \$5.87 per month, and larger families using 10 to 12 units a month would see an increase of \$9.87 - \$10.86. According to the 2017/18 water & wastewater rate comparison with surrounding cities and districts, the “new” rate of \$86.85 for our 4-unit per month consumer will still come in lower than the overall average of \$87.74 per month.

In the long term, and following hard on the heels of this necessary assessment for the meter program, we also need to face the fact that the current annual percentage increase, based on the Portland CPI and roughly 3% per year, is not keeping up with the actual costs for these enterprise funds. To maintain the present level of service as well as to accrue funds to pay for the needed and desired improvements that are identified in our updated master plans, it appears that the annual increase should be at least 5% higher than the current rate. There may be an offset due to having more accurate meters to register consumption, but it will take a couple of years before there is enough data to make a solid revenue projection. As you are aware, the annual percentage increase is reviewed during each budget process and adjusted to fit the projected needs of the upcoming year.

The projections in the upcoming budget document will include both the short-term increase for water & sewer, and an 8% annual percentage increase. Depending on timing, it may be necessary to implement the initial increase for the meter project prior to the next fiscal year. For this meeting, the information is being provided for informational and discussion purposes only. Staff will be on hand to answer any questions.

From: Jenna Jones <jjones@orcities.org>
Sent: Tuesday, December 10, 2019 7:20 PM
Subject: Support the Rural Telecommunications Investment Act Today

LOC will support the Rural Telecommunications Investment Act of 2020 (RTIA) sponsored by Rep. Pam Marsh in the upcoming session. This bill is a rerun of HB 2184 (2019). The RTIA is expected to provide \$5 million annually for the

Oregon Broadband Office for broadband/high-speed internet deployment focused on 25 school districts and 50+ libraries without high speed internet access. The \$5 million dollars will be generated by bringing the wireless users into Oregon's Universal Service Fund (OUSF). Additionally, the overall rate for all users will be reduced to 6% from 8.5%. The goal is to stabilize the OUSF which supports robust, reliable, and affordable advanced communications services in rural Oregon. These funds will also help cities leverage various federal funds for broadband. The LOC along with many other stakeholders have been participating in a coalition to support the Rural Telecommunications Investment Act.

Representative Marsh requested that the LOC reach out to cities and gauge support. If you would like to show your support for this bill by adding your city logo to the attached one-pager please send it to me by January 15. If you have any questions please let me know.

Thanks,

Jenna

Jenna Jones, Legislative Analyst
503-588-6550 direct: 503-540-6608; cell: 971-707-0304
1201 Court St. NE, Suite 200, Salem, OR 97301-4194
www.orcities.org

***Supplemental Materials for
January 9, 2020 Council Meeting***

(from December 14, 2019 Council Packet)

Agenda Item E - Open Space Discussion

Agenda Item F - Former Umpqua Bank Property

Agenda Item G - Council Rules



CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Open Space Project – Conceptual Site Plan Review

REQUESTED BY: City Manager & City Council

FOR MEETING DATE: December 12, 2019

SUMMARY OF ISSUE:

The City of Waldport ("City") now owns the approximately 12 acres of land that used to house the Waldport High School campus ("Open Space" or "Site"). The Site is vacant, and subject to restrictions by the Federal Emergency Management Agency ("FEMA"). This item is to review and approve the conceptual site plan.

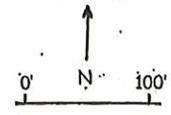
STAFF RECOMMENDATION or ACTION REQUESTED:

Review and approve conceptual site plan and direct staff as warranted.

BACKGROUND:

The City Council held a public workshop on the open space, outlining some elements for a draft site plan. Council directed staff to put these thoughts into a defined conceptual site plan, which is attached for review and consideration. The site plan was prepared with FEMA restrictions in mind. After approval staff could refine the scope of work and project budget and priorities.

Attachment: Conceptual Site Plan (dated November 2019)





CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Former Umpqua Bank Property and City Facilities Plan – Continued Discussion

REQUESTED BY: City Manager

FOR MEETING DATE: December 12, 2019

SUMMARY OF ISSUE:

The City of Waldport ("City") now owns the former Umpqua Bank Property ("Property"). This agenda item is to follow up on the workshop held by City Council on November 12, 2019.

STAFF RECOMMENDATION or ACTION REQUESTED:

Review workshop, continue discussion, and provide direction to staff as warranted.

BACKGROUND:

The City Council held a workshop on November 12, 2019, to discuss the potential disposition and use of the former Umpqua Bank ("Bank") site and building ("Property"). The purpose of this agenda item is to follow up on questions or issues raised at that meeting and to continue the discussion. These include, but may not be limited to, the following:

- Requirements on reuse of the Property
- Request for Proposals ("RFP") process
- City facility's needs, options and construction cost-effectiveness analysis
- Operating revenues and costs

Property Reuse Requirements

While there were preliminary meetings and discussion between Bank representatives and various groups, the final agreements that were executed and approved by the Bank and City Council only include the following conditions or restrictions (paraphrased):

- ✓ The Bank is to lease a portion of the Property for ten years for an on-site ATM
- ✓ The Property cannot be used as a financial institution or have another ATM or cash-back device on-site for ten years
- ✓ City cannot convey an interest in the Property for first five years, except:
- ✓ City may transfer the Property to a non-profit or government entity

Although there is a certain sentiment that the Bank in some way wanted a local non-profit to occupy the Bank, which has helped frame and direct this conversation, the signed Letter of Intent states that "any general use is authorized," also subject to the above limitations. While the City may certainly allow a non-profit to use the Property, it is not a requirement.

RFP Process/Community Development Corporation

The City Council discussed the potential RFP process at the workshop, including tentatively naming three Councilors for a sub-committee to develop same (Mayor Cutter and Councilors Campbell and Woodruff). However, no formal motion or action was taken by the Council with respect to a subcommittee or creating the RFP, its selection criteria, and the process. There was also discussion about possibly creating a non-profit Community Development type of corporation or organization that would become involved with the building. No action was taken.

City Options & Analysis

The City Council commented that a cost analysis of City options would be necessary with respect to the Property and other City facilities and operations needs. City staff has prepared a cost-effectiveness analysis with the following constructs in mind:

1. The building housing the City Library is approximately 120 years old. It is too small without adequate collections or events space, meeting rooms, and program areas. There is inadequate and awkward on-site parking. The City is proceeding with a space needs analysis to meet current and future demand, but a rule-of-thumb is to double the size.
2. The existing City Hall facility was constructed 30 years ago, is outdated and marginally functional with a poor layout. It has less than adequate security, accessibility and safety features, and may not be large enough for future growth (unless the Sheriff vacates).
3. The Central Oregon Coast Fire & Rescue District ("Fire District") has expressed interest in constructing a new headquarters/fire station out of the tsunami inundation zone. I understand that the Fire District would still need a presence in downtown for coverage.
4. The Fire District and City held a joint meeting on March 7, 2019, to discuss potential relocation together. No official action was taken by either agency at this meeting. This meeting took place before the opportunity presented by the Property was fully known.
5. The Oregon Revised Statutes ("ORS") dictate which buildings are either "essential facilities" or "special occupancy structures" and therefore may not be constructed in a tsunami inundation zone, with certain exceptions.¹ As stated in the ORS, fire and police stations are essential facilities. A city hall is not designated as an essential facility nor is it identified as a special occupancy structure.
6. The Waldport Museum (also located on City property) has sent a letter to the City stating its desire and need to be more visibly downtown rather than tucked away in a residential area. The museum would like to move sooner rather than later.

¹ Please see ORS 455.446 and ORS 455.447.

In considering these factors, three options are being presented for information and review. The attached spreadsheet summarizes preliminary construction costs for each option and provided below is a description. Also attached is a diagrammatic representation of the three options.

- A. The first option involves i) moving to a new City Hall, either inside or outside the tsunami zone, and either with or without the Fire District as a partner, and ii) relocating the City Library into the vacated City Hall/Fire Hall building. **Total preliminary cost = \$4.4M.**

Option A would allow the City to formulate the RFP process for soliciting other uses at the Property. The vacated library property would also be available for reuse/disposition.

- B. The second option involves i) relocating City Hall to the former Bank Property and ii) relocating the Library into the vacated City Hall/Fire Hall building. **Total preliminary cost = \$2.8M.** Although this could eventually include a new Council Chamber on the Bank Property (around \$140,000 extra cost), this option involves the Library and City Hall sharing event/meeting space in a remodeled Chamber.

Option B precludes the RFP process for the Property. However, the vacated library property would be available for reuse/disposition.

- C. The third option involves i) remodeling the existing City Hall, ii) relocating the Library into the vacated City Hall/Fire Hall building, and iii) constructing a new addition to the existing structure. **Total preliminary cost = \$3.4M.** As with the second option, this one also involves the Library and City Hall sharing event/meeting space in a remodeled Chamber.

