WALDPORT CITY COUNCIL
MARCH 12, 2020
MEETING NOTICE AND AGENDA

The Waldport City Council will meet at 2:00 p.m. on Thursday, March 12, 2020 in the City Council Meeting Room, 125 Alsea Highway to take up the following agenda:

1. CALL TO ORDER & ROLL CALL
2. MINUTES: *February 13, 2020, February 18, 2020, February 24, 2020*
3. PUBLIC COMMENTS/PRESENTATIONS
4. DISCUSSION/ACTION ITEMS:
   A) Transportation System Plan & Impact Analysis and Consideration of Associated Ordinance and Resolution
   B) Oregon Cascades West Council of Government Intergovernmental Agreements for Finance and Planning Services
   C) Goal Review
   D) Other Issues
5. COUNCIL COMMENTS AND CONCERNS
6. STAFF REPORTS
7. EXECUTIVE SESSION: *Pursuant to ORS 192.660(2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*
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

Notice given this 6th day of March, 2020

Reda Q. Eckerman, City Recorder

WALDPORT CITY COUNCIL
FEBRUARY 13, 2020
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, Woodruff and Holland answered the roll. A quorum was present.

2. MINUTES: The Council considered the minutes from the January 9 regular Council meeting and January 14 workshop meeting. Councilor Holland moved to approve the minutes as presented. Councilor Campbell seconded. Councilor Dennis noted an amendment to the January 9th minutes, under Item 4 (D), correcting them to state that "Councilor Dennis moved to have Public Works do an analysis of about 20 different water meters following the instructions that he would provide." Councilor Woodruff noted that the Transportation System Plan was not on the agenda, though it had been so stated in the January 9 minutes. Mayor Cutter responded that the agenda was rather tight, so the item has been moved to the March Council meeting. Councilor Virtue questioned Councilor Dennis' correction of the minutes, noting that the original wording of the minutes reflected her understanding. Councilor Woodruff moved to amend the January 9th minutes. Councilor Dennis seconded. The motion to amend carried, with Mayor Cutter and Councilors Dunn, Dennis, Campbell, Woodruff and Holland voting "Aye", Councilor Virtue voting "Nay". The main motion to approve the minutes from both meetings then carried unanimously.

3. PUBLIC COMMENTS AND PRESENTATIONS: Hollis Lundeen inquired about the status of the Vista View remand. Staff responded that it is still under legal review. She expressed disappointment that the Transportation System Plan deliberations were not included in the January or February Council agendas, and Mayor Cutter responded that it will be on the March agenda. Ms. Lundeen then asked about the budget schedule and the status of the City Planner and City Manager positions. City Manager Kemp responded that the budget meeting is scheduled for April, Prothman has been engaged for the City Manager recruitment process, and the City has recently contracted with the Cascades West Council of Governments for planning services. Colleen Nickerson addressed the Council, reiterating the desire for a new location for the Waldport Museum, noting that the Library building, the Umpqua building, or the Alsea Bay Interpretive Center would be ideal locations. She also paid the annual lease fee of $1 to the City Recorder. June O'Connor asked the City Council to declare a climate crisis in Waldport, noting that the County Commissioners had already done so. She also invited the Council to attend a meeting on February 18 at 6:30 p.m. at the Literacy Center. Sergeant Etheridge addressed the Council regarding the activities of the Sheriff's department last month. He reported that they are implementing a community outreach and mental health team to work with the homeless, and have also enrolled in Oregon's "Car Care" program, where repair vouchers can be provided to individuals who are cited or warned about defective equipment. Erich Knudson gave an update on the annual Beachcomber Days celebration planning, and requested consideration of financial assistance for the event. They were hoping for $4000 but would appreciate any amount.

4. DISCUSSION/ACTION ITEMS:

A. Goal Review: Mayor Cutter stated that this topic was extremely important, as it outlines the direction the City is moving in and the budgetary impacts of the decision-making process. Following discussion, Mayor Cutter moved to hold a special meeting on February 18 at 6:00 p.m. for the purpose of the goal review. Councilor Dennis seconded, and the motion carried unanimously.

B. Utility Rates: Public Works Director Andry provided a PowerPoint presentation and review of the testing process undertaken by Public Works. Discussion ensued regarding the methodology, test results, effect of meter replacement on water loss figures, potential need to increase the annual percentage rate to cover operating costs, and the projected costs of replacing meters all at once or over time. Consensus of the Council was to proceed with the loan application. It was noted that additional testing should be done prior to calculating the actual annual rate increase needed.

C. Open Space Discussion: The Council reviewed the latest conceptual plan. Discussion ensued and additional changes were made. A revised plan will be reviewed at the next regular meeting.

D. Former Bank Property: Discussion ensued regarding the concept of forming a Community Development Organization (CDO) for grant funding opportunities, and a Request for Proposal (RFP) process for potential occupants. Mayor Cutter and Councilors Woodruff and Campbell had previously volunteered to work as a subcommittee on coming up with a draft RFP, and they indicated they might be able to have one ready for review at the March meeting. Councilor Dunn moved to proceed with drafting the RFP, Councilor Campbell seconded, and the motion carried unanimously. Consensus was to table the CDO discussion to a later date.

5. COUNCIL COMMENTS AND CONCERNS: Councilor Holland stated that the Waldport Arts Group would like permission to place banners on the downtown street lights. They would be created by the artists and installed by Pioneer Telephone. He also noted that the group would like to undertake another project to paint the City's planters, plant native plants and assign volunteers to maintain them. Consensus of the Council was favorable to both ideas.

At 4:09 p.m. Councilor Virtue asked to be excused.

At 4:10 p.m. the Council recessed to take up the Waldport Urban Renewal agenda. At 4:45 p.m. the Council meeting resumed.

6. STAFF REPORTS: The written reports from the City Manager, Library Director, Public Works Director and City Recorder were in the packet materials. City Manager Kemp noted that discussion regarding the Wednesday Market staffing might be a topic for the February 18 special meeting, as part of the goals discussion. Public Works had recently done a bid process for disposal of the surplus vehicles identified in Resolution 1232. Two of the vehicles had sold for more than the stated minimum bid, but two others had received bids less than the minimum. According to the resolution, there had to be a Council decision to sell to the highest bidder if the bid was under the minimum dollar amount. Following a brief discussion, Councilor Campbell moved to sell the two vehicles to the highest bidders. Councilor Holland seconded, and the motion carried unanimously. Councilor Woodruff

mentioned that the Chamber was creating a new event to run in conjunction with the Gravel Epic on May 2nd, and they were going to asking for $1000 from the Event Participation line item. Following a brief discussion regarding available funds and the request process, Mayor Cutter suggested that topic be further reviewed during the goal setting session on February 18. City Manager Kemp noted the recent resignation of City Accountant Meagher, and indicated that he was in negotiation with the Cascades West Council of Governments for accounting services, which may also require revisiting financial software options. Councilor Dunn spoke regarding a citizen concern regarding staff response to a recent power outage at the Community Center, and Mr. Kemp noted that those types of complaints should be directed to him, and the broader discussion of staffing and City facilities was part of the goal review process.

7. EXECUTIVE SESSIONS: At 5:05 p.m. the Council recessed into Executive Session pursuant to ORS 192.660(2)(e) and 192.660(2)(h). The topics of discussion were the college property on Highway 101, and an update on the Water Tank litigation.

8. ACTIONS, IF ANY, FROM EXECUTIVE SESSION: At 5:23 p.m., the Council reconvened into Open Session. Consensus of the Council was to suspend the property negotiations indefinitely.

9. GOOD OF THE ORDER: Nothing further.

10. ADJOURNMENT: At 5:23 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

WALDPORT CITY COUNCIL
FEBRUARY 18, 2020
MEETING MINUTES

CALL TO ORDER & ROLL CALL: Mayor Cutter called the meeting to order at 6:00 p.m. Mayor Cutter and Councilors Dennis and Woodruff answered the roll. Councilors Virtue, Dunn, Campbell and Holland were absent. As a quorum was not present, 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

WALDPORT CITY COUNCIL
FEBRUARY 24, 2020
MEETING MINUTES

CALL TO ORDER & ROLL CALL: Mayor Cutter called the meeting to order at 4:30 p.m. Mayor Cutter and Councilors Virtue, Dunn, Dennis, Campbell and Woodruff answered the roll. Councilor Holland was excused. A quorum was present.

EXECUTIVE SESSION: The Council recessed into Executive Session, pursuant to ORS 192.660(2)(h): To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. City Attorney Gintner was in attendance. The topic of discussion was City policies and procedures.

At 6:15 p.m. the Council reconvened into Open Session.

ACTIONS, IF ANY, FROM EXECUTIVE SESSION: None.

ADJOURNMENT: At 6:16 p.m., 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

CITY COUNCIL MEETING AGENDA
COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Transportation System Plan
Transportation Impact Analysis

REQUESTED BY: City Manager

FOR MEETING DATE: March 12, 2020

SUMMARY OF ISSUE:

The City of Waldport ("City") held public hearings on the Waldport Comprehensive Plan – Transportation System Plan ("TSP") and the Waldport Development Code Amendment – Transportation Impact Analysis ("TIA") on December 12, 2019. Deliberations on the TSP were tabled until a later City Council meeting. The Code Amendment was reviewed for the TIA and is being brought back in adopting Ordinance form for review and approval.

STAFF RECOMMENDATION or ACTION REQUESTED:

That the City Council of the City of Waldport i) approve a Resolution adopting the City of Waldport Transportation System Plan, an amendment to the Waldport Comprehensive Plan, and ii) approve an Ordinance of the City of Waldport revising Title 16 of the Waldport Municipal Code to add a section for Transportation Impact Analysis, and declaring an emergency.

BACKGROUND:

The City Council held a public hearing on both matters at its meeting on December 12, 2019. The Planning Commission also conducted public hearings soliciting input and forwarded its recommendation to the Council to adopt the TSP. The Council decided to continue deliberations at a later meeting. Attached is a summary memorandum from Kittleson & Associates. The TSP needs to be adopted by April 30, 2020, to comply with ODOT's schedule.

The Council also voted on a change to the TIA code amendment, which is included in the draft ordinance language. Attached is a resolution for the TSP and an ordinance for the TIA.

Attachments: Memorandum on Transportation System Plan
Resolution for Transportation System Plan
Ordinance for Transportation Impact Analysis

From: Matt Bell <**mbell@kittelson.com**>
Date: March 5, 2020 at 3:34:03 PM PST
To: Kerry Kemp <**kerry.kemp@waldport.org**>, HELTON David I <**David.I.Helton@odot.state.or.us**>
Cc: Susan Wright <**swright@kittelson.com**>
Subject: RE: Waldport TSP Update - Public and Stakeholder Involvement Summary Report

?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kerry, a brief summary of some of the concerns is provided below. I am happy to provide more detail prior to or during the upcoming hearing. My apologies on the delay.

Many of the key concerns raised at the December 2019 hearing are addressed in the Adoption Draft of the Transportation System Plan (TSP) update, which is currently available on the project website (**www.waldporttsp.com**). Most notably, projects identified through previous planning efforts, including the Yaquina John Point Transportation Plan, have been incorporated into the TSP. Other concerns will be addressed as the TSP is implemented over time. It is important to keep in mind that the TSP is a long-range planning document that identifies transportation improvement projects needed to address long-term growth in population and employment within the city as well as the region. Each of the projects will be further evaluated as growth occurs and as they are implemented as part of private development projects or capital improvement projects funded by the City and/or ODOT. Adoption of the plan does not mean that the projects will be implemented as described, but ensures that the need for the project is known and documented, which can help the City secure additional funding.

Please let me know if you have any questions, comments, or concerns.

Matthew Bell
Senior Planner

Kittelson & Associates, Inc.
Transportation Engineering / Planning
503.535.7435 (direct)

RESOLUTION NO. _____

ADOPTING THE CITY OF WALDPORT TRANSPORTATION SYSTEM PLAN

WHEREAS, the planning horizon for master plans is usually about 20 years and the City of Waldport last updated its Transportation System Plan (TSP) in 1999; and

WHEREAS, a strategic approach to capital improvements and acquisition of funding for improvements in the City's transportation system is facilitated by the City having such a plan in place; and

WHEREAS, the City of Waldport, utilizing a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD), contracted with Kittelson & Associates to prepare a new plan for the City of Waldport; and

WHEREAS, public hearings were held in November and December of 2019, where the Planning Commission, City Council, and interested citizens reviewed and endorsed the TSP;

NOW, THEREFORE, be it resolved by the Common Council of the City of Waldport that the document entitled "Waldport Transportation System Plan" as designed and presented by Kittelson & Associates be hereby adopted as the City of Waldport's current Transportation System Plan.

PASSED by the Common Council of the City of Waldport this _____ day of _____, 2020.

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

_____
Dann Cutter, Mayor

ATTEST:

_____
Reda Q Eckerman, City Recorder

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WALDPORT REVISING TITLE 16 OF THE WALDPORT MUNICIPAL CODE BY AMENDING CHAPTER 16.72 "SUPPLEMENTARY REGULATIONS" TO ADD SECTION 16.72.140 "TRANSPORTATION IMPACT ANALYSIS"; AMENDING CHAPTER 16.60 "PLANNED DEVELOPMENT ZONE P-D" TO ADD SUBSECTION 16.60.030(B)(4) TO REFER TO SECTION 16.72.140; AND AMENDING SECTION 16.100 "LAND DIVISIONS" TO ADD SUBSECTION 16.100.040(B)(8) TO REFER TO SECTION 16.72.140, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council has adopted an update to the Transportation System Plan for the City of Waldport, and

WHEREAS, the updated Transportation System Plan includes a requirement that proposed developments that will generate a certain threshold of traffic include a Transportation Impact Analysis (TIA) as a necessary submittal for a development proposal; and

WHEREAS, the attached amendments establish the provisions for when such an analysis needs to be submitted, the required contents of the analysis, the qualifications for the individual or firm performing the analysis, and the review criteria; and

WHEREAS, duly noticed public hearings were held and testimony received in November of 2019 by the Waldport Planning Commission and in December of 2019 by the Waldport City Council,

NOW, THEREFORE, THE CITY OF WALDPORT ORDAINS AS FOLLOWS:

Section 1. Chapter 16.72 of the Waldport Municipal Code will be amended by including the language as contained in Attachment "A" of this Ordinance.

Section 2. Section 16.60.030(B)(4) will be added, to read as follows: "Traffic Impact Analysis. See Section 16.72.140."

Section 3. Section 16.100.040(B)(8) will be amended to read: "Traffic Impact Analysis. See Section 16.72.140." and the remaining requirements in that section will be renumbered accordingly.

Section 2. Emergency clause. Inasmuch as it is the duty of the City Council to maintain the public health, safety and welfare, and because it is important to implement this change in the Code as soon as practicable to avoid confusion and to resolve any issues of which language applies, now, therefore, an emergency is declared to exist and this Ordinance shall go into full force and effect immediately upon its passage and approval.

ADOPTED by the Common Council of the City of Waldport this _____ day of _____, 2020 by the following vote:

AYES _____ NAYS _____ ABSENT _____ ABSTAIN _____

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

_____
Dann Cutter, Mayor

ATTEST:

_____
Reda Q. Eckerman, City Recorder

EXHIBIT "A"

16.72 SUPPLEMENTARY REGULATIONS

16.72.040 Transportation Impact Analysis

A. The following provisions establish when a proposal must be reviewed for potential transportation impacts:

* when a Transportation Impact Analysis (TIA) must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities;
* the required contents of a TIA; and
* who is qualified to prepare the analysis.

B. When Required. The City or other road authority with jurisdiction may require a TIA as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change in use or a development would involve one or more of the following:

1. A change in zoning or a plan amendment designation;
2. Operational or safety concerns documented in writing by a road authority;
3. An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more;
4. An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more;
5. The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of service during the PM peak operating hour;
6. The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as school zones;
7. An increase in the regular use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day;
8. Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard; or
9. A TIA required by ODOT pursuant to OAR 734-051.

C, TIA Preparation. The TIA shall be prepared by a professional engineer with competence in traffic engineering, licensed in the State of Oregon. If the TIA identifies level of service conditions less than the minimum standard established in the Waldport Transportation System Plan (TSP), improvements and funding strategies mitigating the problem shall be considered concurrent with the development proposal.

D. Approval Criteria. The TIA shall be reviewed according to the following

criteria:

1. The analysis complies with the content requirements set forth by the City and/or other road authorities as appropriate;
2. The study demonstrates that adequate transportation facilities exist to serve the proposed land use action or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the road authority;
3. For affected City facilities, the study demonstrates that the project meets mobility and other applicable performance standards established in the Waldport Development Code (WDC) and TSP, and includes identification of multi-modal solutions used to meet these standards, as needed; and
4. Proposed design and construction of transportation improvements are in accordance with the design standards and the access spacing standards specified in the WDC and TSP.