Option C would allow the City to proceed with the RFP process for the Property. The vacated library property would also be available for reuse/disposition.

As noted above, the first and third options could involve the RFP and selection process for deciding the Property's user, if the City Council decides to pursue that path. In all three options the existing City Library property would be available for reuse. Implementing the second option would likely mean that the opportunity to sell the Property goes away as it becomes City Hall.

Operating Parameters and Budgets

The City now owns five properties downtown (and soon perhaps one more, the Alsea Bridge Interpretive Center) that are non- or minimal revenue generating, including a) City Hall/Fire Station, b) City Library, c) Community Center, d) Waldport Museum, and e) the former Bank. Apart from the Bank Property, all these buildings are old, with the Community Center being the "youngest" at 27 years. Maintenance obligations and repairs will increase as the buildings age.

With respect to assessing Options A, B, and C, please note that regardless of which option is chosen (or the fourth option, which would be "doing nothing" and continuing with the status quo), the City would have dual operating expenses for a City Hall and Library, regardless of the location (or relocation). In the case of a non-profit using the Bank Property and reimbursing the City, the City may still need to act as a "backstop" if the user is not able to make its required payments. This would be a potential burden on the City's General Fund.

One other potential outcome of implementing any of the Options A, B, or C could be a vacant museum building (if the museum subsequently is able to move to another more visible building, as requested), that the City could entertain for other public uses or reversion.²

Please also note this updated information from Brown & Brown Northwest, our insurance agent (from CIS Oregon property coverage document):

For buildings vacant more than 90 consecutive days before the loss or damage occurs, covered losses are subject to a per occurrence deductible of \$10,000 or the per occurrence building deductible stated on the Property Coverage Declarations, whichever is greater. As used in this deductible, the term vacancy shall mean any building when 70% or more of its total square footage is not rented or used to conduct customary operations. Buildings under construction or renovation are not considered vacant.

One of the questions at the recent workshop had to do with the Bank's operating expenses for the Property. The expenses for last year are provided below. After zeroing out property taxes, the amount equals \$35,055, or nearly \$3,000 a month.

COSTS FROM UMPQUA BANK GENERAL LEDGER		
2018 Operating Expenses		Sum of Amount
INSURANCE-LIABILITY & OTHER	\$	3,721
JANITORIAL SERVICE & SUPPLIES	\$	8,195
MAINTENANCE CONTRACTS	\$	6,066
PREPAID-PROPERTY TAX	\$	9,881
REPAIRS & MAINTENANCE	\$	10,510
UTILITIES	\$	6,564
Grand Total	\$	44,936

Summary and Conclusions

The City Council has the task and the opportunity before it of evaluating its facilities needs and determining the course of the City with respect to these assets, in a practical fiduciary sense as well as being sympathetic to the community's needs and desires. Also, given that evidently "time is of the essence" from a risk management point-of-view, the Council would be well-served to follow two basic tenets: First, keep it simple. And, do what you do well, just do it better.

Another factor is that, although possible, it's may be doubtful that grant funds would be available for City Hall, therefore necessitating seeking other revenue sources. The City would more than likely be much better positioned and well served if planning and financing efforts go towards a new Library, using its award-winning programs as a launchpad.

² Lincoln County deeded the southern portion of this property to the City in 1968. The deed restriction states that it will not be used for any purpose other than public, and that the City shall not sell or convey it. The property shall revert to the County if these conditions are violated. The northern lot has no restriction.

With these points in mind, as City Manager my recommendation is that the City consider the Property in coordination with all its downtown properties. This view is not intended to suggest that non-profits or other agencies are not important. They are indeed. But from a strategic and sustainable perspective the City should holistically evaluate and satisfy its needs first.

Option B involves the simplest, most pragmatic, and cost-effective development and utilization of City assets. Options A and C add more complexity and cost. However, if the City Council decides to consider the former Bank building for other community uses, Option C appears to be the next best choice. Option A adds even more time, complexity, and the chance of failure with the highest cost, and there is no essential need to relocate City Hall out of the tsunami zone. To do so may be perceived by some in the community as abandoning it rather than standing with it.

There are justifications for a new civic center "campus" that includes a new City Hall and Library (as well as the existing Community Center) being in the downtown heart of the City. One being that modern facilities convey a better image of Waldport being a productive, progressive locale.

Options B and C also may afford another benefit: continuing to have an emergency operations center (EOC) downtown. The City's Public Works facility in the industrial park serves as primary City EOC. The Fire District has its EOC downtown, but it is looking to move its headquarters (and hence EOC) out of the tsunami zone. However, for coverage purposes, the Fire District apparently would still need an annex to cover upriver. With City Hall remaining downtown, we could work together on forming a supplementary EOC/fire annex. If the Cascadia earthquake and tsunami happen, Public Works and the new Fire HQ would be primary EOCs. If a large wildfire event happens and threatens the hills, then the EOC could be activated downtown.

Domino Effect

There is also the "domino effect" to study. The following table outlines some ideas to ponder:

Building/Property	Status	Potentialities and Possibilities
City Hall	Occupied	Become part of expanded library. Or city hall/library.
Fire Hall/HQ	Occupied	Become part of expanded library.
Library	Occupied	Become other public use or deem as surplus; sell or transfer. Museum? Other non-profit? Private?
Former Bank	TBD	Become city hall or other civic/community/non-profit use. Fire hall annex possibly at vacant lot on northwest corner?
Waldport Museum	Occupied	If museum moves, reuse or sell northern lot. Southern lot becomes other public use or reverts to county for other use. Or combine both lots for other use (like housing).
Community Center	Community use	Remain as community use. Part of civic center complex.
Alesea Bay Bridge Interpretive Center	ODOT/Chamber/Visitors Center	Visitors center, museum, chamber. Supporting retail/restaurant to generate income. Interpretive bridge component.

CITY OF WALDPART BUILDING OPTIONS
Preliminary City Development Cost Estimates and Comparison*

	<u>City Hall</u>	<u>City Library</u>	<u>Total SF</u>	<u>Total Cost</u>	<u>Cost/SF</u>
Existing sf:	4300	4600	8900		
Target sf:	4500	9200	13700		
<u>Option A</u>	Move to New Property/Building Square feet of new space Cost psf (includes land/sitework) (w/o shared meeting/event space)	\$1,800,000 4500 \$400	\$2,600,000 10400 \$250	\$4,400,000	\$295
<u>Option B**</u>	Move to Former Bank Square feet of remodel Cost psf (w/ shared meeting/event space)	\$200,000 3200 \$63	\$2,600,000 10400 \$250	\$2,800,000 -\$1,600,000	\$206
<u>Option C</u>	Stay and Remodel Existing Square feet of remodel Cost psf Square feet of new space Cost psf Total sf (w/ shared meeting/event space)	\$800,000 4300 \$170 200 \$350 4500	\$2,610,000 6100 \$250 3100 \$350 9200	\$3,410,000 -\$990,000 \$610,000	\$249

* Costs are preliminary for an "order-of-magnitude" comparing of options; budget and definitive estimates to be based on scope and drawings.
 All three options provide the opportunity to reuse, transfer or sell the vacated Library property.

** Option B could preclude the option of selling property at market value after five years, assuming City Hall is located for a longer period of time (i.e., decades).
 (Market Value approximately \$600,000 per County Assessor records.)

NOTE: although not included, there is a fourth, status quo option: leaving the Library and City Hall where they are.

WALDFORT BUILDINGS

Option A

ABIC/
VISITORS
center
4,700 sq ft

Museum
1700 sq ft

(not including
1200 sq ft Annex)

Former Bank
?
3200 sq ft

Non-profit
other

LIBRARY
4600 sq ft

FIRE
6100 sq ft

CITY
HALL
4300 sq ft



WALDFORT BUILDINGS

Option B

ABIC/
VISITORS
center
4,700 卄

Museum
1700 卄

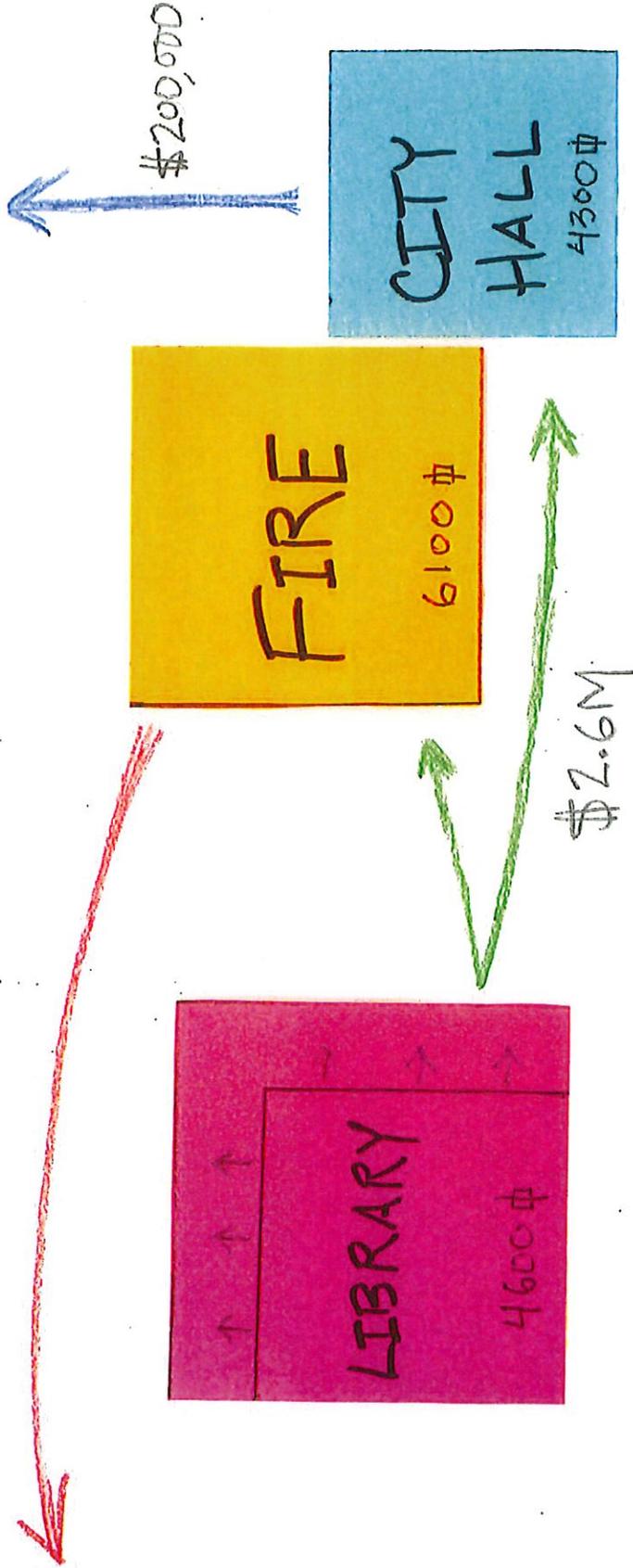
(not including
1200 卄 annex)

Former Bank
?
3200 卄

LIBRARY
4600 卄

FIRE
6100 卄

CITY
HALL
4300 卄



WALDFORT BUILDINGS

Option C

ABIC/
VISITORS
center
4,700 卄

Museum
1700 卄

(not including
1200 卄 annex)

Former Bank
?
3200 卄

Non-profit
other

LIBRARY
4600 卄

FIRE
6100 卄
3300 卄

CITY
HALL
4300 卄

\$2.61M

\$800,000





CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Council Rules
REQUESTED BY: City Council
FOR MEETING DATE: December 12, 2019

SUMMARY OF ISSUE:

The Waldport City Charter stipulates that the City Council adopt rules for meetings and proceedings ("Council Rules"). The last set of Council Rules was amended by resolution January 2015. Enclosed are current Council Rules for review and discussion.

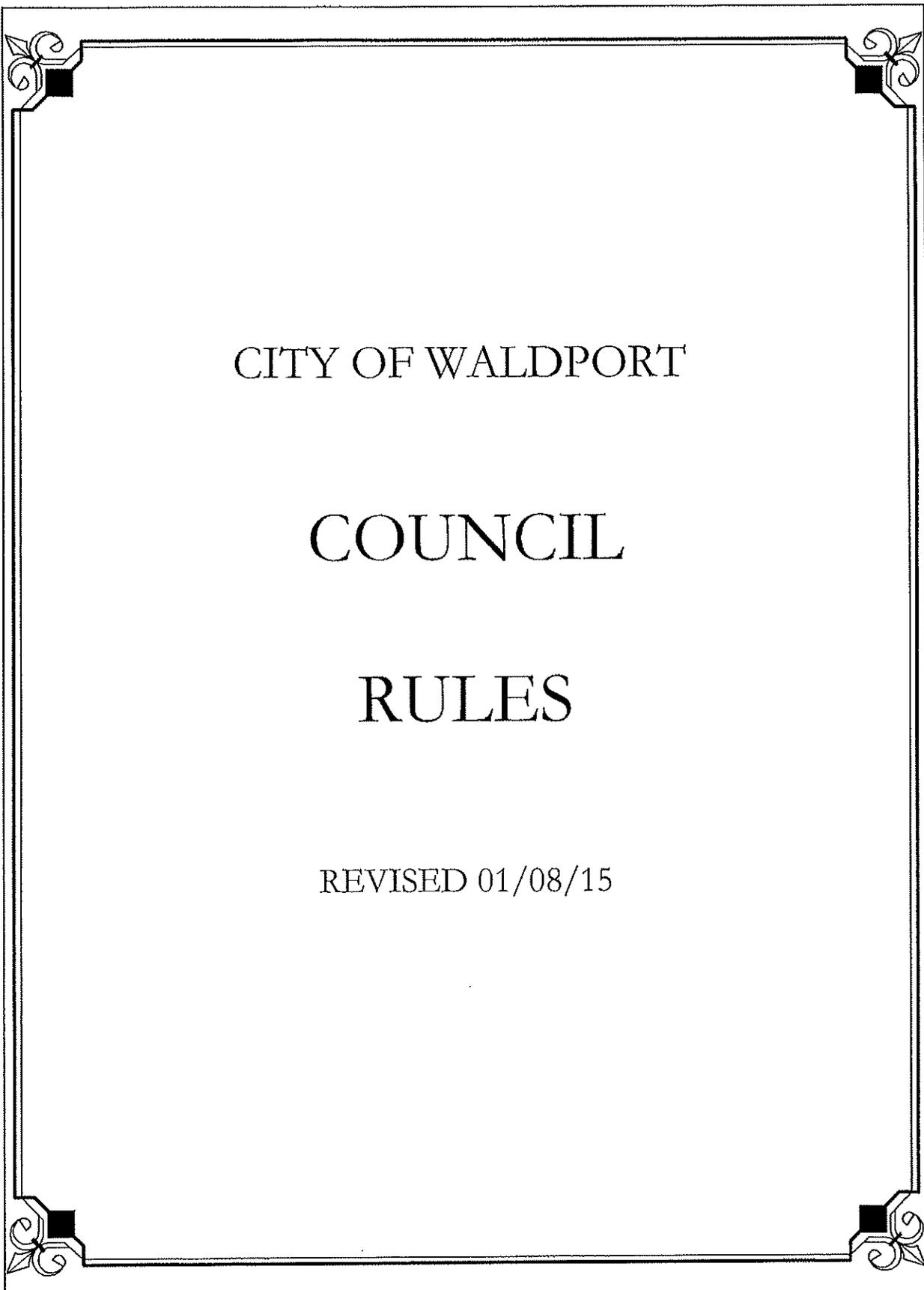
STAFF RECOMMENDATION or ACTION REQUESTED:

Review and discuss Council Rules and recommend changes if desired.

BACKGROUND:

At last month's City Council meeting the Council decided to review the Council Rules, after discussing agenda processes. Attached is the current Rules for information and review. Also attached is a summary of examples from similarly sized cities regarding agendas and the Mayor's function at meetings, which is how Mayor Cutter initiated the discussion about the Rule.

Attachments: Council Rules
Examples from other cities



CITY OF WALDPORT

COUNCIL

RULES

REVISED 01/08/15

COUNCIL RULES INDEX

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WALDPORT CITY COUNCIL COUNCIL RULES

1. AUTHORITY

- 1.1 WALDPORT CITY CHARTER: The Waldport City Charter provides that the Council may determine its own rules of procedures for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time they are amended or new rules are adopted in the manner provided by these rules. When applicable, these rules apply to any committee of the Council.

2. GENERAL RULES

- 2.1 MEETINGS TO BE PUBLIC: All official meetings of the Council shall be open to the public with exception of the executive session for certain limited topics, as defined in Section 3.5. The Journal of Proceedings shall be maintained by the City Recorder and shall be open to public inspection.
- 2.2 QUORUM: Four members of council shall be in attendance to constitute a quorum. If a quorum is not present, those in attendance will be named and they shall adjourn.
- 2.3 ORDINANCES: No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which subject shall be clearly stated in the title.
- 2.4 RULES OF FLOOR: Any member desiring to speak shall be recognized by the Chair and shall confine their remarks to one subject under consideration or to be considered.
- 2.5 RULES OF ORDER: Whenever the rulings of the Chair are challenged by a councilor, Robert's Rules of Order, newly revised, shall govern the proceedings of the Council, unless such rules are in conflict with these rules.
- 2.6 CITY MANAGER (CM): Unless excused, the CM or designee shall attend all meetings of the Council. The CM shall keep the Council fully advised as to the financial condition and needs of the City. The CM may make recommendations to the Council and may take part in discussion on all matters concerning the welfare of the City; provided, however, that the CM shall not, unless requested by a councilor, participate in deliberations on any motion.