E. Conditions of Approval.

1. The City may deny, approve, or modify a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for planned improvements; and require construction of improvements to ensure consistency with the future planned transportation system.
2. Construction of off-site improvements, including those related to bicycle and pedestrian facilities, may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.
3. Where the existing transportation system is shown to be impacted by the proposed use, improvements such as paving; curbing; installation of or contribution to traffic signals; and/or construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.
4. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are rough ly proportional to the impact of development.

CITY COUNCIL MEETING AGENDA
COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Oregon Cascades West Council of Governments Intergovernmental Agreements: Finance and Planning

REQUESTED BY: City Manager

FOR MEETING DATE: March 12, 2020

SUMMARY OF ISSUE:

The City of Waldport ("City") has entered into an agreement with the Oregon Cascades West Council of Governments ("COG") for Planning Services. The City will be entering into an agreement with the COG for Financial Services. This denotes a significant paradigm shift in how the City handles its financial work, and the City Council is being asked to review and endorse it.

STAFF RECOMMENDATION or ACTION REQUESTED:

Review and approve Intergovernmental Agreement by and between the City of Waldport and the Oregon Cascades West Council of Governments for Financial Services.

BACKGROUND:

The City entered an Intergovernmental Agreement ("IGA") contract with the COG for Planning Services for the period from January 1, 2020, through June 30, 2021. The arrangement seems to be working well for both parties. The COG is interviewing for a coastal planner. Justin Peterson, our current planner, is here in the interim and doing a commendable job.

The City is now entering an IGA with the COG for Financial Services (see attached IGA). This constitutes a significant change in how the City handles its affairs, so staff is requesting that the City Council approve this direction. This is a meaningful discussion as operating and managing small cities becomes more complex, full-time employees are difficult to find, train, and retain, and continuity of service remains critical for our organization. The City of Yachats has also been working with the COG in Planning and Financial Services and is pleased with the results.

We will also be re-evaluating our accounting/finance/utility billing software update, with a change of vendor possible to have uniform standardized platforms operating locally.

Budget Impact:

The total combined burden (wages and benefits) of both City Planner and City Accountant is approximately $12,200 per month. The total COG contract cost is approximately $12,700 per month (including full additional costs for budget and audit preparation), for a net increase of $500 per month, or $6,000 annually. Staff is preparing next fiscal year's budget with these new parameters, while proposing to keep the two positions open and unfilled should the need or opportunity arise to fill one or both. We hope to fit the added costs for this fiscal year within the existing budget framework. However, a budget amendment may be necessary.

Attachment: IGA between City and COG

INTERGOVERNMENTAL AGREEMENT
Between
OREGON CASCADES WEST COUNCIL OF GOVERNMENTS (OCWCOG)
and
CITY OF WALDPORT, OREGON (CITY)
For
FINANCIAL SERVICES

This Agreement is made and entered into upon execution by and between City of Waldport, Oregon, a municipal corporation of the State of Oregon, hereinafter known as CITY, and Oregon Cascades West Council of Governments, hereinafter known as OCWCOG, Oregon 190.010 intergovernmental agencies.

Recitals

A. ORS 190.010 permits units of local government agencies to enter into agreements for the performance of required duties or the exercise of permitted powers.

B. CITY has the need of the services of Financial Services.

C. OCWCOG has staff with the proper credentials, licensing and experience to provide such services.

THEREFORE, the parties to this intergovernmental agreement agree to the following terms and conditions:

Agreement

SECTION 1. SCOPE OF SERVICES

This Agreement shall be for the purpose of OCWCOG finance staff to provide financial services to the City of Waldport. These services are outlined in the responsibility sections below and within a more detailed list in Attachment A and Attachment B (to be requested in the form of a Work Order (Exhibit A)).

SECTION 2. OCWCOG RESPONSIBIILTY

1. OCWCOG Finance Department staff will be available to assist in completion of the daily financial operations of the CITY as outlined in Attachment A, Section 1. OCWCOG staff will be on-site at a minimum two (2) business days a week and available as needed for urgent items. There may be times OCWCOG staff will not be on-site but working remotely due to scheduling restrictions, however they will still assist in the completion of the required

work for the CITY as outlined herein. This work will require access and understanding of the financial software utilized by the CITY.

2. OCWCOG will also provide high level support from the Finance Management staff at a rate of .20 Full time Equivalent (FTE) monthly.

3. OCWCOG staff will work with CITY staff ensuring all Governmental Accounting Standards, Generally Accepted Accounting Procedures, as well as compliance with local laws regarding public expenditures, including Budget Law, and Reporting Requirements, are met and adhered to during the contract period.

4. Facilitate any conversations and understanding of financial requirements to elected officials and CITY staff as requested.

5. Provide assistance with all aspects of financial services, including but not limited to payroll and all associated payroll activities, accounts payable, cash receipts, accounts receivables, records retention, filing, and any other accounting functions requested.

6. Provide assistance with facilitating conversations with CITY's software provider, PERS, financial institutions, and/or the CITY's auditors as required to complete the requested work.

7. Provide assistance to CITY staff regarding questions and/or concerns related to reimbursement.

8. OCWCOG will comply with the Scope of Services, provide financial oversight and specific services to maintain monthly financial reporting, payroll reports, adequate documentation for audit purposes and to maintain internal controls to comply with the policies and procedures of the CITY.

SECTION 3. CITY RESPONSIBIILTY

1. Provide a space within a professional office to complete all required work. This space must include, but not limited to a desk, chair, computer and supplies necessary to complete work assignments.

2. Indicate specified financial requirements, approve anticipated financial schedules and activities (in coordination with OCWCOG) to maintain financial capacity for the CITY.

3. Coordinate necessary dates and timelines as related to financial services, reporting and other requirements.

4. Allow remote and on-site access to CITY's accounting software and records with the full understanding that confidentiality and respect regarding the information will be exercised by OCWCOG staff.

5. It is also understood that this work will require access and understanding of the financial software utilized by the CITY.

6. Provide a safe work environment for OCWCOG staff to complete work on-site.

7. Pay for services rendered for the contract period.

8. Provide OCWCOG with a written Work Order (Exhibit A) authorizing OCWCOG Staff to carry out any additional services, listed in Attachment B, as additional work is needed and requested by CITY.

SECTION 4. PROVISIONS

A. Contract Period: As agreed upon by both parties, this agreement shall become effective April 1, 2020 and shall terminate on June 30, 2021, unless this agreement is hereafter modified in writing.

B. Payment: Beginning April 1, 2020, CITY agrees to pay OCWCOG the sum of $7,400.00 monthly for all services described in Attachment A (partial month's services will be pro-rated). CITY also agrees to pay OCWCOG for any additional services requested as outlined in Attachment B, Sections 1-4 according to the agreed upon rates detailed through the Work Order (Exhibit A) process. CITY agrees to reimburse OCWCOG for all lodging costs when staff are required to stay overnight while performing work. CITY agrees to pay OCWCOG staff directly for all approved mileage expenses related to all work performed as outlined on Attachment A or as services are requested under Attachment B. OCWCOG will invoice CITY monthly for the prior months services, with payment to be due within 30 days.

   The CITY understands that these rates may be changed by the OCWCOG Board during the terms of the agreement due to increases to COLA, PERS, or other state and federal required costs. OCWCOG and the CITY may agree to amend this agreement to incorporate new rates.

C. Termination: This agreement may be terminated by either party. Suspension in whole or in part of this agreement by either party will require sixty (60) days written notice to the other party. In the event of termination, CITY shall compensate OCWCOG for all services provided through the date of termination.

D. Assignability: This contract is for the exclusive benefits of the parties hereto. It shall not be assigned, transferred, or pledged by either party without the prior written consent of all the remaining parties.

E. Discrimination: The parties agree to comply with all applicable federal, state, and local laws, rules, and regulations on nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, disability, sexual orientation, gender identity or source of income.

F. Indemnification: To the extent possible under the limits of the Oregon Tort Claims Act for local governments, OCWCOG and CITY shall hold each other harmless, indemnify and defend each other's officers, agents and employees from any and all liability, actions, claims, losses, damages or other costs that may be asserted by any person or entity arising from, during, or in connection with the performance of the worked described in this agreement, except liability arising out of the sole negligence of either party or its employees. Such indemnification shall also cover claims brought against either party under state or federal workers compensation laws. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.

G. Public Contracts: All parties shall comply with all federal, state and local laws, ordinances and regulations applicable to the work under this agreement, including, without limitation, the applicable provisions of ORS chapters 279A, B and C, particularly 279B.220-279B.235, as amended.

H. Personal Identifying Information: OCWCOG agrees to safeguard personal identifying information in compliance with Oregon Revised Statutes ORS 646A.600, the Oregon Consumer Theft Protection Act and the Fair and Accurate Credit Transaction Act Provisions of the Federal Fair Credit Reporting Act. In the event of any inadvertent disclosure or release of information protected by any of these provisions, OCWCOG shall immediately notify CITY and shall hold harmless, defend and indemnify OCWCOG for any costs related to notification, mitigation or remediation required by the disclosure by OCWCOG.

I. Waiver: Waiver of any breach of any provision of this agreement by either party shall not operate as a waiver of any subsequent breach of this same or any other provision of this agreement.

J. Dispute Resolution: Unless otherwise provided in this Agreement, all claims, counterclaims, disputes and other matters in questions between OCWCOG and the CITY arising out of, or relating to this Agreement or the breach of it will be decided, if the parties mutually agree, by mediation, or if they fail to

agree, by arbitration. Arbitration will be conducted according to rules and procedures set out by the Arbitration Service of Portland, or as otherwise agreed by the parties.

K. Workers Compensation: All employers, that employ subject workers, as defined in ORS 656.027, shall comply with ORS 656.017 and shall provide workers' compensation insurance coverage for those workers, unless they meet the requirement for an exemption under ORS 656.126(2). Recipient shall require and ensure that each of its subcontractors complies with these requirements.

L. Severability: If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

M. Amendments: Any amendment to this agreement shall be in writing and signed by authorized representatives of both parties. There are no understanding, agreements or representations, oral or written, regarding this agreement except as specified or referenced herein.

Signed:

_____	_____
Sue Forty Finance Director Oregon Cascades West Council of Governments 1400 Queen Ave SE Ste. 201 Albany, OR. 97322	Kerry Kemp City Manager City of Waldport PO Box 1120 Waldport, OR 97394
Date: _____	Date: _____

Attachment A

Section 1 - The following services will be provided at a flat monthly rate of $7,400:

a. Payroll – employee maintenance, benefits maintenance, timesheet prep, issuing payroll checks, reconcile payroll balance sheet accounts, W-2s, communication to employees, Federal & State tax payments.

b. Bank management to include direct deposit for payroll and ACH accounts payable, if available.

c. Payroll reporting – Taxes (State, federal, transit, unemployment) Worker's Comp, PERS, any other City specific reports and other monthly, quarterly or annual tax reporting as required.

d. Account Receivable – all invoicing for city receivables other than utility billing i.e. Transient Room Tax, if applicable.

e. Accounts Payable.

f. Bank Reconciliations.

g. Journal Entries, Chart of Accounts, General Ledger Maintenance.

h. Close accounting books monthly, Financial Statements, Council Reports.

i. New Accounting/Financial Employee Orientation (If City Council decides to hire an employee in the future).

j. HR functions if needed to include I-9 reporting, hiring paperwork, benefits management.

If OCWCOG costs exceed the anticipated FTE by 10% in two consecutive months, OCWCOG will need to evaluate the costs and may require additional charges based on mutual agreement as an increase in the contract amount to recover the costs.

All staff mileage, outside the Accounting Specialist working in the city, will be paid by CITY directly to staff and not through OCWCOG budget. This will require OCWCOG Finance Director Signature as well as City Manager signature prior to reimbursement.

Lodging costs, if required overnight stay, will be paid by City of Waldport either directly to hotel or to OCWCOG as a reimbursement for cost. OCWCOG will attempt to negotiate a rate with a local hotel for the best rate possible within your city limits or nearby.

Attachment B

Section 1 - The following services will be contracted, as requested under Work Order, on an hourly rate basis as negotiated between COG and CITY. The cost is a base price and will be adjusted based in need and requests:

a. Contract – Billing, Grant Reporting, etc. (Grant Writing/Management).

b. Project management such as Liquid Planner, or like services, can be included at an additional cost due to licensing requirements.

Section 2 - The following services, which would require a higher level of detail and accounting experience, will be contracted, as requested under Work Order, at a flat rate per occurrence based on the anticipated hours required:

a. Budget Process & Preparation – Supplemental Budget or any other year while under contract. The Finance Director and Finance Manager will assist with the annual budget process for the CITY if requested. This assistance will consist of providing budget templates, personnel projections, consulting with department heads, attending budget meetings, compiling all the data in an approved format and completing all required reports and filings.

   Annual Budget: Starting at $3,500.00

   - Budget training
   - Budget templates
   - Wage cost calculations
   - Assistance with estimated actual calculations
   - Budget publications (public meeting notices)
   - State of Oregon forms and filings required by Oregon Budget Law

   Supplemental Budget: Starting at $1,500.00 - $2,000.00

   - Assistance with estimated actual
   - Calculation of the new costs requiring the supplemental budget
   - Budget publications (public meeting notices)
   - State of Oregon forms and filings required by Oregon Budget Law

b. Annual Audit: First year of contract starting at $3,500.00, each year after starting at $2,500.00.

   - Set up financial systems to complete audit work monthly (first year)
   - Audit schedules as requested by auditor
   - All Field work as requested by auditor
   - All adjustments required by auditor

- Clean up as needed to complete annual audit. (first year)

Section 3 - Back log, clean up, research, and recovery services are available as requested by CITY. These services will be requested under Work Order process, and billed at a flat negotiated rate once the amount of work required has been determined.

Section 4 - Accounting Software and Utility Billing Software conversion services will be contracted, as requested under Work Order, and billed at a cost to be negotiated to include staff time plus travel.

Attachment C

HOURLY RATES

OCWCOG Finance Staff's hourly rates as of July 1, 2019:

➢ Finance Director	$146.72
➢ Finance Manager	$ 99.87
➢ Accounting Specialist	$ 87.58
➢ Contract Coordinator	$ 86.43

The CITY understands that these rates may be changed by the OCWCOG Board during the terms of the agreement. OCWCOG and the CITY may agree to amend this agreement to incorporate new rates. The CITY reserves the right to terminate the agreement if a satisfactory rate adjustment cannot be agreed upon.

Exhibit A

Work Order

This Work Order is an authorization under contract to proceed with the following additional work or services as offered within sections listed in ATTACHMENT B:

_____

_____

_____

It is understood that the work or services described shall be completed by:

_____

The requested additional work or services shall be completed for a cost of:

_____

OR

Compensation shall be paid according to actual hours worked based on the described Hourly Rates (Attachment C).

Any amendments to the above Scope of Work contained within this work order shall be agreed upon in writing.

_____

City of Waldport (authorized signature) Date

CITY COUNCIL MEETING AGENDA
COVER SHEET FOR DISCUSSION / ACTION

TITLE OF ISSUE: Goal Review Discussion

REQUESTED BY: City Manager

FOR MEETING DATE: ~~February 13, 2020~~ March 12, 2020

SUMMARY OF ISSUE:

The City Council has been updating its goal statements on an annual basis for the past several years. Considering all that has been happening over the past year, this item is once again to review the goals in anticipation of budget preparation and setting priorities for the year.

STAFF RECOMMENDATION or ACTION REQUESTED:

Review 2019 goals and provide direction to staff as necessary.

BACKGROUND:

The City Council adopted its goal statements at the meeting on April 11, 2019 (attached). Much has happened over the past year, some of which was anticipated, some of which was not, so it's prudent to review what is transpiring and situations that may influence the City's priorities.

Resources / Revenues

The City receives its revenues from the following primary sources:

1. Taxes or Fees. These include property, franchise, transient room, and marijuana taxes. Also lumped into this category are business licenses, State revenue sharing, court fines, planning fees, library fees, Library District revenues, community center rentals and vendor fees, lease payments for the former Public Works shop. The City also receives road district taxes and urban renewal tax increment.
2. Utility Rates. These include water and wastewater rates.
3. System Development Charges. These are for new development.
4. Grants and Contributions. These are highly variable and not budgeted until approved.

The key points to understand are that i) tax and fee revenues are generally static and finite, and ii) utility rates have typically been increased annually by resolution based on CPI (inflation) data.