- 2.7 CITY ATTORNEY: The City Attorney shall, at the request of the Council and/or CM, attend meetings of the Council. The Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any question of the law.
- 2.8 OFFICERS AND EMPLOYEES: Department Heads of the City shall attend council or committee meetings when requested by a councilor or a member of the committee.
- 2.9 COUNCIL MEMBER ABSENCE: When the Mayor or a Councilor must be absent from the City for more than 30 days, or from a regular meeting, s/he shall notify either the Mayor or another Councilor or the City Manager of the intended absence. The notification shall then be announced at the beginning of the meeting.
3. TYPES OF MEETINGS
- 3.1 REGULAR COUNCIL MEETING: The Council's regular meeting shall be scheduled by resolution of the Council. The time of these meetings will be 2:00 p.m. When the Council meeting falls on a holiday, the regular meeting date shall be set at the meeting prior to that date. The meeting place shall be the commonly used Council Chambers and all regular and special meetings shall be public.
- 3.2 SPECIAL MEETINGS: Special meetings may be called by two or more members of the Council. The CM shall prepare a notice of special sessions, stating time, place and subject. It shall also be the duty of the CM to make diligent effort to notify each member of the Council in person, by telephone or otherwise, of such special session. Notice of such special session shall be properly publicized by news media as specified by the law. Only matters set forth in the notice of the meeting shall be discussed at such meeting.
- 3.3 ADJOURNED SESSIONS: Any session of the Council may be continued or adjourned, but for no period longer than until the next regularly or special scheduled meeting thereafter.
- 3.4 WORKSHOPS: The Council may meet informally in workshop session (open to the public) at the call of any two or more members of the Council.
- 3.5 EXECUTIVE SESSIONS: Executive Sessions shall be held in accordance with the provisions of Oregon State Public Meeting Laws.
- 3.6 ATTENDANCE OF MEDIA AT COUNCIL MEETINGS: Other than during executive sessions, meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

4. CHAIR AND DUTIES

- 4.1 CHAIR: The Mayor, if present, shall preside as the Chair at all meetings of the Council. In the absence of the Mayor, the Council President shall preside. In the absence of both the Mayor and Council President, the Council shall select a temporary presiding officer.
- 4.2 CALL TO ORDER: The meeting of the Council shall be called to order by the Mayor, or in his/her absence, by the Council President. In the absence of both the Mayor and Council President the meeting shall be called to order by the CAO or designee for the selection of the temporary chair. Roll call shall then be called by the CM or designee, who shall enter in the minutes of the meeting the names of the members present.
- 4.3 PRESERVATION OF ORDER: The Mayor or other presiding officer shall call the meeting to order; announce the order of business as provided in the agenda; state motions, put them to a vote and announce the result of the vote; prevent irrelevant or frivolous debate or discussion; maintain order and decorum; and otherwise enforce the Council's rules and appropriate parliamentary procedures.
- 4.4 POINTS OF ORDER: The Chair shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chair be sustained?"
- 4.5 QUESTIONS TO BE STATED: The Chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member, in the manner provided in Section 6.5 of these rules.
- 4.6 PRESIDING OFFICER - POWERS: The presiding officer may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members.
- 4.7 VOTING: All official actions of the Council shall be taken by public vote and the vote of each member shall be recorded, pursuant to ORS 192.650(1)(c) -- Public Meetings Law. Secret ballots are prohibited.

5. ORDER OF BUSINESS AND AGENDA

- 5.1 ORDER OF BUSINESS: The business of all regular meetings of the Council will be determined by the City Council and shall be transacted in the following order, unless the Council by a majority vote of the members present, suspends the rules and changes the order:

Roll Call
Minutes

Citizen Comments and Concerns
Public Hearings (Including any related Ordinances or Resolutions)
Discussion/Action Items
Council Comments and Concerns
Staff Reports
Consent Calendar
Good of the Order
Adjournment

- 5.2 AGENDA: The order of business of each regular meeting shall be as contained in the agenda prepared by the CM. The agenda shall be a listing by topic of subjects to be considered by the Council and shall be made available to the members of the Council by the Friday preceding the regular council meeting and at least 24 hours in advance of a special meeting. Items to be placed in the agenda must be in the office of the CM by 1:00 p.m. on the Thursday (7 days) preceding the meeting. Discussion/Action agenda items shall be accompanied by a cover sheet with the title of the agenda item, a summary of the item, any staff recommendations and the action that is requested of the Council for the item.
- 5.3 CONSENT CALENDAR: The Consent Calendar may contain items which are of a routine and non-controversial nature which may include, but are not limited to the following: communications, memos and reports for information of council, agreement petitions, minutes of commissions and boards, applications, approval of accounts which may be accepted by consent of the Council by a single vote without reading, unless a member of the Council should request such reading and such request shall be granted. Minutes of the preceding meeting, and bills tendered for payment shall not be read in detail at each meeting prior to approval. Any item of the consent agenda may be removed and considered separately as an agenda item at the request of any council member.
- 5.4 FINANCIAL REPORT: Financial reports will be presented by the CM and will specifically include, but not be limited to include: all bills for routine outside contract services; i.e. attorney, engineering, insuring and accounting, and, in addition, any current special contractual services. Financial reports may be included in the Consent Calendar.
- 5.5 CITIZEN'S OR COUNCIL CONCERNS: Items brought to the Council under "citizen's or council concerns" will not become agenda or discussion items when presented. Unless the Council by vote deems an emergency to exist, items shall be referred to the appropriate committee or placed on the next agenda.
6. ORDINANCES, RESOLUTIONS, AND MOTIONS
- 6.1 FORM: Ordinances and resolutions shall be presented to the Council only in typewritten form.

6.2 FUNDING: All ordinances and resolutions authorizing any expenditure of money shall include the exact source of the funds to be expended.

6.3 ORDINANCES/RESOLUTIONS INTRODUCTION: All proposed ordinances and resolutions shall be prepared by the CM or City Attorney. All ordinances prepared by the CM will be reviewed by the Attorney.

6.4 RECORDING OF VOTES: The ayes and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council. When any vote is called, each council member shall respond "yes" or "no" or "abstain". Any council member who responds "abstain" shall state their reason for abstention, being limited to a possible conflict of interest and the abstention shall be accepted or rejected by the Council.

6.5 RESOLUTION: Any reading may be by title only or any council member present may request reading in full.

6.6 REQUESTS FOR LEGAL OPINIONS: Any member of the City Council may request a legal opinion, relating to City business from the City Attorney. These requests should be made after exhausting other sources; i.e. Committee Heads, Department Heads and should be made if possible through the CM and at the regularly scheduled Council meeting.

7. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

7.1 STANDING COMMITTEES:

A. Committees and their membership will be reviewed and membership established by the Council at the first meeting of odd-numbered years. Members of the Council will indicate committee preference in order of priority.

B. Chairs of committees will be determined by the committees at their first meeting.

C. If during the two (2) year term of the committee, the committee as a whole determines a restructuring is necessary, the issue will be determined internally, and if consensus cannot be reached, the issue may be referred to full council for resolution.

7.2 CITIZENS COMMITTEES, BOARDS AND COMMISSIONS:

A. The Council may create committees, boards and commissions to assist City government with such duties as the Council shall specify.

B. Depending on its function, members of any board shall be:

1. Only residents of Waldport, or
2. A majority of residents of Waldport.

Selection will be determined by the Council. Any committee, board or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council.

7.3 REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS: The Council may remove any member of any board or commission which it has created by a vote of a majority of the Council present and voting.

8. CITIZEN'S RIGHTS

8.1 MANNER OF ADDRESSING THE COUNCIL - TIME LIMITS: Each person addressing the Council shall step up to the microphone, or designated area of the meeting room, will give his/her name and general area of residence in an audible tone of voice for the record. Unless further time is granted by the presiding officer with concurrence of the Council, comments should be limited to five minutes. All remarks shall be addressed from the podium to the Council as a body. Questions should be asked of the Council members through the presiding officer. The Council may then determine the disposition of the issue, (placed on present agenda if an emergency exists, workshop, other agendas, or do not consider).

8.2 PERSONAL AND SLANDEROUS REMARKS: Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Council, may be requested to leave the meeting and may forthwith, by the presiding officer, be barred from further audience before the Council during that council meeting.

8.3 READING OF PROTESTS: Interested persons, or their authorized representatives may address the Council for the reading of protests, petitions or communications relating to any matter over which the Council has control, when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

8.4 CITIZEN COMPLAINTS OF CM: Citizen complaints concerning the CM must be submitted in writing, signed, to the Mayor. The Council shall be fully informed of the complaint.

- 8.5 CITIZEN COMPLAINTS AGAINST DEPARTMENT HEADS: Citizen complaints concerning department heads of the City must be submitted in writing, signed, to the CM. The Council shall be fully informed of the complaint, and any action taken.
- 8.6 CITIZEN COMPLAINTS AGAINST CITY EMPLOYEES: Complaints will be submitted in writing, signed, to the CM and handled in accordance with the established personnel policy.
- 8.7 WRITTEN COMMUNICATION: In lieu of attendance at public meetings, interested parties, or their authorized representatives may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at the time by direct mail or by addressing the CM and copies will be distributed to the Council members.
9. SUSPENSIONS AND AMENDMENT OF THESE RULES
- 9.1 SUSPENSION OF THESE RULES: Any provision of these rules not governed by the Waldport City Charter may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.
- 9.2 AMENDMENTS OF THESE RULES: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at the prior council meeting.

EXAMPLE LANGUAGE FROM OTHER CITIES

Waldport (2033)

**Mayor - 2-year term
Councilors - 6, 4-year terms**

City Manager

5.2 Agenda: The order of business of each regular meeting shall be as contained in the agenda prepared by the CM. The agenda shall be a listing by topic of subjects to be considered by the Council and shall be made available to the members of the Council by the Friday preceding the regular council meeting and at least 24 hours in advance of a special meeting. Items to be placed in the agenda must be in the office of the CM by 1:00 p.m. on the Thursday (7 days) preceding the meeting. Discussion/Action agenda items shall be accompanied by a cover sheet with the title of the agenda item, a summary of the item, any staff recommendations and the action that is requested of the Council for the item.

Shady Cove (2904)

**Mayor - 2 year term
Councilors - 4, 4 year terms**

City Administrator

Agenda: The Mayor, or designated representative, will provide the City Administrator a list of items to be covered in Unfinished and New Business not later than 3:00 p.m. on Wednesday the week prior to a scheduled Council meeting. The City Administrator will prepare an agenda not later than 3:00 p.m. on Thursday the week prior to the scheduled Council meeting.

Complete Council packages will be made available by close of business on Friday the week prior to a scheduled meeting.

During announcements, the presiding officer may add items to, or delete items from the agenda. Verbal explanations will be provided for additions and deletions.

Burns (2806)

**Mayor - 4 year term
Councilors - 6, 4 year terms**

City Manager

2.05.040 Agenda and order of business.

(1) An agenda for each regular council meeting shall be prepared by the city

manager, city clerk and the mayor. The city council may direct that specific items be included on the agenda. The city staff shall be given sufficient time to do necessary research or prepare necessary reports or documents to address agenda items. Agendas and informational material shall be distributed to the council by close of business on the Friday prior to each regular meeting.

Jacksonville (2785)

Mayor - 4 year term
Councilors - 6, 4 year terms

City Administrator

Sec. 2.36.090. - Agenda.

(A) All Council agenda items shall be routed through staff for Mayoral approval. Any person desiring inclusion of agenda items (including the City Attorney, City Recorder and any other City staff) shall direct these to the Mayor for their approval.

(B) The Mayor along with the City Recorder or City Administrator shall prepare together the agenda for each meeting. This agenda shall be closed for further items at 3:00 p.m. on the Tuesday preceding the meeting except in the case of special meetings. All background materials shall be submitted on the Wednesday preceding the meeting by 3:00 p.m.

(C) Any member of the Council may introduce items not on the agenda which constitutes an emergency. Emergency placement of an item onto the agenda requires a unanimous vote of the Council members present. However, in order to provide adequate public notice, other items should be placed on the next agenda. No vote shall be allowed on items under "other" with the exception of an emergency.

Dayton (2534)

Mayor - 4 year term
Councilors - 6, 4 year terms

City Manager

1.05.00 Mayor, Council President and Councilor Duties

(B) The duties of the mayor include:

(4) Meet with manager to prepare Council agendas and review items for presentation to the Council

Gold Beach (2253)

Mayor - 4 year term
City Council - 5, 4-year terms

City Administrator

Rule No. 25 - Agendas: Staff shall prepare an agenda for every regular, and if requested, for every special Council meeting. Items may be placed on the agenda by any person, but such items shall be presented to the City Administrator or designee in writing at least six days prior to the meeting at which they are to be discussed. Agendas and informational material for regular meetings shall be distributed to the Council at least four days prior to the meeting. Items may be added to the agenda in accordance with Council Rule 26. New business brought before the Council in a meeting may be referred to the City Administrator for a report at a future Council meeting.

Rule No. 26 - Additions to Agenda: A request to add an item for Council consideration to the Council agenda may be presented at the Council meeting but shall require a majority concurrence of the Councilors present to be so added. Decisions on added agenda items that were not advertised on the agenda could be challenged.

Sisters (2038)

Mayor - 2-year
Councilors - 5, 4-year

City Manager

Agenda:

1. The city manager, with the approval of the mayor (or council president in the absence of the mayor) shall prepare an agenda for workshops and regular council meetings.
2. A majority of council members may request that items be placed on the agenda.
3. Agenda and supporting material shall be made available to council members no later than three days prior to scheduled council workshops and meetings.

Carlton (2007)

Mayor - 2 year
Councilors - 6, 4-year

City Manager

2.05.090 - Agenda

The city manager shall prepare an agenda of the business to be presented at a regular council meeting, which shall be posted at City Hall and the US Post office stating the day and time and to be published prior to the meeting. Additions to the published agenda may be approved by the council. Non-agenda items brought before the council during a meeting shall normally be for informational purposes only.

North Plains (1947)

Mayor - 4 year

Councilors - 6, 4-year

City Manager

1.05.070 Agenda

The Mayor or City Manager shall approve an agenda of the business to be presented at a regular Council meeting. No item of business shall be added to an agenda after 4:30 p.m. on the Wednesday of the week proceeding the week of the Council meeting for which the agenda has been prepared. The Council shall vote on only matters that appear on the agenda for that meeting or are introduced by a Council member or the Mayor. Council members and the Mayor shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda.

Enterprise (1940)

Mayor - 2-year

Councilors - 6, 4-year

City Administrator/Recorder

2.04.060 (B)Agendas. The administrator/city recorder shall prepare an agenda for every council meeting. Items to be set on the agenda are normally recommended by city staff regarding issues. The agenda should be completed by Wednesday of the preceding week and presented to the mayor or presiding officer of that meeting. Three business days before the regular council meeting, which is typically the Wednesday before the regular council meeting, packets containing information beneficial to the council shall be provided to each council member.

Items may be recommended for the agenda by any person. Such items shall be presented to the city administrator/city recorder, in writing, at least seven days prior to the meeting in which they are to be discussed.

Recommendations at a council meeting or study session for items to be placed on the agenda must be approved by consensus of the council.

Agendas and informational material for regular meetings shall be distributed to the council at least three working days prior to the meeting.

New business brought before the council in a meeting may be referred to the city administrator/city recorder for a report at a future council meeting.

Additions to the Agenda. A request to add an item for council consideration to the council may be presented at the council meeting. Addition of any item to the agenda is limited to discretion of the mayor or presiding officer.

Turner (1854)

Mayor - 2 year term

Councilors - 6, 4-year terms

City Administrator

2.06.08 Agenda. The City Administrator shall prepare an agenda of business to be presented at a regular Council meeting. The Council may pass rules for how citizens can submit items to be placed on the agenda. Council members and the Mayor will endeavor to have subjects they wish to have considered submitted to the City Administrator in time to be placed on the agenda. The Council may amend the agenda to consider items which are urgent in nature and cannot wait until the next scheduled meeting.

Banks (1777)

Mayor - 4 year term
Councilors - 6, 4 year terms

City Manager

1-5-2 Order of Business

The order of business at each Council meeting shall be in accordance with the agenda prepared by the City Manager.

A. Placing Items on Agenda Generally: Any person wishing to place an item on the agenda shall advise the Manager's office no later than 1:00 p.m. on the Wednesday preceding the meeting at which the person wishes the item to be considered.

B. Items to be Acted on Generally: Normally, only those items on the agenda shall be acted upon by the Council. Matters deemed to be emergencies or of an urgent nature by the Mayor, a Councilmember, or the Manager may be submitted for Council consideration and action.

C. New Business: The Mayor or a Councilmember may bring before the Council any new business under the "other business" portion of the agenda. These matters need not be specifically listed on the agenda, but formal action on the matters shall be deferred until a subsequent Council meeting unless deemed urgent.

Clatskanie (1737)

Mayor - 2-year term
Councilors - 6, 4-year terms

City Manager

1-5-4: Agenda and Order of Business

Preparation and Distribution of Agenda: An agenda for each regular council meeting shall be prepared by the city manager. The mayor or the city council may direct that specific items be included on the agenda. The city manager should be given enough time to do necessary research or prepare necessary reports to address the agenda items. Agendas and informational material should be distributed to the council at least four (4) days prior to the meeting.

Support the Rural Telecommunications Investment Act!

Communication is key today. For businesses and customers alike, highspeed internet (broadband) is an essential tool for success in the 21st century digital economy. The Rural Telecommunications Investment Act (RTIA) will help modernize and inject overdue fairness into the Oregon Universal Service Fund (OUSF) statutes while dedicating long-term, reliable funding for broadband investment in rural Oregon communities that are too often ignored.