As stated in the 2019 budget message and during the Budget Committee meeting in May, during the Water Meter agenda item at the Council meeting on November 14, 2019, and most recently at last month's Council meeting, annual inflationary increases are not keeping pace with actual costs for materials, services, and labor. Adjustments will be necessary in moving forward – staff is planning on bringing this matter to Council for review and decision at its March meeting, as we are preparing a proposed budget with increases based on actual costs and projected needs, not an average annual index that does not reflect reality. We will also be projecting increases that will be necessary to fund projects specified in the Water Master Plan.

Utility rate increases for the Water Meter Replacement Project are being considered at today's meeting in a subsequent agenda item – more information on that issue is in the Council packet.

Although staff and our legal counsel have not had the time to fully jump into the franchise agreements related to telecommunications, this should hopefully be addressed in 2020.

Services / Expenditures

The City needs and desires to fund a variety of services and programs, and the citizens expect them to be provided.

The keys are to prioritize these services for planning, funding and implementation, and to strive towards the expectations of the citizens aligning with the City's priorities and spending.

The following items describe various changes in activities, programs, and staffing, including:

- Extraordinary Water Fund Costs
- Land Use Planning
- Parks and Facilities Maintenance
- Wednesday Market/Community Center Events
- Code Compliance
- Engineering Design and Planning Documents

Extraordinary Water Fund Costs
The City had to pay for relocating water lines for the ODOT McKinney Slough Bridge Project. Also, litigation over the water tank construction is an albatross weighing us down. The stress on the Water Fund has been evident, and now the General Fund has loaned monies to it. Hopefully this will end (soon) positively in the City's favor. Until then we await the court's decision.

Both projects combined cost the City nearly $1 million, all done without an additional increase in water rates. Unfortunately, they have consequently reduced our ability to do other projects.

Land Use Planning

The City has contracted with the Cascades West Council of Governments ("COG") for planning services. The office hours will be Monday, with eight other hours of service throughout the week. We will contract with Larry Lewis to finish up specific projects. The Planning Commission is finishing up its work on a variety of Development Code updates.

Code Compliance

We are still waiting for a written proposal from the Lincoln County Sheriff's Office regarding contracting with the City to perform code compliance. Another option is to seek a proposal from TCB Security, which is also proposing to the City of Yachats. In any event, code compliance services by the County or TCB may impact the budget and be one of those trade-off items discussed in combination with paying for services and materials related to the property portfolio.

Parks and Facilities Maintenance

As noted in the following major section, the City is expanding its real estate portfolio, and we have been evaluating our budget accordingly. Public Works is looking to add to its full-time staff, rather than continuing contracted work and hours through a temporary agency. This will allow us more flexibility while also providing continuity of service in parks and facilities.

Wednesday Market/Community Center Events

The City's market manager will not be returning in 2020, leaving a void. The current year budget appropriates about $9,000 in vendor fees and $6,500 for market and community center events.

I have been advised by our insurance agent that, if the City runs the market as it has, we open ourselves up to liability and workers compensation claims. Another more prudent approach may be to contract out the market to a non-profit or community group, charging a fee or rent. The risk would be transferred to a third party with appropriate insurance commensurate with the risk, who would then finance and operate the market. This entity could also manage events and users at the community center, relieving our Library Director of this role to focus on the library.

Tourism Facilities and Promotion

The City increased the transient lodging tax, and 70 percent of the 2 percent increase must be utilized for tourism facilities or promotion. The FY 2019-20 budget earmarks $25,000 for tourism. The initial idea was to possibly use these funds on the Alsea Bay Bridge Interpretive Center, but the City does not currently control this facility. Other potential uses for this funding are open for discussion or just let the account grow for the time being and decide later.

Engineering Design and Planning Documents
The City has completed its Parks, Recreation, and Trails Plan (2016), its Water Master Plan (2019) and its Transportation System Plan (2020). The Wastewater Master Plan is in progress. These plans set forth projects, costs and potential phasing for the next 20 years. The City is also furthering the engineering design for the Industrial Park and Crestline Drive sidewalks.

City and Community Facilities and Properties

The City owns the following properties (not counting those dedicated to water/sewer utilities):

- City Hall and Central Oregon Coast Fire HQ (lease ends 2022)
- Waldport Library, Community Center, and Waldport Museum

In the past several years, the City has acquired the following properties:

- The Public Works shop and facility, located out of the tsunami zone in the Industrial Park (leading to the former Public Works property being leased)
- The 12-acre "Open Space" former Waldport High School site
- The former Umpqua Bank building and property

In addition, the City is in progress on the following potential acquisitions (with status):

- Donation of land from Land & Sea to add to our Crestline park system – awaiting final map approval and recording, and quit claim/warranty deed transferring the land
- Potential transfer of the Alsea Bay Bridge Interpretive Center – pending ODOT
- Donation of land from Izaak Walton League to add to our connecting trail system – City executed a Letter of Intent (LOI) with the owner
- Potential acquisition of vacant property owned by Oregon Coast Community College – in discussions with Central Oregon Coast Fire District and College

The FY 2019-20 City budget appropriated the following for property services:

Budget Cost Item (Fund)	Amount	Notes/Comments
Building Reserve (General Fund)	$50,000	Interfund loan to Water Fund
Supplies, Utilities, Insurance, Maintenance (GF)	37,700	
Library Materials & Services (GF)	20,000	Supplies, utilities, maintenance
Library Space Planning (GF)	11,200	In progress
Library Reserve (GF)	58,035	For new library
Parks Materials & Services (GF)	34,500	Includes $30k for maintenance
Parks Capital Outlays (GF)	18,600	Disc Golf, Lint Trail, Open Space
Community Center Materials & Services (GF)	36,000	Includes tables/chairs/market costs
Facility Costs & Reserve (Tourism)	22,500	For Visitor Center; reallocate or hold?

Budget Cost Item (Fund)	Amount	Notes/Comments
TOTAL RESERVE & CAPITAL	138,835	Includes library space planning
TOTAL OPERATING (NON-PARKS)	93,700	
TOTAL OPERATING (PARKS)	34,500	
TOTAL TOURISM	22,500	Includes tourism reserve
GRAND TOTAL	**$288,535**	**33% of General Fund Revenues**

The currently budgeted amounts are more than likely less than adequate for covering needed expenditures, which leads to deferred maintenance and tabling of purchases. When discussing goals and strategic planning for now and the future, the City should consider that i) existing buildings are aging and will require more maintenance and repairs over time, and ii) adding properties and buildings will increase costs and create pressure on the General Fund – this includes facilities and land for parks, recreation, and trails that will need to be maintained. This also means that other existing or desired General Fund programs may be impacted. In other words, budgetary trade-offs may be necessary as facilities and properties expand.

As the City adds properties costs will increase, and there should be a tangible plan for use and/or disposition of assets. The following provides some thoughts to frame the discussion:

Disposition and Use of Properties

City Hall, Library, and Museum all need new homes, and the Central Oregon Coast Fire District as well (housed in a large part of City Hall building). The City owns all three buildings, as well as the Community Center, and the City recently acquired the former Umpqua Bank property.

The City is also in discussions about the Alsea Bay Bridge Interpretive Center and property currently owned by the Oregon Coast Community College. The table below includes City assets (existing and potential) along with prospective uses and comments for discussion:

Building/Property	Prospective Uses	Notes & Pros/Cons
City Hall	City Hall or Expanded Library	Building is antiquated and needs upgrading and remodeling to be functional, secure, and state-of-the-art
Fire Station/HQ	Relocated Library	Lease through 6/30/22; seems a good footprint and structure for library use; if City Hall stays put would need to expand building footprint and size
Library	TBD – Museum or Sell/Dispose	Old building & obsolete; too small and at full capacity; maintenance/repair costs increasing; inadequate on-site parking and difficult circulation
Community Center	Community Center	See above on Market; General Fund subsidizes; Meals/COG splits repairs

Building/Property	Prospective Uses	Notes & Pros/Cons
Museum/Annex	TBD	Lease expired 2019, now month-to-month; shall not be sold or conveyed by City; if used for anything other than "public" shall revert to County
Former Bank	City Hall Non-profit Other	Good building; on the smallish side; least expensive option for City Hall; if RFP is pursued, ensure that receiving organization is qualified and that there is a firm performance schedule with specific targets and milestones
Alsea Bay Bridge Center	Visitors Center & Gift Shop/Chamber/Museum	Prominent location in City; deferred maintenance; upgrades needed
College Property	TBD	Located in local tsunami evacuation zone (L/XL scenario); due diligence for site planning, environmental/ geotechnical; costly option for relocating City Hall (the State does not designate a city hall as an "essential facility" for emergencies)

Emergency Operations Center(s) – EOC / Fire Services

There has been discussion about the need for City Hall to be moved outside of the tsunami impact zone, to be able to function and operate after a large-scale Cascadia event. While this is certainly true – that the City will need to be operating as soon as possible and practical after a disaster – please note the following considerations about EOC and fire services:

1. The City has relocated Public Works to outside the tsunami zone and we are paying off a loan for this purchase. The City continues to enhance operations and EOC capabilities at this location. There would be room for City EOC operations there if needed.
2. City Hall functions and important documents are now mostly shifted into "the cloud," and the soon-to-be newly purchased and installed accounting/utility software is another step in this direction. City staff would be able to mobilize and access this information from anywhere, if electrical power and other technical support systems are operational.
3. The Fire District will have its own independent EOC, offering another possible location. Fire District also needs presence downtown – corner of former bank property an option.
4. By staying in old town, City Hall remains accessible and in the heart of the community. There may be opportunities in the future for two "hearts," with one also on the hill.
5. If the City wants to invest in additional EOC infrastructure, a mobile trailer is an option to consider, at substantially lower cost and with greater flexibility than a new building.

Attachments: City of Waldport 2019 Adopted Goals

FINAL UPDATE 2019
City Council 4/11/19

CITY OF WALDPORT GOALS

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
ADMINISTRATION & GENERAL					
A) Evaluate City and community facilities, in conjunction with other organizations or agencies as needed 1) Library 2) Community Center 3) City Hall 4) Fire Station 5) Museum/Museum Annex 6) Alsea Bay Interpretive Center 7) Umpqua Bank Property	Ancillary / High	Fire District, Library, Museum, ODOT, Chamber of Commerce	Museum lease up 2019 Fire Hall lease up 2022 Opportunities for relocating or co-locating of facilities ("domino effect") Opportunity to obtain ODOT and Umpqua Bank properties Limited General Fund	6 months – 2 years	Evaluate relocating fire station and city hall out of tsunami zone, including: 1. Settle on purchase price of property from OCCC 2. Prepare framework for transaction, partnership 3. Start due diligence, design, pre-construction and financing project Acquire from ODOT Alsea Bay Interpretive Center: 1. Transfer 2. Declare as surplus Consider forming a not-for-profit organization such as a Community Development Corporation/Agency Acquire Umpqua Bank property and Alsea Bay Interpretive Center and determine/solicit uses Analyze library programs and functions and consider options for new facility Consider domino effect of building use restructuring

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
B) Consider and implement new revenue sources	Ancillary / Medium	Utilities/franchisees		1 year	Transient lodging tax increased from 7% to 10% Prepare evaluation and summary of all existing franchises and regulations Review laws and rules; consider new franchises with Peak Internet and Southwest Lincoln County Water District
C) General Fund Priorities	Primary / High		Limited General Fund		Analyze, evaluate and prioritize general fund programs and requirements
D) Analyze and evaluate program changes or enhancements to: 1) Code Enforcement 2) Asset Management / Facilities	Ancillary / Medium to High	County (Code)	Limited General Fund	1 year	Analyze and evaluate programs or services Analyze and evaluate complaint-driven versus pro-active enforcement
E) Develop communications policy and procedures	Ancillary / Low			1 year	Ongoing; City Recorder attended on-line webinar regarding social media Written policies to be developed
F) Continue to develop and implement information technology, risk management, public safety and security program	Ancillary / High	Sheriff's Office, Citizens' Patrol CERT, CIS Oregon COG	Limited General Fund	Ongoing	Brown and Brown hired as 3rd party insurance agent Apply CIS on-line classes Develop cybersecurity policy; develop Enterprise Risk Management program Evaluate IT options/RFP

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
G) Continue staff development and training, and succession planning	Ancillary / High	COG, County, other small coastal cities	Pending retirements Flat organizational structure with limited resources	Ongoing	Continue cross-training and staff development Develop continuity/ succession planning
COMMUNITY SERVICES & LIBRARY					
A) Implement Parks, Recreation & Trails Master Plan	Primary / Medium-High	OCVA, State Parks	Limited General Fund	Ongoing	Completed grants for Lint Slough Trail & Waziyata Access; completed Disc Golf Course Continue seeking funds to build trails and connecting loop system Obtained "Open Space" from School District; evaluate use alternatives, including radio-control car course requested by RC club – hold discussion in April Acquire properties when and if available, if they help meet goas & objectives of the plan (e.g., Land & Sea, Isaak Walton) Develop maintenance plan Analyze, evaluate and prioritize options for new projects/programs that support Parks/Rec/Trails

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
B) Enhance library operations and programming	Primary / Medium-High		Limited General Fund Resources needed to accommodate growth (facilities and staffing)	Ongoing	Added programs for children and adults • Drop-in Computer assistance • Adult summer reading program • Teen Advisory Board STEM/Math grant allowed adding a radio control car club, chess club and math tutoring program. Grant provided funds for additional staff hours Grant provided two week-long youth summer camps (writers and RC cars) Adult craft class at capacity averaging around 30 people; active wait list (17) Increase staff hours to handle increase in grant-funded programming Analyze and evaluate program and space needs in preparation for new facility

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
C) Community Center	Ancillary / Medium	COG (Meals on Wheels)	Limited General Fund	6 months – 1 year	Calendar viewer now on city website Evaluate use policy & rates; building maintenance Enter into part-time contract for seasonal management, in addition to Wednesday Market; evaluate change from Wednesday to Tuesday Purchase identification sign (exterior wall), security cameras, tables & chairs
PLANNING & COMMUNITY DEVELOPMENT					
A) Prepare Transportation System Plan	Primary / High	ODOT	TSP Grant	1 year	TSP underway, to be completed in 2019
B) Define and identify problems and obstacles limiting workforce affordable housing, industrial and commercial development	Ancillary / Medium		County-wide coalition efforts	Ongoing	Participate in planning grant; deliverables and completion by June 30th
C) Identify and evaluate options and tools to facilitate workforce housing, industrial and commercial development and growth	Ancillary / Medium			Ongoing	Amend Development Code (see below)
Residential Building and Land Division Activity: Single Family (New) Single Family (Addition/Remodel) Multi-Family Land Division		2015 – 2018 4 + 8 + 7 + 8 = 27 9 + 6 + 16 +15 = 46 0 2 + 0 + 2 +1 = 5 (Skyline Terrace 6 lot PD; Crestview 38 lot PD; Fernwood 3 lot partition; Vista View 34 lot PD; Fernwood Ln 2 lot partition)			
D) Amend Development Code	Primary / High	Planning Commission		6 months	1st set of changes to City Council in March 2019 Planning Commission considering others, including possible ADUs

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
E) Participate in business and tourism support and marketing efforts	Ancillary / Low-Medium	Chamber of Commerce, County, Travel Oregon, OCVA	Coordinate and leverage marketing efforts Limited General Fund	Ongoing	Assess and budget contribution to Chamber and any requirements/ accounting for use of funds (Budget Committee) Assess and budget other annual contributions (Budget Committee) Work with OCVA/County
F) Incorporate public art in projects and the community	Ancillary / Low	LCSD, OCCC, local artists, "Waldport Arts Group" (WAG)		Ongoing	Oregon Coast Public Art Trail being developed
G) Develop infrastructure at industrial park	Ancillary / Medium	County, Economic Development Alliance, Business Oregon, Property Owners and Businesses	Water/sewer Transportation linkages to 101 Limited General Fund	Ongoing; 1 – 4 years	LEOF and SPWF grants secured/applied for to continue design and planning, outreach Submit application for Regionally Significant Industrial Site ("RSIS")
H) Identify and pursue viable industry clusters/sectors or businesses	Ancillary / Medium	EDALC/ Business Oregon/COG/ CWEDD	Locational/business considerations; in tandem with infrastructure development	Ongoing; 1 – 4 years	Work with County, EDALC, COG and Business Oregon Enhanced GIS with Cascades West Economic Development District
I) Implement and market Alsea Highway Scenic Byway	Ancillary / Low	COG	No State funding for improvements	Ongoing	Mary's Peak to Pacific Scenic Byway approved and adopted Work with other stakeholders on marketing
J) Analyze, evaluate and consider vacation rental dwelling regulations	Ancillary / Medium-High			6 months –1 year	Sent out requests for registration and new lodging tax notification Regs to be developed