The 1999 Legislature established the OUSF to ensure that regardless of where Oregonians live, they have fair access to robust, reliable, and affordable advanced communications services. Today this includes broadband. Unfortunately, connectivity in rural Oregon is falling well short of communities in urban areas. There is an unfair disparity in who pays to support the OUSF, and there are competitive disadvantages for various technologies as a result.

Oregon is at a crossroads concerning broadband investment. While other states continue to invest in broadband deployment, and while a great deal of federal money is available, accessing those funds takes planning, and the means to leverage federal dollars. Communities without broadband service encounter challenges accessing federal funds available for rural broadband investment:

- More than **400,000** Oregonians do not have broadband access in their homes
- More than **50 schools** currently do not have broadband access for their students
- Some federal programs require 10% matching from the state to access federal dollars
- Broadband is now an essential part of healthcare delivery and rural providers face serious challenges to accessing service for their patients

RTIA will help close the digital divide and the competitive disadvantage built into the current OUSF funding mechanism. It will also provide ratepayer fairness by ensuring that all customers share the costs of telecommunications infrastructure. The Act will:

- Reduce the current surcharge for landline customers from 8.5% to 6% or less
- Reduce the potential surcharge for voice over internet protocol (VoIP) customers from 8.5% to 6% or less
- Cap the OUSF surcharge at 6%
- Stabilize the OUSF which supports robust, reliable, and affordable advanced communications services in rural Oregon
- Cap the overall size of the OUSF at \$28 million and establish a benchmark for planning
- Allocate \$5 million per year to expand broadband investment, including funding for the Oregon Broadband Office, technical assistance, planning, and infrastructure.
- Ensure that limited ratepayer dollars are spent toward broadband investment in rural areas that have little or no access to broadband, not to compete with existing providers

Rural Oregonians deserve access to broadband. Without broadband, these communities cannot attract the businesses or employees they need or provide access to students who lack the basic connectivity needed for success in the 21st century digital economy. If the Legislature fails to pass RTIA in the 2020 Legislative Session, the Oregon Public Utility Commission may assess the 8.5% OUSF surcharge on all VoIP lines, meaning those customers will see an increase on their bill without RTIA's overall public interest benefits.

Please join us in supporting rural Oregon with the Rural Telecommunications Investment Act!

RTIA Supporters



For more information, contact:

Rep Pam Marsh - Rep.PamMarsh@oregonlegislature.gov or Brant Wolf - bwolf@ota-telecom.org

**City of Waldport
2019 LAND USE / BUILDING PERMIT ACTIVITY**

Date	Application/ Activity	Applicant	Zoning	Tax Map/Lot Location	Description	Status
For the Period December 1, 2019 through December 31, 2019						
12/5/19	On-site Waste Management Permit	Joseph Fisher	R-1	13-11-20CA/1400 115 High St	Septic repair	Approved 12/6/19
12/6/19	Manufactured Home Placement Permit	Madeleine Rudolph	R-1	13-12-25AD/1900 1145 Sailfish Lp Ocean Hills	New manufactured home	Approved 12/9/19
12/6/19	Building Permit	Madeleine Rudolph	R-1	13-12-25AD/1900 1145 Sailfish Lp Ocean Hills	New attached garage	Approved 12/9/19
12/9/19	Partition	Land & Sea	R-2	13-11-30BA/1403 and 1404 North/East of Masters & Double Eagle	Three lot partition. Two parcels to be donated to the City.	Tentative approval 12/10/19
12/10/19	Building Permit	Kevin Kass	P-F (PD)	13-11-30CA/6600 560 Green Dr	New single family dwelling Fairway Villa's Planned Development	Approved 12/10/19
12/13/19	Building Permit	Kenneth Warden	R-1	13-11-30BB/5100	Garage conversion to two bedrooms	Approved 12/16/19
12/16/19	Building Permit	Lonna Anderson	R-3	13-11-19AB/2900 820 Broadway St	Addition to single family dwelling	Approved 12/16/19
12/18/19	Manufactured Home Placement Permit	Madeleine Rudolph	R-1	13-12-25AD/1800 1135 Sailfish Lp Ocean Hills	New manufactured home	Approved 12/23/19
12/18/19	Building Permit	Madeleine Rudolph	R-1	13-12-25AD/1800 1135 Sailfish Lp Ocean Hills	New attached garage	Approved 12/23/19
12/23/19	Building Permit	Foursquare Church	R-3	13-11-19AB/7900 185 Huckleberry	Addition to church	Approved 12/23/19
12/23/19	Building Permit	Pam Maeyaert	R-1	13-11-30BB/2800 915 Range Dr	Remodel interior room	Approved 12/23/19
12/5/19	Building Permit	Malcolm Meikle	R-1	13-11-19DB/301 160 Hospital Hill	Interior remodel	Approved 12/23/19

“LOOKING BACK”

The Council has been making history in Waldport for over a century, and I thought you might find reading minutes from 100 years, 75 years, 50 years and 25 years ago somewhat interesting.

- Reda Eckerman, City Recorder -

January 6, 1920

Common Council of the City of Waldport met in regular session. Acting Mayor Starr presiding. Councilmen present: Banta, Durbin, Vaughn, Knowles, Starr.

Minutes of last meeting were read and approved.

The following bills were presented and allowed:

E.L. Sphar - \$10.00 for services as Marshall for the month of December

Geo Miles - \$5.00 for services as Recorder for the month of December

An application for license to operate a pool room in the City of Waldport by Albert Barclay was read and granted. Voted by roll call: Banta - yes; Durbin - yes; Vaughn - yes; Knowles - yes; Starr - yes. License granted.

Summons of action in the Circuit Court of the State of Oregon naming C.R. Evens as plaintiff, Charles L. Divens and the City of Waldport as defendant was read. Motion to have Dr. Linton look after the City's interest and to hire Attorney Hawkins to defend City if possible, if not, some able attorney. Voted by roll call: Banta - yes; Durbin - yes; Vaughn - yes; Knowles - yes; Starr - yes.

Motion by Durbin to instruct Dr. Linton to consult City Attorney about building sidewalk to High School. Carried.

Motion by Durbin to instruct City Marshal to secure lumber and build sidewalk from Everson's Corner to Ruble's Corner. Carried.

Motion to have Clerk buy square, handsaw and hammer for City. Carried.

Motion to adjourn.

Geo G. Miles, City Recorder

January 7, 1920

Common Council of the City of Waldport met in special session. Acting Mayor Starr presiding. Councilmen present: Vaughn, Starr, Knowles, Banta.

W.H. Waterbury, City Attorney was present and the matter of C.R. Evens vs Charles L. Divens and the City of Waldport was taken up. The case was turned over to Waterbury with instructions to go ahead.

J.D. Kent was named for Mayor. Voted by roll call: Vaughn - yes; Starr - yes; Knowles - yes; Banta - yes. Mr. Kent was declared to be the Mayor of Waldport.

A warrant was drawn for \$6.00 in favor of W.H. Waterbury - \$10.00 to pay the Yaquina Bay Land and Abstract Co. a bill which had already been contracted. The other \$50.00 to be used for such expenses that would come up later in connection with suit.

Motion to adjourn.

Geo G. Miles, City Recorder

January 4, 1945

The Council was called to order by retiring Mayor Leo Goodman. The newly elected council

members, Janie Monroe, Elmer Pankey, together with Cy Clay, Desmond Fulp & Henry McMillin were sworn into office by Leo Goodman, and John Greenbo was sworn in as Mayor & Mayor Greenbo and he then administered the oath to Councilman Goodman & Mayor Greenbo then called the meeting to order and the recorder read the roll. All were present & Mayor Greenbo announced the following appointments - City Marshall Virgil Rhoades, Engineer D.B. Ambler, Fire Chief Virgil Rhoades - these men then took oath of office as did Treasurer R.E. Burns.

Councilman Goodman objected to the appointment of Chief Rhoades – quoting from a ruling by the Attorney General to the effect that one man could not hold two salaried positions. He further said that Judge H.L. Kelly had resigned as Justice of the Peace. H.A. McMillin made motion that the appointment be ratified. Seconded by C.C. Clay.

Leo Margin stated that the drainage near his house was in bad shape.

E.L. Leek applied for a building permit, and received same. L.J. Rickard applied for permit and received same.

Claud Hall's Beer Package license was okayed.

Report from Board of Health re water was received and discussed, Engineer Ambler explaining that water was in healthful condition due to chlorine treatments.

Letterheads were ordered printed.

On the motion of C.C. Clay, seconded by Henry McMillin the meeting was adjourned.