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
PUBLIC WORKS, STREETS & UTILITIES					
A) Update Facilities Master Plans 1) Water Facilities 2) Wastewater Facilities 3) Stormwater Facilities	Core / High	State		12 months – 2 years	Draft Water Plan under review (90%) Wastewater Plan underway (20%)
B) Prepare inventory, assess and plan/program for future utility system infrastructure needs and demands (Asset Management) 1) Wastewater system 2) Water system 3) Street system 4) Equipment	Core / High	County, State		1 – 2 years	Complete McKinney Bridge water relocation Finish water tank litigation Prepare street inventory for maintaining and repairing county, state, city and private roads Identify water/sewer utility conflicts in ODOT rights-of-way; evaluate rights-of-way issues such as repaving county roads and ODOT utility relocations Replace water meters with USDA grant/loan program S-30624: Submit Water Management & Conservation Plan to OWRD by 9/29/2020 Evaluate and budget for/purchase digital speed monitoring signs in desired specific locations Repair Hwy 101 streetlights
URBAN RENEWAL					

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
A) Expend remaining Urban Renewal #1 funds	Primary / High		Needs to be downtown or old town area	6 months – 2 years	Façade improvement zero interest loan program adopted and discontinued due to lack of interest Contributed $10,000 for SBDC scholarships Effectuate spending remaining funds
B) Analyze and evaluate plans for sewer to industrial area	Primary / Medium	Urban Renewal #2		1 – 2 years	Legal review of utilizing UR#2 funds for sewer, other infrastructure
C) Amend Urban Renewal #2 or create Urban Renewal #3	Primary / Low to Medium	County, other taxing agencies	May add 20% to current plan, 25% to overall land in City	1 – 2 years	Options: A. Adopt minor amendment to UR#2 B. Adopt major amendment to UR#2 C. Adopt new project area
D) Prepare maps and engineering plans for street and sidewalk improvements along Crestline and Range Drives	Primary / Medium	County, Urban Renewal, LCSD	ROW width, utilities in ROW where walkway is located Safe Routes to School?	1 – 2 years	County graded and improved walking path on east side of Crestline Do in conjunction with new sewer line along Crestline 2018 SCA and SRTS grants applied for, did not receive. Next SRTS application 2 years; seek to improve "readiness" score: • Right-of-way • Utilities • Stormwater • Environmental • Public Process • Design

I) OVERALL GOAL STATEMENT	Classification / Priority	Partners	Constraints & Opportunities	Timeframe (from 2019)	UPDATE 2019 / OBJECTIVES
COMMUNITY RESILIENCY					
A) Continue purchasing and storing supplies and equipment	Ancillary / High	County, Fire District	Annual funding via matching County grant up to $2500	Ongoing	New grant applications submitted annually Update inventory
B) Train staff and conduct response exercises; public outreach and education	Ancillary / High	County, Fire District, LCSD, CERT	Use LCSD and FEMA resources	Ongoing	"Tsunami Walk"
C) Review Lincoln County Emergency Plan; prepare communications plan and standard operating procedures	Ancillary / High	Other agencies, businesses and non-profits, Lincoln County Amateur Radio Club		Ongoing	Purchased ham radios; city operator's licenses TBD Coordinate with County on streamlining and troubleshooting notification system and process Review County Plan with Emergency Operations

CITY COUNCIL MEETING – March 12, 2020

CITY MANAGER REPORT

1. Financial Report

Last month's summary is pending.

2. Lincoln County Sheriff

Last month's Sheriff's report is attached.

3. Waldport Wednesday Market

The Chamber of Commerce has asked about revenues and costs associated with the market. Excerpts from my email to Chamber rep: *We paid a contractor $500/month for 6 months, with April set up month and 5 months of active markets (May – Sept). We also were adding a facilities mgmt/event coordinator task for the Community Center as well, also for 6 months—this may still be an option moving forward. The market/vendors paid a fee, which is budgeted at $9000 in gross revenue. Building and site costs (utilities, insurance, supplies, repairs and maintenance, etc.) are within the overall budget and not allocated out. There is also a $2000 advertising budget, which may be used for other events not just the market. Hope this helps. Please let me know if you need more info or have questions.*

4. COVID-19 (Coronavirus)

Please see attached information from League of Oregon Cities and Lincoln County. LOC links below:

https://www.oregon.gov/oha/pages/index.aspx
https://www.orcities.org/resources/reference/coronavirus-resources

5. Izaak Walton League Donation

The Izaak Walton League Letter of Intent specified an exclusive negotiation period ending March 1, 2020. Unfortunately, I have been unable to put forth much effort on this matter, so I've requested an extension for 90 days, which should give us enough time to negotiate a donation agreement during the transitory period in city management.

OFFICE OF THE SHERIFF
Sheriff Curtis L. Landers
251 W. Olive Street
Newport, Oregon 97365
Records (541) 265-4912
Civil (541) 265-4915
General (541) 265-4277
Fax (541) 265-4917

MEMORANDUM

DATE: March 4, 2020

TO: Waldport City Council / Kerry Kemp, City Manager

FROM: Brian S. Cameron, Patrol Commander

RE: **WALDPORT NEWS BRIEF – February 2020**

SHERIFF OFFICE NEWS

Over the last several years the Sheriff's Office has explored different programs to help with the mental health crisis that affects so many in our community. The original vision was to establish a Mobile Crisis Team that would go into the field to assist subjects who were actively in crisis. This vision changed over time with the new goal of not waiting for a person to get into crisis before assistance was offered, but reach out preemptively and hopefully prevent the crisis from occurring in the first place. With this new vision, the Community Outreach and Mental Health Enhancement Team (COMHET) was born. COMHET, in its current form, is a partnership program with the Lincoln County Sheriff's Office and Lincoln County Health and Human Services, which is providing a qualified mental health professional and half-time case manager position.
Deputy Siscilee Gouge from the Sheriff's Office Patrol Division and Elizabeth Scott from Lincoln County HHS were selected to launch the COMHET program. The pair will provide crisis intervention and outreach services in hopes of reducing law enforcement contact and incarceration of individuals suffering from mental illness, preventing incidents before they occur, and to prevent the crisis incidents that do occur from escalating. Deputy Gouge and Ms. Scott's first step will be to reach out to other similar programs from around the state to help build a team that best fits Lincoln County's needs.

In February, the Sheriff's Office, with assistance from the Oregon State Sheriff's Association, began participating in the Oregon Car Care Program. The program helps individuals and families with improving the safety of their vehicles in an effort to increase the overall safety of the motoring public. The assistance is provided in the

form of a voucher provided by the deputy to a motorist who is observed with a minor equipment violation. The voucher is good for 20% off a purchase of $20 or more from participating retailers. Since the start of the program, Sheriff's Deputies have issued 37 vouchers to motorists with approximately eight of those being issued in Waldport.

CALLS FOR SERVICE

During the month of February, the City of Waldport represented **32%** of all Sheriff's Office activity in South Lincoln County, which is down from **43%** last month. Sheriff's Deputies responded to or initiated **201** calls for service in the City of Waldport, which resulted in nine **(9)** subjects being arrested on **18** criminal charges.

The arrests ranged from Theft in the 2nd Degree, Identity Theft, Forgery 2, Criminal Possession of a Forged Instrument, Negotiating a Bad Check, Driving Under the Influence of Intoxicants, Unlawful Possess or Attempt to Purchase Under 21, and warrant arrests.

TRAFFIC ENFORCEMENT

The City of Waldport requests traffic offenses, which occur inside the city limits, be issued into Waldport Municipal Court. There were **74** traffic stops, resulting in **18** citations and **56** warnings, which is up from **11** citations the previous month. A sample of some of the citation's issued included several driving while suspended, no operator license, fail to carry proof of insurance, failure to renew registration, failure to wear motorcycle helmet, failure to install IDD and two arrests for Driving Under the Influence of Intoxicants. I reviewed the locations where the citations were issued and noted most occurred on Highway 101 at various cross streets, Hwy 34 at various cross streets, S. Crestline Drive, Hemlock at SW Cedar Street and Hemlock at Broadway Street.

TRENDS AND NOTABLE EVENTS

To identify trends each month I use a combination of statistical information and firsthand knowledge from the deputies and supervisors working in Waldport and South Lincoln County.

The crime definition of the month is **Negotiating a bad check**. "A person commits the crime of negotiating a bad check if the person makes, draws or utters a check or similar sight order for the payment of money, knowing that it will not be honored by the drawee." This crime generally occurs when the suspect writes a check on a closed bank account or utters a stolen check, which results in other crimes such as Forgery and Identity Theft. This crime used to be much more prevalent than it is today. Before the increased use of debit and credit cards for most business transactions, negotiating a bad check calls were routine for our patrol deputies. In addition to more businesses having quality surveillance equipment and good business practices such as checking identification, this call has been increasingly harder for criminals to take advantage of.

On February 6, 2020, Deputy Taylor Jernigan was at the Waldport sub-station when he was contacted by a citizen who owns a Waldport business. The citizen reported he received a check for rental space from a female subject who signed the check in his presence as one of the account holders. The business owner had suspicions that the check had been forged and felt he knew the actual identity of the suspect. Deputy Jernigan noted in his report that the check was written on a Bank of Newport account and that he was aware that bank was no longer in business. Deputy Jernigan used a variety of law enforcement tools in attempts to locate the account holders, but ultimately determined the female subject was most likely deceased. Deputy Jernigan completed a probable cause affidavit for the suspects arrest after he was unable to locate her (probable cause in law enforcement means it is more like then not, based on the evidence, that the suspect committed the crime).

On February 8, 2020, Deputy Anthony Rose located the suspect from Deputy Jernigan's case at a home east of Waldport, and after interviewing her she was placed in custody. Deputy Rose noted in his report that the suspect was handcuffed in the front of her body and she was seated in the back of his patrol car. He stepped away briefly to touch basis with the boyfriend of the suspect and upon returning to his car, discovered the suspect was attempting to hang herself with the seatbelt. Deputy Rose immediately provided care to the suspect and called for paramedic assistance. The suspect was transported to the hospital where she was later medically cleared to be booked into the Lincoln County Jail. She was charged with **negotiating a bad check,** identity theft, criminal possession of a forged instrument and forgery in the second degree.

On February 13, 2020, at 6:10 pm, Deputy Anthony Rose was dispatched to a reported fight between two male subjects near the Dollar General store in Waldport. Deputy Rose arrived a short time later and located a suspect matching the description of one of the suspects. Deputy Rose observed the suspect duck behind a parked vehicle and then take off running across the street. Deputy Rose commanded the suspect to stop, which he did. Deputy Rose detained the suspect in handcuffs while he conducted his investigation. The suspect later admitted he thought he had warrants and that's why he ran from Deputy Rose (it turns out the suspect did not have warrants). Deputy Rose also located a subject who match the description of the second suspect. Deputy Rose checked for video surveillance of the event and checked with numerous citizens in the area but did not locate any witnesses to the fight. Deputy Rose followed up with the original caller who identified the suspects he had detained as the two involved in the fight, but with no evidence of injury and only one call on the event, Deputy Rose chose to let the suspect leave the area with a warning.

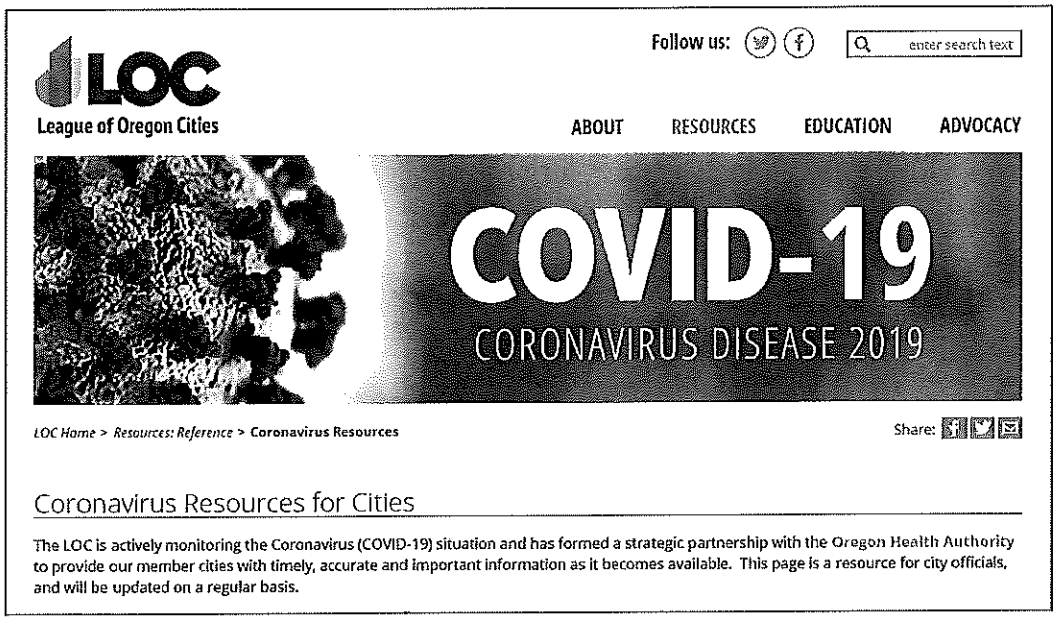
Have a great March!

Kerry Kemp

From: League of Oregon Cities <leagueoforegoncities@orcities.org>
Sent: Wednesday, March 04, 2020 3:58 PM
To: Kerry Kemp
Subject: New Resource: LOC Launches Coronavirus Resource Webpage

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

LOC Launches Dedicated Web Page for Coronavirus Resources for Cities



As part of the LOC's ongoing effort to keep its member cities informed about the COVID-19 situation, while supporting the response efforts by the Oregon Health Authority and the governor's office, we have launched a dedicated resource page on our web site.

This page includes the latest information from the Oregon Health Authority and the U.S. Centers for Disease Control, as well as emergency preparedness resources. Links are also included to guidance from LOC partners, including CIS (CityCounty Insurance Services) and the National League of Cities.

In addition, cities can also submit questions to the LOC, and our staff will work to connect you with resources for more information.

Finally, as new content is added to the page, we will provide alerts either through direct emails or in our Friday e-newsletter, the *LOC Bulletin*.

Our focus is on the safety and wellbeing of our cities, and as such we will keep our members informed on developments related to the COVID-19 situation as they happen.

Here are LOC's two primary staff contacts on Coronavirus:

Mike Cully, Executive Director: mcully@orcities.org
Kevin Toon, Communications Director: ktoon@orcities.org

This email was sent to kerry.kemp@waldport.org
why did I get this? unsubscribe from this list update subscription preferences
League of Oregon Cities · 1201 Court St NE Ste 200 · Salem, OR 97301-4194 · USA

Total Control Panel Login
To: kerry.kemp@waldport.org
From: bounce-mc.us17_88086257.967100-803692f838@mail238.atl121.mcsv.net
Message Score: 54
My Spam Blocking Level: Low
High (60): Pass
Medium (75): Pass
Low (90): Pass
Block this sender
Block mail238.atl121.mcsv.net
This message was delivered because the content filter score did not exceed your filter level.

Kerry Kemp

From:	Virginia Demaris <vdemaris@co.lincoln.or.us>
Sent:	Thursday, February 27, 2020 4:55 PM
Subject:	Fwd: LCPH - COVID-19 (Coronavirus) Update
Attachments:	02.27.20+-+Media+Release+COVID-19+PH+Update.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find the latest media release sent out today from Lincoln County Public Health.

If you have not checked out their new COVID-19 (Coronavirus) webpage please do - you can also link your agency website to this location for a one stop, local, state, federal information link.

Lincoln County Public Health COVID-19 Website: https://www.co.lincoln.or.us/hhs/page/2019-novel-coronavirus

~Jen

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

---------- Forwarded message ---------
From: **Lincoln County Notifications - Public Safety** <noreply@everbridge.net>
Date: Thu, Feb 27, 2020 at 4:50 PM
Subject: LCPH - COVID-19 (Coronavirus) Update
To: vdemaris@co.lincoln.or.us <vdemaris@co.lincoln.or.us>

Email communication for the Cooperator and Public Safety groups of Lincoln County, Oregon (Lincoln Alerts).

Please see the attached media release and information resources from Lincoln County Health and Human Services – Public Health regarding COVID-19 (coronavirus).

Lincoln County Health & Human Services

Communicable Diseases Clinic
36 SW Nye ST
Newport, Oregon 97365
Telephone: (541) 265-0404
Fax: (541) 265-4191

If you have received this notification in error, please reply to: vdemaris@co.lincoln.or.us

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Total Control Panel Login

To: kerry.kemp@waldport.org Remove this sender from my allow list
From: vdemaris@co.lincoln.or.us

You received this message because the sender is on your allow list.

Public Health
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Lincoln County

Lincoln County Health & Human Services
Communicable Diseases Clinic
36 SW Nye ST
Newport, Oregon 97365

Telephone: (541) 265-0404
Fax: (541) 265-4191

Lincoln County Emergency Notification Message

Date, Time:	02/27/2020	**Notification Authorized by:**	Rebecca Austen, Health Department Director

Notification Type:	
X	Informational
	Info - Urgent
	Response Req.
Distribution Via:	
X	Email
X	Fax
	Telephone

Notification Distributed To:					
	Adult Foster Homes	X	Hospitals	X	PIOs
	Asst. Living Facilities	X	Hospitals IC/Lab	X	School Health Ctrs
	County BOC/Legal	X	Home Health/Hospice	X	Skilled Nursing Fac.
X	Daycare Providers	X	Mortuary Services		State: OHA Liaison
X	Dental Providers	X	Pharmacies	X	Veterinarians
X	EMS/Ambulance	X	Primary Care Providers		Other:
	HHS Staff/Co. EM	X	Public Safety Partners		

Please see the attached media release and information resources from Lincoln County Health and Human Services – Public Health regarding COVID-19 (coronavirus).

If you would like to receive these messages via email in addition to fax please forward your contact information to Samantha Buckley, Assistant Emergency Manager, sbuckley@co.lincoln.or.us

CONFIDENTIAL
Information has been disclosed to you from our records whose confidentiality is protected by State and Federal Statures (42CFR PART2, ORS 192.500, ORS 179.505). You are prohibited from making any further disclosure of this information without the specific consent of the person to whom it pertains, or as otherwise permitted by these laws and regulations. A General Authorization of the release of medical information or other information is NOT sufficient for this purpose

Lincoln County

Health and Human Services
Public Health
36 SW Nye Street (Mail)
255 SW Coast Hwy Ste 203A
Newport, Oregon 97365
Telephone: (541) 265-4112
Fax: (541) 265-4191

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Date: February 27, 2020
Contact person: Rebecca Austen, Health Department Director
rausten@co.lincoln.or.us

FOR IMMEDIATE RELEASE

Lincoln County Public Health continues to monitor COVID-19

Low risk to Lincoln County residents

NEWPORT, Ore. –

Lincoln County Public Health, in close coordination with the Oregon Health Authority Public Health Division, Lincoln County Emergency Management, Lincoln County Board of Commissioner's office and a wide range of local health and medical organizations, has been closely monitoring the emergence of COVID-19 (also known as 2019-n-CoV novel coronavirus) since December 2019.

As of February 27, 2020, Oregon Health Authority (OHA) reports there are no COVID-19 cases in Oregon. If an Oregon case is identified, Lincoln County Public Health will provide additional information and guidance. At this time, the **Centers for Disease Control & Prevention (CDC) has advised that your best protection is following standard cold and flu prevention measures** as described below.

The information line 211 has been activated for general coronavirus questions. You can dial "211" on your telephone or go to the website 211.org. To assist in sharing current information, we have also launched a new County website linking local information to State and Federal resources. We will also share updates on our Public Health Facebook and Twitter pages.

Our local partners include Samaritan Health Services, Lincoln Community Health Center, Fire and Response services, ambulance services, Lincoln County Emergency Management at the Lincoln County Sheriff's Office, area municipal governments, and local medical clinics.

Lincoln County Public Health and the CDC recommend everyday preventive actions to help prevent the spread of respiratory viruses, including:

- Wash your hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer that contains at least 60% alcohol if soap and water are not available.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Avoid close contact with people who are sick.
- Stay home when you are sick.
- Cover your mouth with your upper arm or tissue when coughing or sneezing.
- Clean and disinfect frequently touched objects and surfaces.

CDC does not recommend face masks for the general public.

For more information on COVID-19 (also known as 2019 novel coronavirus 2019-nCoV), please see the resources below:

- Lincoln County COVID-19 update page https://www.co.lincoln.or.us/hhs/page/2019-novel-coronavirus
- OHA Emerging Respiratory Disease page: www.healthoregon.org/coronavirus
- CDC 2019-nCoV page: https://www.cdc.gov/coronavirus/2019-ncov/index.html
- CDC travel notice: https://wwwnc.cdc.gov/travel/notices/alert/novel-coronavirus-china
- World Health Organization (WHO) page: https://www.who.int/westernpacific/emergencies/novel-coronavirus
- Lincoln County Public Health Facebook: https://www.facebook.com/LincolnPublicHealth/
- Lincoln County Public Health Twitter: https://twitter.com/LCPH_OR

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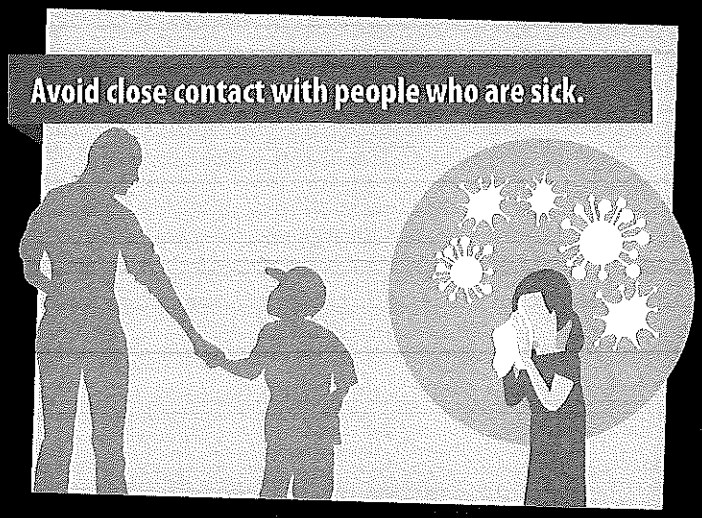
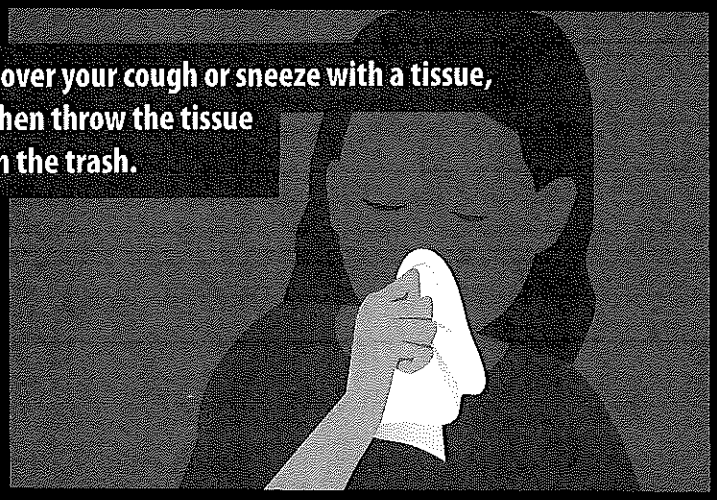
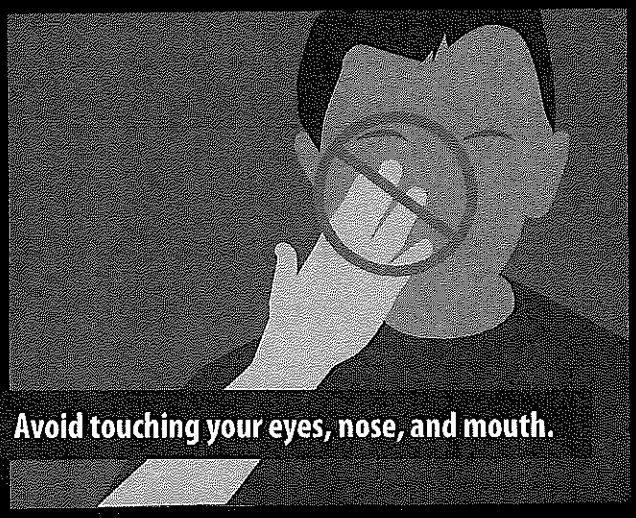
COVID 19
CORONAVIRUS DISEASE

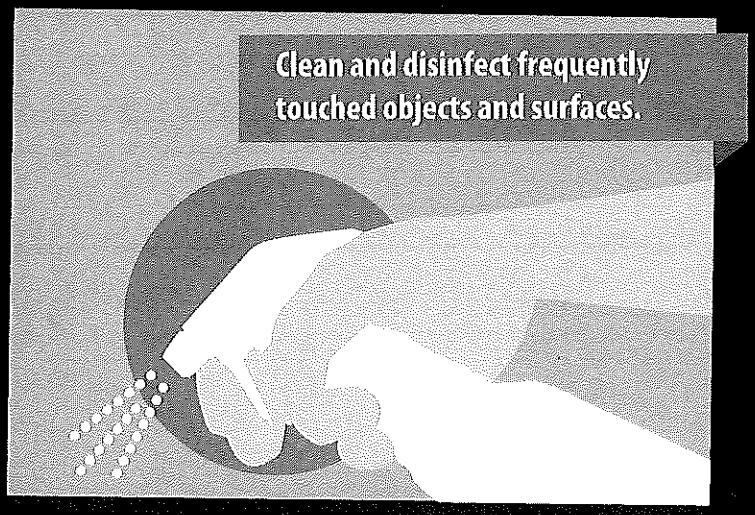
STOP THE SPREAD OF GERMS

Help prevent the spread of respiratory diseases like COVID-19.









CDC

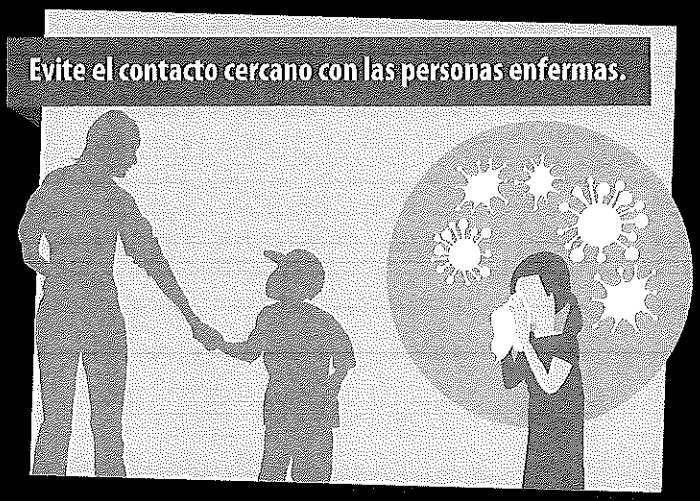
For more information: www.cdc.gov/COVID19

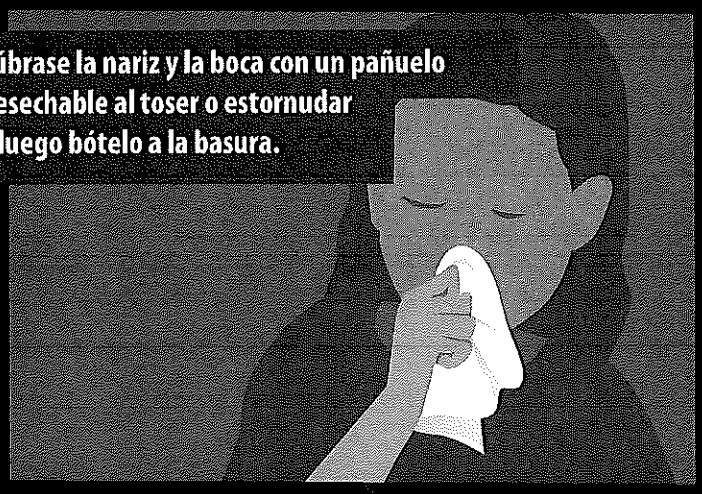
CS314915-A

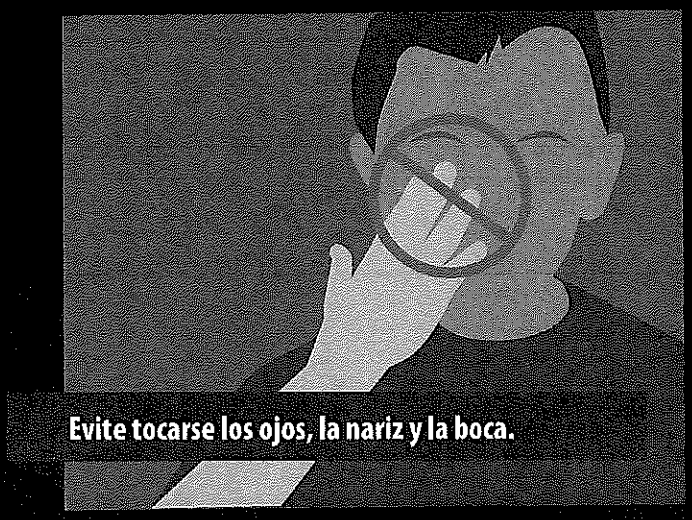
COVID 19
ENFERMEDAD DEL CORONAVIRUS

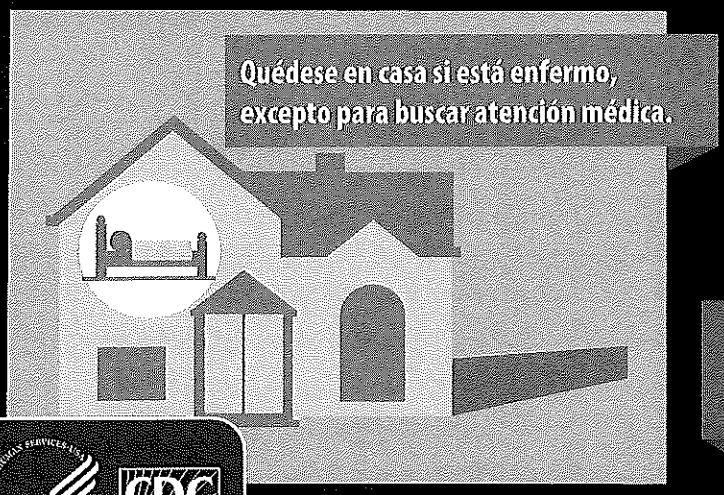
DETENGA LA PROPAGACIÓN DE LOS MICROBIOS

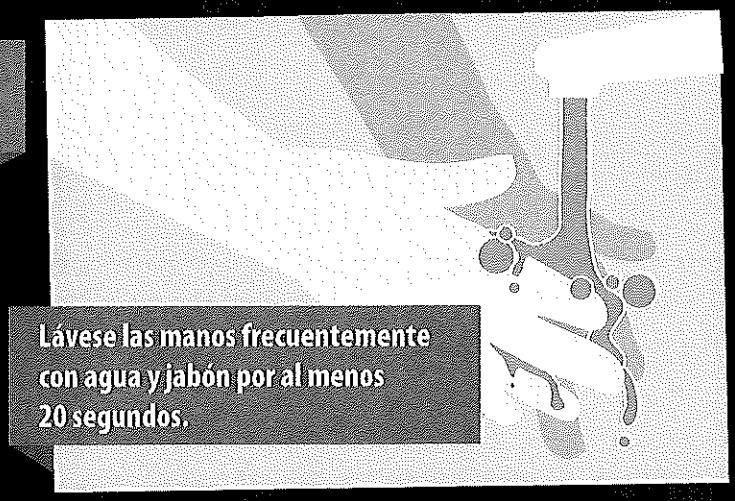
Ayude a prevenir la propagación de virus respiratorios como el nuevo COVID-19.











Para obtener más información: www.cdc.gov/COVID19-es

CS314915-B

COVID – 19 Preparedness

Business Continuity Planning Tool

Prepared on 03/03/20
Prepared for Lincoln County Cooperators

PREVENTION-PROTECTION-MITIGATION-RESPONSE-RECOVERY

Lincoln County, Oregon

PUBLIC HEALTH

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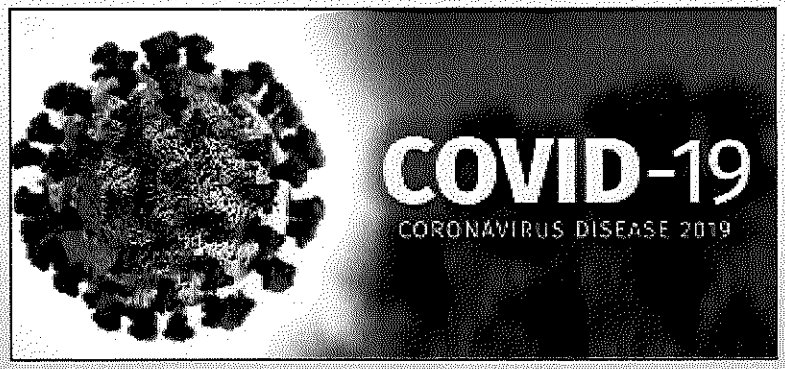
The Need for Preparedness

Lincoln County along with other Oregon counties are responding to a respiratory disease outbreak caused by a novel (new) coronavirus first detected in China and now detected in the United States.