[Unsigned] City Recorder Jno. Greenbo, Mayor

January 10, 1945

A special meeting of the Common Council of the City of Waldport was held in the Council Chambers of the said City at 7 P.M. of the above date with Mayor Greenbo presiding. Councilmen present: C.C. Clay, Desmond Fulp, Leo Goodman, H.A. McMillin, Jennie Monroe and Elmer Pankey. City officials present: Recorder Kelly and Water Superintendent Houge.

Mayor Greenbo announced the meeting had been called to decide on the appointment of a permanent fire chief and other matters the council had failed to settle at the last meeting.

Councilman Clay nominated Virgil Rhoades for Fire Chief, seconded by Fulp, and upon the motion of Councilor Fulp the nominations be closed the Council voted that Virgil Rhoades be made Fire Chief.

Councilman Fulp moved, seconded by Clay that the office of Recorder be vacated. Upon the request of Leo Goodman that the vote be by roll call the following votes resulted: Yeas - Councilmen Clay, Fulp, McMillin, Monroe and Pankey. Nays - Leo Goodman.

Mayor Greenbo stated that he would appoint Betty Goff to the office of Recorder as she was familiar with the work. Councilman Clay moved, seconded by Fulp, that the Mayor's appointment be accepted, and the vote taken by roll call resulted as follows: Yeas - Clay, Fulp, Goodman, McMillin, Monroe and Pankey. Nays - None.

Upon the motion of Councilman Clay, seconded by McMillin, the meeting was adjourned.

[Unsigned] City Recorder Jno. Greenbo, Mayor

January 8, 1970

Ed. Note: The minutes from this meeting are missing from the archives.

January 12, 1995

Mayor Fred O. Boehme introduced Circuit Court Judge Robert Huckleberry who presided over the official swearing in of Mayor Boehme and Councilors Lehmann, Moore and Russell.

Roll Call: Mayor Fred O. Boehme; Councilors Pat Tryon, John Atkinson, Kim Lehmann,

Gene Moore. George Russell, Matt Pompel.

Recognition: Mayor Boehme presented former Councilor Jan Hansen with a plaque thanking her for her service on the Waldport City Council.

Election of Council President: Councilor Pompel nominated Councilor Tryon as council president; Councilor Atkinson seconded the nomination. Hearing no further nominations, Mayor Boehme called for a vote. Councilor Tryon was unanimously elected council president.

Approval of Minutes: Councilor Russell, noting an omission in the December 8th City Council minutes, moved for their approval as corrected. Councilor Tryon seconded and the motion carried.

Financial Report: City Manager Bauer provided the Council with the audited June 30, 1994 annual report and the December 31, 1994 financial statement. She talked briefly about the contents of the financials. Ms. Bauer noted that she had been requested by the City Council to provide a full explanation of the financial statement layout and is available to the Council at its time of choosing for such a meeting.

Staff Report: City Manager Bauer reported on the change over of the ultra violet disinfection system at the new wastewater treatment plant. A chronological report of activities at the plant since it's September 12, 1994 start up date was made. Ms. Bauer provided information on the fecal coliform count in the bay and the timing and circumstances required for removal. She attempted to correct misconceptions that sewage spills had occurred in the Alsea Bay and noted that fecal coliform levels were exceedingly high at Eckman Lake, which is upriver of the wastewater treatment plant effluent discharge. Discussion of the sewer treatment plant ensued.

Councilor Pompel questioned if reimbursements would be made to the City for the cost of the new ultra violet disinfection system.

Ms. Bauer announced that she would be conducting a tour of the wastewater treatment facility for the media's benefit on Wednesday, January 18th at 4:30 p.m. All members of the City Council and press were invited to attend.

The City Manager noted that there are a number of items remaining to be corrected at the new plant. These are a change of the vortex valve which regulates the flow into the effluent chamber and corrections to the effluent fall out line. Ms. Bauer stressed that the wastewater treatment facility is on line and functioning properly with the exception of the ultra violet disinfection process which should have been corrected with the replacement of the UV mechanism.

Ms. Bauer discussed the water treatment plant. She reported that water treatment plant operator Rick Nyhus is producing finished water with a turbidity level of .02 - .04 which exceeds Oregon State Health Department drinking water standards. The reasons for reduced drinking water production in the summer months was explained.

Mayor Boehme requested an update on the hiring process for a new Public Works Superintendent. It was reported that applications for that position are currently being accepted through January 19th when they will be reviewed and interviews scheduled.

Councilor Russell had heard conflicting reports about the cost of the new ultra violet chamber and requested the actual figures. Ms. Bauer reported that the total cost was \$20,000.

Councilor Russell went on the request a status report on a citizen's concern from the December City Council meeting regarding poorly maintained roads. She stated that the policy issue of the City maintaining a private road would be brought before the Infrastructure Planning Committee in January. She added that she administratively would proceed with grading and rocking Pacific View Heights road, but that until weather conditions improve, the city would be limited as to the repairs that could be made. Ms. Bauer noted some underlying public policy issues regarding City maintenance of private roads.

Councilor Russell asked if arrangements had been made to construct an access to the heat pump at the new city hall building. Ms. Bauer stated that she would be bringing that to the

contractor's attention.

Citizens Concerns & Comments: A written request was received from Waldport Youth Center director Debbie White asking that regular monthly Youth Center reports be included in the City Council agenda package. Mr. George Lewis, vice chairman of the Youth Center, presented a report on December activities at the Youth Center.

Mr. Dan Sagaitis of 1060 Ball Blvd. expressed concern with the Crestline Park project. High-lighted copies of the City of Waldport Comprehensive Plan Goals and Policies and maps of the proposed park were distributed to each of the City Councilors. [This handout to the City Councilor was not given to the City Manager/Recorder; no file copy available.] He went on to present a brief chronological history of the City's involvement with the park property since it's donation.

Mrs. Suzanne Lulay of P.O. Box 1720 thanked the City Council for authorizing the gravel fill that was installed by the City public works staff along Cedar Street. City Manager Bauer noted that the gravel fill has not been authorized but that improvements in the storm-water drainage system will be the only cure for the standing water problems in the downtown area.

Correspondence: None were received.

Public Hearing: A *public* hearing was held to receive citizens input regarding the fire services serial levy and for overlapping taxing jurisdictions to comment regarding the taxing effect under the rate limitation.

Mayor Boehme closed the City Council meeting and opened the Public Hearing.

Staff Report: Fire Chief Gary Pankey relinquished the floor to City Manager Bauer. Ms. Bauer provided a history of the fire services funding request and explained how the requested funding would be utilized. Ms. Bauer provided the time lines that must be followed to bring this issue before the voters at the March or at the May election.

Ms. Bauer explained that notification had been provided to all surrounding jurisdictions as required by law and explained how ballot measure 5 would be affecting this the tax rate for Waldport.

The City Manager reported that there would be no outside agencies in attendance at this public hearing. Two responses were received both indicating support of the City's request.

There was discussion of the election date that the fire services funding levy would be brought to a vote. Councilor Moore expressed his desire to see this question returned to the City Council at their February meeting to afford the new council members an opportunity to review the ~~materials~~ *resolution drafted for the meeting*.

Mayor Boehme noted for the record that two job descriptions had been included in the council packets: one for the equipment maintenance/pump operator and one for the fire prevention and training officer.

Mr. Howard Uhl of 465 Pacific View Drive asked for clarification on three issues: Had *there* been discussion of hiring a full-time fire chief; had a job description for the fire chief been established, and how long has the fire department been funded by the City of Waldport General Fund? Ms. Bauer reported that discussion of hiring a full-time fire chief had never occurred at the Council or committee level, but a job description for the fire chief position was on file at city hall.

Gary Pankey explained that in the 37 years he has been involved with the fire department, there has always been something budgeted out of the general fund. Discussion of the serial levy and auditing practices for the fire department ensued. Mr. Uhl expressed disappointment that more citizens had not offered their opinions.

Mr. Ed Peterson of 2080 Alesa Way commented on the last fire levy noting that a portion of those funds were used for construction of the new city hall building. He went on to ask what assurances would be made that levied funds would be used as intended. City Manager Bauer explained that the ballot language specifically limits use of the funds to those itemized in the ballot.

She read the resolution that had been drafted to address the issue Mr. Peterson raised. Discussion of prior funding practices and controls ensued.

Mr. Dan Sagaitis of 1060 Ball Blvd noted that it would be possible for funds to be misappropriated despite the controls listed in the resolution draft.

Mr. Howard Uhl of 465 Pacific View Drive asked what to expect if the fire services levy was not passed by voters. Mayor Boehme advised that operating funds would continue to be provided by the general fund.

Mr. Dan Sagaitis of 1060 Ball Blvd readdressed the Council requesting clarification of the proposals listed in the resolution draft. He also asked how General Fund monies, which have been budgeted for fire services in the past, would be re-allocated. City Manager Bauer explained that the \$37,000 currently being budgeted out of the General Fund would, if the levy were approved, be made available for appropriation in ensuing years as the Budget Committee and City Council chose. The 2 year serial levy proposal would pick up the General Fund's current portion. Discussion of the three proposals ensued.