In late February, the first COVID-19 case in Oregon was reported. The Oregon Health Authority provides weekly updates of state and regional information related to this response on their public website. This virus is not currently spreading widely in Oregon; however, it is important to note that per the CDC, current global circumstances suggest it is likely that this virus will continue to spread.



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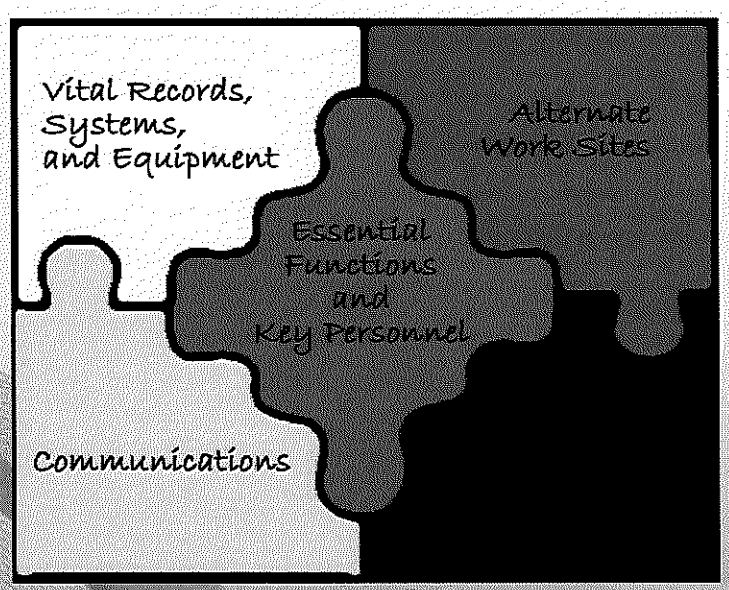
Using this Presentation



The purpose of this presentation is to provide questions and talking points to help prepare your agency/department for any impacts that may affect your daily operations. The impacts may be through staff attrition due to their illness or their need to stay home to take care of their family members. It may also be due to the limitation of needed supplies and resources to continue services.

Please consider each slide carefully and be sure to reference any Continuity of Operations Plans that your agency/department/business has already in place.

At the end of this presentation consider changes to your existing COOP so that it is strengthened for any future interruption that may affect your ability to deliver services.

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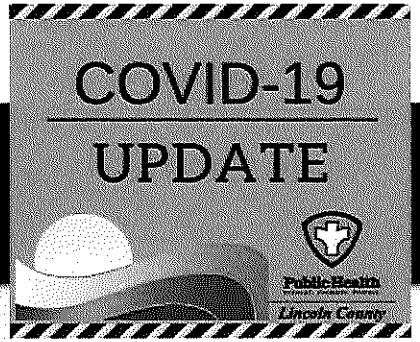
Stay Informed



Consider current or additional processes needed to stay apprised of changing conditions or information.

- Set a **specific day or time to check** reputable sources for current information.
- **Assign specific staff members** to monitor source information.
- **Subscribe to sources** that can automate updates.
- **Establish frequency and process** to keep your staff, clients or contacts apprised of new information.
- **Assess and monitor state/federal agencies** that provide guidance or policy on the services you provide – depending on the situation they may change frequently.

- Lincoln County Public Health – COVID-19
- Oregon Health Authority – COVID-19
  - Subscribe to OHA for daily email updates
- Centers for Disease Control and Protection
- General Public Questions re COVID-19
  - Call 211 or https://www.211info.org/

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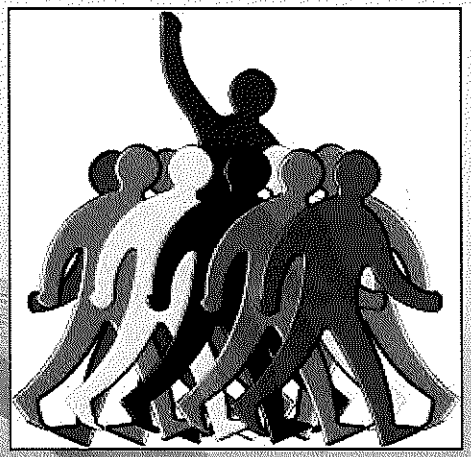
Lincoln County

Essential Functions & Key Personnel



Each business and agency should carefully consider how it might curtail operations in the event of an outbreak while sustaining their mission.

- Is your agency/department **legally mandated** to provide services?
- Do you have **grant obligations** to meet certain deadlines? Can extensions be requested, or deliverables modified?
- Is your agency/department **required to maintain** systems management, can maintenance be deferred to a later date?
- What are your **Human Resource requirements or limitations** (time off banks, work from home policies, union contracts)?
- What **required functions** must be performed according to a fixed schedule (budget, payroll)?
- Are there **key positions** to consider for which you currently have no succession planning in place?

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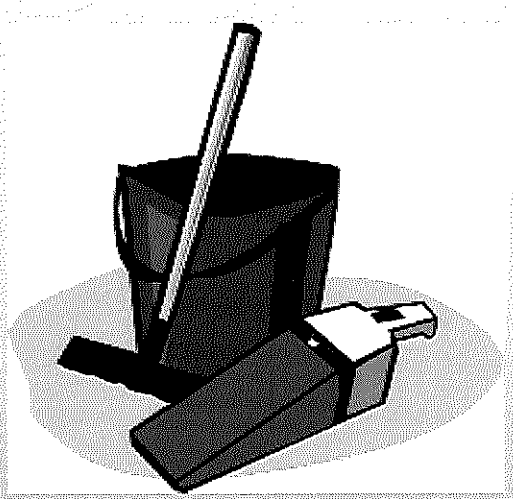
Resource Assessment - Supplies

The outbreak may impact the supply chain denying your agency/department the materials necessary to meet daily operations.

- **Conservation** - Can you do the same with less? Should you implement a conservation plan?
- **Alternatives** - Can you identify other sources of supplies, or alternatives to your usual materials that may be easier to obtain?
- **Stockpiles** – Do you have the supplies you need to operate without the possibility of re-supply for some time? What supplies need to be stockpiled if possible?



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Resource Assessment - Staff

The COVID-19 outbreak may cause attrition of your staff as the virus spreads through the community and causes illness. Your agency/department may consider:

- **Leadership line of succession considerations.** Who is next in line to lead if you or your key staff are not available.
- **Cross-training** for anticipated absences.
- **Alternate staffing patterns**. Can your department implement reduced hours or change shift hours? What are your minimum staffing levels?
- **Just-in-Time training.** Are there functions that can be performed by temporary staff, or staffing from another department, with minimal supervision and training?
- **Additional PPE requirements** (fit testing, resources, training).
- **Telecommuting.** What documents and applications will your staff need to access to continue work from home in the event they are requested to quarantine themselves. Are they prepared for 14 days?

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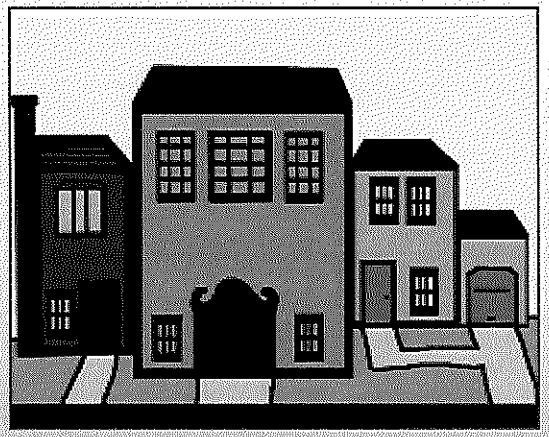
Sheltering-in-Place/Telecommuting

Providing telecommuting opportunities might create staffing solutions in some work environments, particularly for employees who have been directed to quarantine themselves for 14 days or take care of family members. In such cases, the precaution may include asymptomatic persons who are able to perform job functions, but not at the workplace.

Some of the same shelter-in-place guidance for hazardous materials applies to these situations:

- Food, water and **supplies for all persons** in the home for **14** days.
- **Redundant methods of communications** (radio, phone, computer).
- If you have **pets at home**, plan for them too.
- **Stay informed** with reputable sources and maintain **communications with your employer.**
- **Work-related access** to supplies, documentation & applications.



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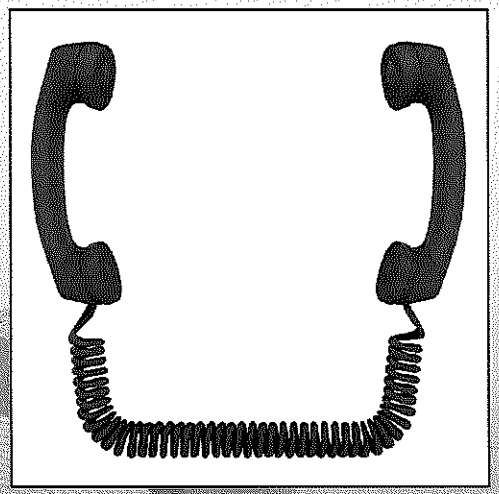
Lincoln County

Communications



Use multiple technology platforms in order to successfully maintain operations.

- With reduced staff how will you **bridge communication gaps** if key personnel are not available? Do you have conference call ability?
- **What methods** will you use to communicate with staff that may be working from multiple different locations (home, office, alternate facility) simultaneously?
- How will you conduct regularly scheduled or legally required meetings (staff, councils)? How will they meet? Are they allowed to use web, Facetime, etc.?
- How will directors/managers/supervisors **maintain span of control** over diverse working locations and alternate schedules?
- What methods will you use for **emergency communications** with your clients, customers, vendors or policy groups?
- Will your staff or yourself have **access to digital files** on agency servers?

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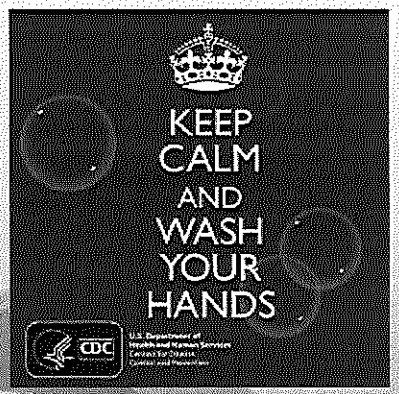
Communications – Notifications

What processes are you using to notify your employees, clients, customers or visitors of precautions they should take and how to care for their physical and emotional well being?



- **Reduce stigma and marginalization** – agency leadership should promote calmness and access to appropriate information – all demographics and socio-economic cultural, religious and ethnic backgrounds are affected.
- Provide **guidance on self monitoring** and **self-care** (physical and emotional support).
- **Post signs** at building front entrances (in color), in bathrooms, breakrooms.
- **Email digital information** (new information, policy changes) as appropriate on regular schedule that is not overwhelming.
- **Provide a printed copy**, as appropriate for situations that may affect the employee direct job functions.
- **Provide hand sanitizer** at additional locations, **check soap dispensers** and tissue boxes frequently.

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Financial Considerations

- Would you qualify for **reimbursement** for declared disasters and/or are you **insured for business loss?** Here are considerations for either situation:
  - Documentation of who is assisting you (paid time, overtime or volunteer time).
  - Documentation of activated mutual aid agreements or pre negotiated emergency contracts.
  - Documentation of any emergency purchases to meet your business needs.
- Do you have a **contingency fund**? Do you have an administrative policy or ordinance that needs to be invoked to access your contingency funds?
- Are key staff required for **specific fiscal responsibilities** (payroll, deposits, procurement, accounts payable, contract approvals)?

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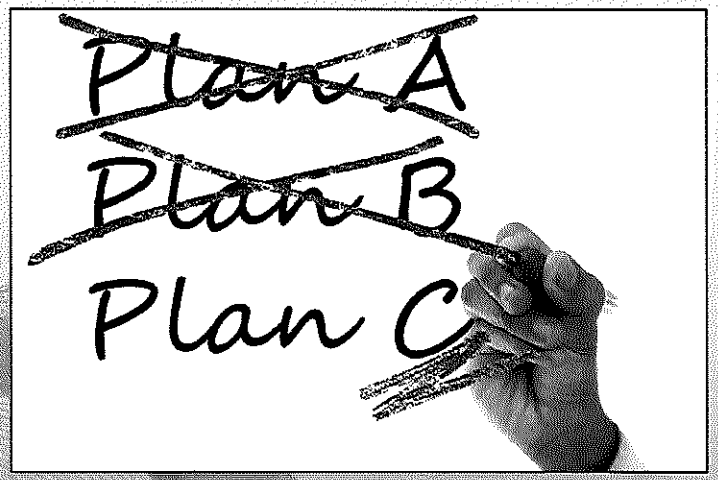
Lincoln County

Alternate Plans Assessment

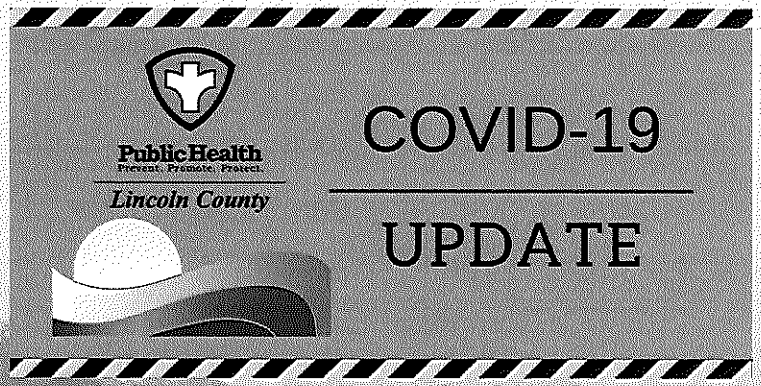


Are there alternate plans you need to consider to maintain continuity? Some you may develop as the event unfolds while others may already be in your contingency plans. Some examples include:

- **Increasing travel restrictions** due to limited staffing or heightened transmission concerns.
- **Consideration of cancelling** or postponing activities (due to staffing, limited supplies or decrease in revenue).
- Applying or adding **disinfecting practices** (frequency, product type or scope of area).
- Activating **conservation and optimization** strategies for personnel and supplies.

Public Health
Lincoln County

Contact Us



Lincoln County Public Health Cooperator Liaisons:

Samantha Buckley, Assistant Emergency Manager
541-265-0657, sbuckley@co.lincoln.or.us

Jenny Demaris, Emergency Manager
541-265-4199, vdemaris@co.Lincoln.or.us

Lincoln County Public Health COVID-19 Resources:
https://www.co.lincoln.or.us/hhs/page/2019-novel-coronavirus

Public Works Department

Report for the month of February 2019

Water Treatment Plant

Plant Production:	7.73	MG
Rainfall:	9.6	inches

Wastewater Treatment Facility

Effluent Flow:	9.52	MG
Rainfall:	8.8	Inches

Department Overview

During the month of February, the Public Works Department has been committed to providing safe and reliable public services its citizens. Our department consists of water treatment, water distribution, wastewater treatment, wastewater collections, streets, and storm water. We also assist with parks maintenance, building maintence, and other related needs of the city. Our current staff consists of eight full time staff members and one temporary staff member provided by BBSI in Newport.

Our projects during the month of February consisted of:

- Operating Treatment plants
- Continuing with our asset management program (IWORQS)
- Installed 20 meters
- Brought the Range drive culvert up to ditch level
- Fixed water break
- Grinder vault testing
- Started our spring cleaning of streets and right of ways
- Anything else that arose

Other than the above projects, we also maintained equipment, organized the shop, and performed as many other normal duties as possible included in our department description.

Waldport Public Library
Board of Trustees
Minutes of Regular Meeting January 14, 2020

Members Present:
Brian Fodness, Chair
Jed Hansen
Kevin Quill

Others Present:
Sue Bennett, Library Director

Members Absent:
Gary Hodges
George Sisikin

Call to order, introductions & review of agenda: Brian Fodness, Chair, called the meeting to order at 9:37 a.m.

Public Comment: None.

Minutes: Mr. Hansen moved and Mr. Quill seconded that the minutes from the December meeting be approved. Minutes were unanimously approved.

Financial Report: The financial report for December 30, 2019 reported.

Committee Reports: The Friends of the Waldport Library minutes. - none

Teen Advisory Board (TAB) minutes. - none

Director's Report: Ms. Bennett provided a review of the programs and future programs for the youth and adults. Programs continue to be well attended.

Old Business:

New Business: Election of the Vice Chair. Brian nominated Jed Hansen and Kevin Quill 2nd. Passed unanimously

Lincoln County Library District Update: Distribution of District will happen later in the month. Budget planning is beginning. All audits are now up to date.zf

Board Members concerns: Kevin Quill would like to see a program instructing folks on using Facebook.

Actions or Recommendations to the City Council: No reports to City Council

Announcements: None

Next Regular Meeting: February 11, 2020 at 9:30 a.m.

Adjournment: Mr. Fodness adjourned the meeting at 10:38 a.m.

Director's Report
March 2020

Programs

February Programs

Regularly scheduled adult programs. The craft program continues to be very popular with the next month's class filling up a month before it is scheduled.

Sandy Mazen spoke about his new book Kiyonuk: An Arctic Alaskan Boyhood. We had 8 people in attendance.

The library celebrated our patrons on February 14 with coffee and cookies as patron appreciation day. Several people stopped by and were very appreciative of the gesture.

Lincoln County Health Services came and presented a prevention/problems with gambling, drugs, and tobacco. It was not well attended.

The library celebrated World Read Aloud Day during the two story times and Sharon McCrum visited several classes at Crestview to Read to the classes. MaryKay Dahlgreen, District Director, came to our Wednesday story time and read to the kids. Riley the reading dog was also here for the kids to read to her.

The Young Writer's competition has started and the deadline is March 31.

The TAB group held a Wii game and pizza night that had 13 teens attending. This may become a regular event held every few months.

RC Car club is held twice a month and continues to average approximately

March Programs

March we moved our Hands on Thursday to Tuesdays at 3:30 in hopes to attract more kids after school. We will try this time for a month and evaluate the program to see whether to continue the time. Thursdays will hold a pre-K story time.

Facebook 101 is scheduled for Tuesday, March 31, at 2:00 pm

We also have an author talk, Paul Haeder, who will talk about his book, "Wide Open Eyes: Surfacing from Vietnam".

Future Programs

March we will schedule Facebook 101 and an author presentation.

Usage Statistics

Average about the same as previous years except in attendance of the programs. Our program attendance continues to grow. We are excited to see the level of participation.

Miscellaneous

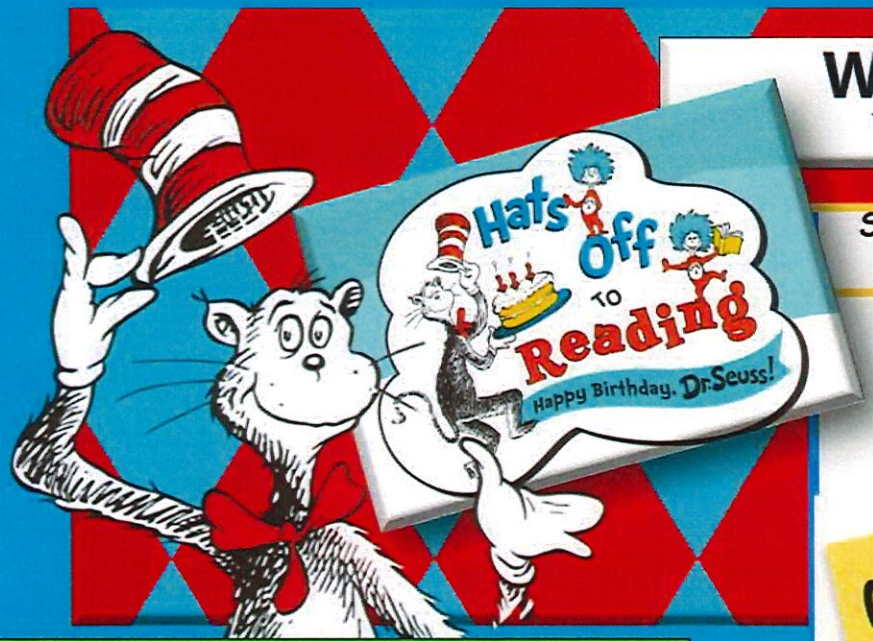
Penny Hummel, Space Planner Consultant, will meet with Ms Bennett and Kerry Kemp on March 24 to go over the draft of the report. Ms Hummel will present the report to the City Council in April.

The library is taking steps to help prevent the spread of the virus by wiping down surfaces on a daily basis and more often if needed.

Waldport Public Library

Monthly Circulation FY 2019-20

Patron Category	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	TOTAL
LCLD-Adult	3281	3,005	2,489	2,894	2,831	2,753	2748	2,711					22,712
LCLD-Youth	158	56	23	22	57	25	77	47					465
Waldport Adult	1,891	1,923	1,741	1,785	1,737	2,079	1963	1,780					14,899
Waldport Youth	80	40	52	24	19	30	51	51					347
CITIES (Adult & Juv)	8	0	0	2	24	8	1	0					43
Temporary 1 yr	2	9	11	17	17	13	18	12					99
Temporary	68	61	55	16	13	5	0	13					231
OCCC	2	0	0	4	0	0	4	0					10
Oregon Passport	90	147	154	95	116	128	109	115					954
Interlibrary loan out	64	63	57	69	76	77	54	60					520
Chinook Circ	5,644	5,304	4,582	4,928	4,890	5,118	5,025	4,789	0	0	0	0	40,280
FY2019	5,159	5,368	4,832	5,552	4,888	5,179	4,888	4,829	5,309	5,059	4,711	4,958	60,732
% circ in public lib	53%	50%	49%	52%	50%	52%	49%	48%					
Library2Go *	398	428	391	420	390	451	416	457					3,351
GRAND TOTAL	**6,042**	**5,732**	**4,973**	**5,348**	**5,280**	**5,569**	**5,441**	**5,246**	**0**	**0**	**0**	**0**	**43,631**
FY2019	**5,463**	**5,704**	**5,146**	**5,908**	**5,233**	**5,498**	**5,234**	**5,124**	**5,635**	**5,443**	**5,027**	**5,327**	**64,742**
Interlibrary loan In	49	52	34	54	48	59	59	40					395
Computers	1,164	1,042	868	884	812	668	853	820					7111
WiFi	1647	1374	927	1077	845	711	912	1079					8572
Patrons added	50	30	34	36	26	32	39	29					276
Webpage Visits*	573	469	381	370	408	376	400	382					3359
Program attendance	1112	962	270	530	459	636	443	357					4769
Program attendance FY2019	1030	592	203	498	321	681	319	464	646	472	285	977	6488



Waldport Library Youth Events March 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 Dr. Seuss Birthday Party 3:30-4:30	4 Baby StoryTime Seuss! 10 a.m.	5 Just Books Seuss! 10 a.m.	6 Legos & Math Games--3-5 p.m.	7
8	9	10 Hands-on Tuesday Herbs & Journals 3:30-4:30	11 Baby StoryTime Planting Herbs 10-11 a.m.	12 On the Road! Library Outreach Visits 8:30-11:30 a.m.	13 Legos & Math Games--3-5 p.m.	14 TEEN Magic/Tu-Gi-Oh Club--1 p.m. Ask for Liam
15	16	17 Hands-on Tuesday Seed-Share-Plant 3:30-4:30	18 Baby StoryTime Songs of Spring 10-11 a.m.	19 On the Road! Library Outreach Visits 8:30-11:30 a.m.	20 TAB-3:45 Legos & Math Games--3-5 p.m.	21
22 Spring Break!	23 Express Yourself Face Painting/ Henna TEENS 12 to 2 PM	24 Express Yourself Sharpies/ Watercolor/ Colored Pencil 11 to 4 PM	25 EXPRESS YOURSELF Babies to Toddlers Indoor Playground 10 to 11:30 am	26 EXPRESS YOURSELF Board Games Magic Cards Pokemon Yu Gi Oh TEENS 1 to 5 PM	27 EXPRESS YOURSELF LEGOS Design 4 Display 2 to 5 PM	28 TEEN Magic/Tu-Gi-Oh Club--1 p.m. Ask for Liam
29	30	31 Hands-on Tuesday Nature Sketchbooks 3:30-4:30				

Change

Spring Break Fun! EXPRESS YOURSELF

Five days of fun events for kids and teens.

Monday, March 23 - Friday, March 27, 2020

On the Road! Library Outreach Visits w/Sharon McCrum. Call to schedule a "class" visit. 8:30-11:30 a.m.

RC DRIFTERS CLUB
Remote Control Cars
3 p.m.--1st and 3rd Wednesdays

Mondays
Chess Club
3:30

Waldport Library Adult Events March 2020

—Tues., Mar. 3, 6:30-8 p.m.—Waldport Library Knitting & Fiber Group. Contact Laura Mayer, 541 867-4920, *laumays513@gmail.com*

—Sat., Mar. 7, 11 a.m.—The Pollinators. *Interested in learning how to help our world through helping bees? Join The Pollinators.*

—Tues., Mar. 10, 9:30 a.m.—Waldport Public Library Advisory Board Meeting.

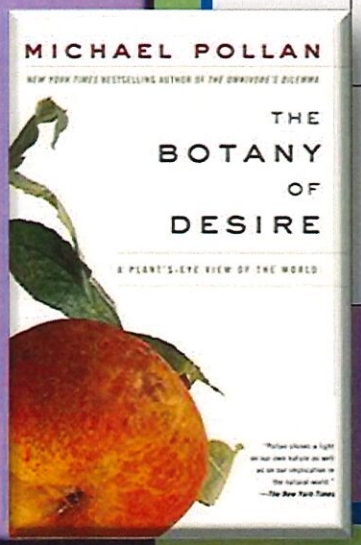
—Thurs., Mar. 19, 2 p.m.—Friends of the Waldport Public Library Board Meeting.

—Sat., Mar. 21, 2 p.m.—Author Talk. "Wide Open Eyes: Surfacing from Vietnam" by Paul Haeder.

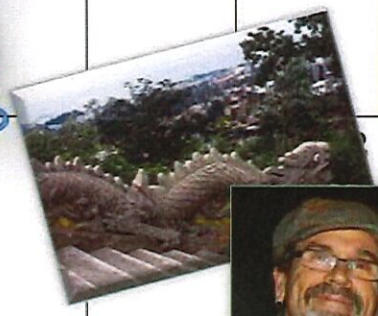
—Thurs., Mar. 26, 5-7 p.m.—Adult Craft Night: Herb Planting & Journaling w/Farrah Bales.

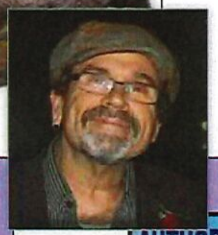
—Mon., Mar. 30, 10:30 a.m.—Waldport Library Book Club. "The Botany of Desire," by Michael Pollan.

—Tues., Mar., 2 p.m.—FACEBOOK 101 w/Sue Bennett.



Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 Knit & Fiber Arts Group 6:30 p.m.	4	5	6	7 The Pollinators 11 a.m.
8	9	10 Waldport Public Library Advisory Board Meeting. 9:30 a.m.				14
15	16	17	18	19 Friends of the Waldport Public Library Board Mtg 2 p.m.		21 AUTHOR TALK Paul Haeder 2 p.m.
	23	24	25	26 Adult Craft Night: Herb Planting & Journaling w/Farrah Bales 5 to 7 p.m.		28
	30 Waldport Library Book Club 10:30 a.m.	31 101 w/Sue Bennett 2 p.m.				





"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 -

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March 2, 1920

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

The minutes of last meeting were read and approved.

The following bills were presented and ordered paid:

Morris Hallmark Co. for merchandise	$ 4.05
E.L. Sphar, Marshalls salary for February	$10.00

C.M. Starr was nominated for Mayor. Motion by Banta, seconded by Knowles, voted by roll call: Banta - yes; Knowles - yes; Vaughn - yes; Durbin - yes. Mr. Starr was declared elected and sworn in by Judge Linton.

T. Ward was named for Councilman. Motion by Durbin, seconded by Banta, voted by roll call: Banta - yes; Durbin - yes; Vaughn - yes; Knowles - yes. Mr. Ward was declared elected. Sworn in by Judge Linton.

Frank Atwood was named as Recorder. Motion by Vaughn, seconded by Banta, voted by roll call: Banta - yes; Knowles - yes; Durbin - yes; Ward - yes; Vaughn - yes. Atwood declared elected and sworn in by Judge Linton.

Motion by Ward, seconded by Banta to order franchise for railroad be carried over to Tuesday, March ninth. Motion carried.

Motion to adjourn.

Frank Atwood, City Recorder

March 9, 1920

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

Motion by Vaughn to accept Mayor Kent's resignation, seconded by Ward, voted by roll call: Banta - yes; Ward - yes; Vaughn - yes; Durbin - yes. Motion carried.

Durbin nominated Louis Colvin as Councilman. Vote by roll call: Banta - yes; Ward - yes; Vaughn - yes; Durbin - yes. Louis Colvin declared elected.

Councilman Banta nominated C.M. Starr for Mayor. Ward seconded nomination. Vote by roll call: Banta - yes; Ward - yes; Vaughn - yes; Durbin - yes. C.M. Starr declared elected Mayor.

Ordinance granting franchise to Alsea Southern Railroad was read third time. Motion by Durbin to accept ordinance. Ward seconded. Vote by roll call: Banta - yes; Ward - yes; Vaughn - yes; Durbin - yes. Motion carried.

Warranty Deed to Part of Lot 7 Block 24 in Ruble's Second Addition was read.

Ordinance empowering Mayor and Recorder to execute warranty deed to United States Spruce Production Corporation read first time. Motion by Banta, seconded by Durbin to pass to second reading, motion carried. Ordinance read second time by title only. Motion by Durbin, seconded by Vaughn to lay ordinance on table until next regular meeting. Motion carried.

Motion by Vaughn, seconded by Banta to pay $1.00 (One Dollar) to Mr. Kent for use of hall

for each meeting of City Council.

Motion to adjourn carried.

Frank Atwood, City Recorder

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March 1, 1945

The regular meeting of the Council was held March 1, 1945. Mayor John Greenbo called the meeting to order at 8 p.m. and the roll call was read with Councilmen McMillin, Clay, Monroe and Pankey, Mayor John Greenbo and Attorney McCluskey present. Engineer Ambler arrived about 8:30.

The minutes of the previous meeting were read and approved.

Application for Beer License for Vernon Walker was presented for approval. It was given to the Committee for their signature.

Applications for building permits for Wm. L. Nida, Frank Follett and Wm. F. Lathrop were presented and approved.

Mayor Greenbo appointed McMillin and Pankey to act as Finance Committee. On a motion by Monroe, seconded by clay all bills presented were approved. Motion carried.

Mrs. W.F. Keady spoke regarding the City Library, to the effect that it had been deeded to the City and wished the following to be on record: Recorded December 18, 1939, Waldport Library Association to City of Waldport, Trustee Deed, Vol. 83, Page 218.

Jack Robinson requested the City to open Fayette Street between Commercial and Broadway. On a motion by Clay, seconded by Pankey it was voted to open said street, said street to be graded, river rock used as base and crushed rock on top, the entire cost of this improvement to be borne by the City. Motion carried.

Mrs. Daisy Overlander requested the City to open ditch below hospital. On a motion of Councilman Clay, seconded by McMillin a request was made for Otto Houge to see to the lowering of the two culverts above the E.A. Tedrow property and in the same motion the City Recorder was instructed to write Mr. Tedrow to get in touch with Mr. Houge and work under his supervision in regard tot he lowering and replacing of his culvert so that the correct size and type of culvert according to specifications is used.

E.T. Sells requested the Council to put some crushed rock on Cedar Street. On motion of Pankey, seconded by Clay the matter was to be referred to the City Engineer. Motion carried.

City Engineer Ambler presented to the Council a plat of the City Reservoir property. On motion by Councilman McMillin, seconded by Clay the Water Committee was instructed with the aid of Engineer Ambler to contact Mrs. Wolsiffer on the buying of the property near the Reservoir and to obtain a 40-day option to purchase the property on behalf of the City. Motion carried.

City Marshall Rhoades brought up the matter of wood for the City Hall and the repair on roof. The council instructed Otto Houge to look into the matter of repairing the City Hall roof and also the Library roof.

On a motion by Councilwoman Monroe, seconded by McMillin the fire chief was instructed to contact proper authorities for the purchase of a spray nozzle for 2 ½" hose, four (4) smoke masks and six (6) turnout coats. Motion carried.

The council gave a vote of thanks to electrician John Mashek for moving siren and donating his services to the fire department.

Miriam Lettenmaier, City Recorder Jno. Greenbo, Mayor

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March 5, 1970

A regular meeting of the Waldport City Council was held on March 5, 1970 in the Council Chambers of the Waldport City Hall, Waldport, Oregon. Present were: Mayor Bird, Councilmen Seaman, Grier, McMillin, Sulsar, Pankey, Smith; Superintendent Becker, Assistant Superintendent Pankey, Engineer Cullen, Recorder Blackman, and interested citizens of the City of Waldport. Meeting was called to order by Mayor Bird at 8:00 p.m.

On motion by Councilman Seaman, seconded by Councilman Grier, the minutes of February 5, 1970 were approved as presented.

On recommendation of the Mayor, the Police Committee was instructed to examine the Police Radio situation and to include in this year's budget request for any improvements. This program would cost the City of Waldport $1500.00 of which $800.00 was budgeted in the 1969-70 budget.