Councilor Moore questioned Fire Chief Pankey about the city's class six fire rating and what changes in the rating might be anticipated if the levy were passed by voters. Chief Pankey explained what criteria is used to establish Insurance Service Office (ISO) fire ratings and indicated that he did not know if two full time fire personnel would improve the city's current rating. Discussion ensued. It was noted that improvements in the city's water system would help to improve the city's fire rating. Councilor Lehmann asked if the city's fire rating would be negatively effected if the tax levy did not pass. This was not anticipated. Discussion continued. Chief Pankey informed the Council of forthcoming expenses which will be incurred due to new requirements and standards. Councilor Russell requested information on pay scales for the two proposed positions. He went on to express concerns that there could be the potential for an authority conflict between the City Manager and Fire Chief if a chain of command is not established. Structure was discussed. Councilor Moore suggested the General Fund continue to contribute to fire services as always with the balance of the \$134,000 sought by the new tax levy. He noted that this would be a lower property tax increase on the tax payers and most reasonable approach to fund fire services. Discussion ensued.

Mayor Boehme recited the options available to the City Council: 1.) Adopting the resolution presented at the meeting, 2.) Adjust the resolution and go to the voters at the March election, and 3.) Postponing a decision until the February City Council meeting and go to the voters at the May election. Discussion of the options, job descriptions, certifications and time frames ensued. Councilor Moore moved that the tax levy request go before the voters in March and go with variation number 2 (non-cumulative). Councilor Atkinson seconded motion.

Mr. Dan Sagaitis of 1060 Ball Blvd. expressed his desire to see more investigation done before the City Council acted on the fire services funding issue.

Mr. Ed Peterson of 2080 Alsea Way concurred with Councilor Moore's earlier suggestion and added that he would like to see information distributed to the voters that, if the fire services levy were passed, it could effectively lower citizens' fire insurance rates.

Mr. Dan Sagaitis of 1060 Ball Blvd. commented that at the last City Council meeting Fire Chief Pankey explained that he did believe that the addition of two fire services personnel would change the city's ISO rating. Mr. Sagaitis expressed his desire to see this matter come before the May election or September election.

Fire Chief Pankey concurred with Mr. Peterson and rebutted Mr. Sagaitis statement noting that he had made it clear earlier in the meeting that he did not feel two full time fire personnel would change the city's ISO rating.

Mayor Boehme closed the Public Hearing and reopened the City Council meeting.

Mayor Boehme reminded the City Council that there was a motion on the floor and read the

resolution. Ms. Bauer provided the adjusted figures which were \$91,759.00 which would make the tax rate estimate \$0.84 per thousand. Discussion ensued. Councilor Atkinson stated that he would like to see the resolution reflect personnel authority. City Manager Bauer advised that authority for personnel was covered under the city charter. Mayor Boehme read the resolution for the record. Councilor Tryon moved for the adoption of resolution 752. Councilor Pompel seconded and the motion carried.

Old Business:

1. Consider Vandehey's request to annex property. Mayor Boehme provided a brief history of the request stating that the Vandehey's had been advised that the City would not be providing water or sewer service, at the City's cost, to the Vandehey's property if annexation were approved. Discussion ensued. Councilor Lehmann asked if the applicants would be required to connect to the sewer as a development would. It was explained that the size of the property and proposed use would be a determining factor in this case. City Manager Bauer noted that annexations are the only way the tax base increases. Discussion ensued. Mayor Boehme reminded the City Council that Ordinance 618 deal directly with the Vandehey's request for annexation and read the ordinance by title only for the record. Councilor Tryon moved for the acceptance of Ordinance 618. Councilor Russell seconded and the motion carried.

Mr. Don Vandehey of 665 Range Drive addressed the City Council and stated that he would like to have his property considered for sewer service when the city extends their lines.

2. Consider independent hearing officer to evaluate citizens' complaint. City Manager Bauer provided background information to explain why the Council would be considering an independent hearing officer and how several options for the Council to review were obtained. Discussion ensued. City Manager Bauer requested authorization to hire Mike Dowsett to officiate over this matter. When questioned about the amount of time this matter likely will require, City Attorney Dave Gordon estimated 8-15 hours. Discussion ensued. Councilor Pompel moved that Ms. Bauer be authorized to hire Judge Mike Dowsett at \$40.00 per hour to act as the hearing officer. Councilor Tryon seconded and the motion carried. Councilor Russell abstained.

3. Consider adoption of Findings, Conclusion and Order for Buzz Schulte d.b.a. Vista Land Corp. (Whispering Woods) appeal. Mayor Boehme provided an explanation and brief history of the matter before the City Council. Discussion ensued. Councilor Moore noted that the asphalt depth was misstated as 2" instead of the required 4". Discussion of street paving ensued. City Manager Bauer noted inaccuracies in the condition referencing the realignment of the Starr Street/Norwood Drive/Highway 101 intersection. Discussion of the conditions ensued.

Mr. Craig Wells of 779 Aqua Vista Drive in Yachats addressed the City Council regarding the depth of the asphalt. He reported, that in a conversation he had with City Planner Jay Sennewald he was informed, that because the 4" depth requirement was not formally adopted by an ordinance, it was not valid. City Attorney Dave Gordon responded to Mr. Wells' concerns advising that being inclusive of a formally adopted document (The Development Code) validates the 4" requirement.

Councilor Pompel moved for adoption with changes including the deletion of the word "approximately", inclusion of streets to be paved to 4" and a correction on page 8, item number 2 to restate the area of realignment. City Attorney Dave Gordon suggested the correction on page 8, item number 2 read: "The applicant shall enter into a mutual agreement with the City to improve and realign Norwood Drive at it's intersection with Starr Street and on it's course to the road accessing the Whispering Woods Subdivision and other improvements as offered by the developer in the letters dated September 7, and October 3, 1994." On page 9, counsel suggested the following: "The proposed park areas shall be developed with pathways concurrent with the development of each phase." Mr. Gordon noted that he would prefer to see the agreement signed before the adoption of the finding of fact for this matter. He expounded on his reason for this

preference. It was noted that Mr. Schulte may have already signed the agreement and it may be transmitted by fax already. Discussion ensued. Councilor Atkinson moved to table further discussion on this issue until the regular February City Council meeting. Councilor Pompel seconded and the motion carried.

Councilor Russell requested that the meeting minutes be more thorough in the future. Councilor Tryon concurred.

New Business:

1. Consider appointments to Council Committees: Mayor Boehme recommended to the City Council that the four senior council members remain in their current positions and that a junior councilor be assigned to each committee. He went on to suggest that Councilor Lehmann be assigned to the Finance and Administration committee and that Councilor Moore be assigned to the Infrastructure Planning committee. Explanation for this recommendation was given. No objections were heard.

Mayor Boehme noted that there were two vacancies on the Planning Commission, one term being four years in length, the other three. Commissioner Ray Reddick, who's term had expired, requested that he be reappointed. Requests to serve were also received from Mr. John Clark and Mr. Fred Mannhiem. Councilor Russell nominated Mr. Reddick for the four year term. Councilor Tryon seconded and the nomination was passed. Councilor Pompel nominated Mr. Clark for the three year term. Councilor Atkinson seconded and the nomination was passed.

There were two vacancies on the Library Building Planning Committee. Mayor Boehme explained the structure of the committee and reported that Councilor Moore, who had served as citizen representative, would be willing to serve as Council representative. Councilor Pompel moved that Councilor Moore be appointed Council representative and Mr. Ray Bregenzer be appointed citizen representative. Councilor Tryon seconded and the motion carried.

There was one vacancy to be filled for the Traffic Safety Commission. Mr. John Clark's name was the only name submitted to the City Council for consideration. Councilor Pompel moved that Mr. Clark be appointed to the Traffic Safety Commission. Councilor Moore seconded and the motion carried. Discussion as to whether Council representative to the Traffic Safety Commission had been specifically appointed ensued. Mayor Boehme instructed staff to research this matter and return to the February Council meeting with a report.

Approve the form of the performance bond for Ray Wells, developer of Fairway Heights Subdivision. No material was submitted. It was reported that a cashiers check would be given to the City in lieu of a performance bond. This was recommended as being fully acceptable. City Manager Bauer reported that a cashiers check in the full amount of the proposed improvements had been received. She noted that it is important for the City Council to approve the form of the bond only. No decision was being made at that time regarding the subdivision itself. The question before the Council: Will a cashiers check be acceptable in lieu of a performance bond? Councilor Atkinson moved to accept the cashiers check. Councilor Pompel seconded and the motion carried.

Written Mid-Management Reports: Reports were from the Library, Police Department, Wastewater Treatment Plant, Water Treatment Plant, and Public Works Department. No discussion ensued.

Mayor Boehme took a poll of the council as to the time they would like to have their workshop meeting on Tuesday, January 17th. The consensus of the Council was to hold the workshop meeting at 7:00 p.m.

Meeting Adjourned.