W.S. Woods was present and expressed interest in purchasing the old City Jail. This was referred to the Judiciary Committee.

Crestview Golf Course requested permission to erect an advertising sign at Highway 34 and Mill Street. This was referred to the Judiciary Committee.

On recommendation of Mayor Bird, Chairmen of each committee should have their recommendations ready for the April Council meeting. This will allow the Budget Officer to make preliminary plans for the 1970-71 Budget. The Budget Committee will meet shortly after April 15th.

District Engineer Harold W. Merryman, of the Department of Environmental quality was present to discuss the State requirement of a secondary treatment plant. On motion by Councilman Sulsar, seconded by Councilman Seaman, the Department of Environmental Quality was requested to delay its requirements for a secondary treatment plant until more State and/or Federal aid becomes available. Motion passed unanimously. Attorney Hollen was instructed to communicate this to the Department.

On motion by Councilman Seaman, seconded by Councilman Smith, the new sewer rates were adopted and shall be effective April 1, 1970. Monthly rates will be $4.00 per month for a single family residence, $2.00 for properties in the City limits not on sewer. The commercial schedule is based on $5.50 for the first 670 cu. ft. of water used, with water amounts in excess of this figure prorated according to a base schedule. Residential users with a small business will pay $5.50 per month. Each additional business in the same building on one water meter will be charged $2.00 extra per business.

On motion by Councilman Seaman, seconded by Councilman Smith, and unanimously passed, the regular bills, having been audited by each department, were ordered paid.

There being no further business to come before the Council, the Mayor adjourned the meeting at 9:50 p.m.

Mayor Joseph Bird Recorder Viola Blackman

Special Meeting, March 12, 1970

A special meeting of the Waldport City Council was held on March 12, 1970 in the Council Chambers of the Waldport City Hall, Waldport, Oregon. Meeting was called to order at 6:05 p.m. Present were: Mayor Bird, Councilmen Smith, Seaman, Grier, Sulsar, Pankey, McMillin (absent); Recorder Blackman.

This special meeting was called to present for consideration and disposition to and by the Waldport City Council, of information and facts concerning adverse incidents which have affected the administration, execution and fulfillment of the duties and obligations required of the position of Chief of Police of the City of Waldport, Oregon.

On motion made by Councilman Grier, seconded by Councilman Seaman, Police Chief Mitchell was suspended from active duty for one week, during which time he was to make necessary arrangements to be able to resume his official duties in accordance with the requirements of the Police Committee.

Meeting adjourned at 6:25 p.m.

Mayor Joseph Bird Recorder Blackman

Special Meeting, March 18, 1970

A special meeting of the Waldport City Council was held on March 18, 1970 in the Council Chambers of the Waldport City Hall, Waldport, Oregon. Meeting was called to order by Mayor Bird at 7:00 p.m. Present were: Councilmen Seaman, Smith, McMillin, Sulsar, Pankey; Recorder Blackman.

This special meeting was called to present for consideration the resignation of Chief of Police Richard Mitchell. On motion by Councilman McMillin, seconded by Councilman Seaman, accepting the resignation of Police Chief Richard Mitchell. Motion passed unanimously.

Meeting was adjourned at 7:05 p.m.

Mayor Joseph Bird Recorder Blackman

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March 9, 1995

1. ROLL CALL: Mayor Fred O. Boehme; Council President Pat Tryon; Councilors Kim Lehmann, John Atkinson, George Russell, Gene Moore, Matt Pompel,

2. MINUTES: Councilor Russell noted a misspelling of Mrs. Judy Vagenas' name in the February 9, 1995, City Council minutes and moved for the adoption of the minutes as corrected. Ms. Bauer noted that "tax revenues" should have stated "tax burden", "devaluation of the dollar" should have read "discounting of the dollar" and that "$80 for publicity and marketing" should have read "$800 for publicity and marketing". It was indicated by the City Council that the last changes had been made in their minutes. Councilor Atkinson seconded and the motion carried. Councilor Russell questioned why the February 21, 1995 Infrastructure Planning Committee minutes and February 23, 1995 City Council minutes were not included in the City Council packets. City Manager Bauer responded that she had not had sufficient time to review those minutes and did not feel comfortable distributing them until they had been reviewed.

3. FINANCIAL REPORT: City Manager Bauer noted that the financial report had been completed but was not included in the City Council packets as she had not had the opportunity to review that report. Mayor Boehme noted that the financial report could be included in the council packets for the March 23rd meeting.

4. CITY MANAGER REPORT: City Manager Bauer reported that new city hall construction and the wastewater treatment plant have required the majority of her time recently but that the new city hall has been completed and staff will begin moving on Friday, March 10, 1995 with a scheduled opening date of Tuesday, March 14, 1995. Ms. Bauer thanked the volunteers for their assistance in readying the new city hall for occupancy.

City Manager Bauer stated that the wastewater treatment plant has been operating in full compliance of all state standards for approximately 10 days. On February 28th, the public works staff shut off the aeration of the vortex valve and disinfection immediately began to occur. Ms. Bauer explained the processes which must occur to properly disinfect the city's effluent and noted that the state allowable fecal count is 200. After aeration was stopped the plant has been discharging effluent which contains a fecal count of 2. Further explanation of how fecal count is

measured was provided. It was noted that rain fall still negatively affects the quality of the effluent being discharged. Ms. Bauer reported that the fecal count of the bay was scheduled to be tested the following Monday. The effluent outfall line is currently expelling 1,100 gpm and has not reached the design capacity of 1,400 23gpm. Friction and lack of head pressure were listed as the major causes of the lessor gpm rate. Ms. Bauer explained the decant process currently in place and how it has changed from the original design. It was noted that KCM is accepting responsibility for the effluent outfall line problems. The DEQ stated that they would be willing to allow a cut in the line which will deposit the effluent into Lint Slough Creek. This would be a short term fix and staff is reluctant to pursue this option. Councilor Pompel questioned the possible need for a temporary holding area for effluent in times of heavy rain and the availability of the sludge pond for that purpose. Discussion of Councilor Pompel's question ensued. Mayor Boehme suggested that Sonja Pickner be present at a future meeting to provide a clearer picture of the process. Local citizen, Gary Wiebe of Fairway Circle, questioned why a representative of KCM was not at the meeting to help explain current conditions at the wastewater treatment plant. Ms. Bauer reported that KCM would tentatively be available for a meeting with DEQ and the City Council on the 30th of March. City Manager Bauer additionally reported that no additional funds had been outlayed for the wastewater treatment plant beyond the contract amount.

5. YOUTH CENTER REPORT: New Youth Center Director Larry Rapp introduced himself to the City Council and outlined some of the new programs in which he will be encouraging the community's youth participation.

Councilor Russell presented a request to the City Council from the Beachcombers committee. He reported that business persons at the south end of town have requested more activities be scheduled for that area. It was the Beachcombers committee request that the City Council allow a small carnival at Keady Wayside. This would be the same carnival which has set up at the Wal-Mart parking lot in the past. Mayor Boehme noted that $1,000,000 in liability insurance is carried by both the carnival and the Beachcombers committee. Councilor Tryon suggested that the Police Chief be contacted regarding potential traffic problems before a carnival is allowed to set up. Councilor Russell moved that the Beachcombers committee be allowed to use Keady Wayside for the purpose of holding a carnival on June 16, 17, and 18, 1995. Councilor Pompel seconded and the motion carried.

6. CITIZENS CONCERNS & COMMENTS: Mrs. Roxie Delap of 450 Alder Street in Waldport addressed the City Council regarding the potential of contracting with the Lincoln County Sheriff's office for police services. She noted several areas of concern including the guaranteed hiring of current Waldport Police officers by the Sheriff, lack of reserve and cadet programs through the Sheriff's Office, no 24-hour coverage offered by the Sheriff's office and other related matters. She also questioned the figures provided by the City Manager and the Sheriff regarding cost of contracting police coverage. Mayor Boehme advised the audience that this matter would come before the City Council later in the evening and public comments would be taken at that time. He asked that no further citizens comment on the police issue during this portion of the meeting.

Ms. Trudi Rhodes of 265 John Street in Waldport questioned the City Council regarding the Vandeheys' proposed low income senior housing development. Mayor Boehme noted that this matter would be discussed later in the meeting.

7. CORRESPONDENCE: A letter received from Roxie Delap resigning her position on the Budget Committee was read into the record. Councilor Tryon moved that Mr. Richard Martin be appointed to fill Mrs. Delap's final year on the budget committee and Councilor Atkinson seconded. Councilor Russell moved for the appointment of Mr. Cory Comstock and Councilor Pompel seconded. Mayor Boehme called for a vote for Mr. Martin and then for Mr. Comstock to serve on the Budget Committee. A tied vote led to discussion of the applicants by the Council. After discussion a second vote was taken and Mr. Martin was appointed to the budget committee by a

vote of 3 to 2 with Councilor Moore abstaining.

8. OLD BUSINESS: Councilor Moore read a prepared statement into the record regarding the Vandeheys' request for tax exemption. The statement included the following motion:

"I make a motion that the City of Waldport grant Don and Bonnie Vandehey a 12 year tax exemption on the property to be known as 'Vandehaven by the Bay'.

Whereas, the exemption will only apply to the 16 units which are to be designated as Senior Low Income Units.

Whereas, the Vandeheys agree to the following terms and conditions:

A. The 16 units to remain affordable for a period of 40 years.

B. The 16 units shall be for low income seniors only.

C. The 16 units shall be first offered to Waldport seniors initially and on future waiting lists.

D. The Vandeheys shall pay all building permits, fees, and hook up charges.

E. The Vandeheys shall spend approximately $50,000 on Waldport infrastructure improvements, streets, sidewalks, sewers, curbs and gutters as required.

F. The Vandeheys shall pay a reasonable application fee when established by the City and the Assessor's office.

G. If the City of Waldport is required by Oregon Statutes to give a 20 year tax exemption, the Vandeheys shall pay or donate (which ever is legally correct) the amount of money that would equal the tax received during years 13-20.

H. The terms and conditions of the resolution and/or agreement prepared by the Waldport staff shall apply to any legal owner of said property for the full period of tax exemption, and the affordable time period of 40 years.

I. Any violation of this agreement shall be cause for termination of this tax exemption.

J. If the Vandheys do not receive grant money based on this agreement then the offer is null and void in it's entirety. This offer does not set a precedent for future requests."

Councilor Tryon seconded the motion . City Attorney Gordon responded to a question regarding the setting of precedents by the City Council , as noted in item "J" of the motion, by listing the procedural steps to be followed. He explained that once the City has agreed that the statutes apply, allowing for tax exempt status of property for low income housing purposes, any and all applicants must be similarly handled. He added that because the Vandehey's request is so unique, it is highly unlikely that any other applicant would meet the requirements listed for this proposal.

Councilor Russell questioned the application fee and how it would be established. It was noted by City Attorney Gordon that the application fee would be established by the City and Lincoln County Assessor and would be inclusive of some staff costs for time spent in preparation of the application. Further discussion of staff costs to be included in an application fee ensued.

Mr. Trell Anderson of the Community Services Consortium introduced Ms. B.J. King of the HOME grant program who addressed the issue of monitoring the Vandehey project to ensure that occupants of the low income housing units qualify as low income seniors. She explained that the HOME program requires monitoring of affordability for as long as the developer is listed on the application for grant funding. Annual checks of income of the residents and the condition of the project are required.

Councilor Lehmann questioned why the $112,500 tax exemption requested by the Vandeheys couldn't be spread over 20 years as opposed to the 12 years noted in their request. Ms. King stated that the terms of the match were irrelevant to the HOME grant administration and should be discussed by the City Council and the Vandeheys. Ms. King went on to express her desire to see the tax outlay be the Vandeheys kept very low initially as the rents would be low.

Councilor Moore questioned if the number of years were increased if the number of units to be tax exempt would decrease. Ms. King explained that a net present value of $112,500 would be required for the Vandeheys to receive the $400,000 in grant monies and that she would have

to do some calculating to determine how many units would be exempt. Discussion of Councilor Moore's question ensued.

Ms. King noted that if there is concern on the part of the City Council that the Vandeheys may sell the property before the period of affordability has expired, a clause can be written into the contract which would allow the city to recoup tax monies foregone if the Vandeheys dispose of the property prematurely.

Councilor Atkinson requested that the City Council be provided with projections showing how a 12 year tax exemption would compare to a 20 year tax exemption. City Manager Bauer informed the Council that she would be away from work and would not be able to prepare those projections before the next City Council meeting.

Mr. Gary Dier, the Vandeheys' CPA, provided his understanding of the way a tax exemption would work noting that if 16 units are tax exempt they are 100 percent tax exempt, not 80 or 90 percent. Discussion of how to achieve the $112,500 tax exemption ensued.

Discussion of Councilor Moore's motion resulted in a motion for an amendment by Councilor Russell which changed item "I" to read, "Any violation of this agreement shall be cause for termination of this tax exemption, and the applicant would be required to pay full back taxes granted by this exemption." Councilor Tryon seconded and the amendment to the original motion carried. The vote for the main motion as amended carried.

Councilor Russell questioned why the Ray Wells request was not listed under old business. It was noted that the Ray Wells Subdivision neighbor notifications had not been mailed within the required 20 day period before the meeting. The Ray Wells issue will come before the City Council at the March 23rd meeting. Councilor Russell also asked why the John Clark proposal which was discussed at the Infrastructure Planning meeting was not on the City Council agenda. Ms. Bauer informed the City Council that Mr. Clark, through his attorney, had requested a postponement until the April City Council meeting.

9. NEW BUSINESS: Police Chief Keith Johnson presented a request for more office space for the Police Department in the new City Hall building. He also alerted the City Council to a potential safety issue with regards to the Police Clerk. He explained the reduction of size in the Police Department and the need for a safety window for Ms. Schabert. Discussion of the request and possible solutions resulted in Councilor Russell moving to provide an additional office for the Police Department and sharing the break room as a small meeting room and office area for the City Council. Councilor Tryon questioned if she could second the motion, since she had not voted on the original decision. City Attorney Gordon advised that seconding the motion would be allowable. Councilor Tryon seconded and the motion carried with Councilors Lehmann and Pompel voting no.

SUPPLEMENTAL BUDGET PUBLIC HEARING: City Manager Bauer noted that this is a public hearing, less formal than land use appeals, and does not need proponent or opponent structured comments.

City Manager Bauer provided a staff report noting that the supplemental budget process was started in January with the Finance and Administration committee. She explained that during the last budget process it was unclear where certain monies for City Hall construction were held. It was noted that $7,600 was held in a Road District account and was not recognized as funds for city hall construction. Ms. Bauer also wanted to ensure that the value of contributed labor was recognized. The supplemental budget would change the original city hall construction budget by adding $7,600 in beginning working capital, $180 in interest on invested funds and $3,500 in contributed labor and donations. This totals $11,315 to be dedicated to city hall construction. Ms. Bauer distributed a resolution authorizing the supplemental budget items noted. Further clarification of where the $7,600 had come from and how it was discovered to be for city hall construction was provided. Ms. Bauer explained why contributed labor is important to note in the budgetary process.

Mayor Boehme opened the floor to citizen comments. Mr. Gary Wiebe of Fairway Circle in Waldport requested an explanation of transfers from other funds. Ms. Bauer explained that as originally adopted the budget included transfers in from other funds. Those funds and amounts were: Road District $5,000 and General Fund $15,000. Mr. George Waggoner of Bayview Mobile Park in Waldport questioned the city's current financial condition and the affordability of a City Manager as compared to a Public Works Superintendent and an additional police officer. Mayor Boehme explained that Ms. Bauer's salary is primarily paid from funds budgeted for a City Recorder position and that there are currently three police officers as budgeted for 1994-95. Mr. Waggoner went on to question why former public works employee John Alfano had not been considered for the position of public works superintendent. Mayor Boehme offered that all applicants had received equal consideration for the potion. Ms. Bauer added that personnel issues, including hiring, are at the purview of the City Manager. Ms. Bauer went on to advise Mr. Waggoner that the public works crew as well as the superintendent position are paid for out of the street, sewer and water funds. Mr. Cory Comstock of High Street in Waldport questioned whether there should be an additional supplemental budget for the Road District fund since $7,600 is being transferred out of that fund. Ms. Bauer noted that the budget process does not restrict spending authority. Supplemental budgets are for increasing expenditure authority, not for decreasing it. Mr. Lohmeyer made the point that he feels a series of town meetings is necessary to establish what the values of the towns people are, and to find a way of bringing people together to learn what they commonly want and to work towards those goals. He commented that pointing fingers doesn't achieve anything, what is needed are goals and solutions.

10. ADOPTION OF RESOLUTION: Resolution number 756: Adopting a supplemental budget for 1994-1995, and making appropriations for the City Center building fund. Councilor Atkinson made a motion to adopt the resolution with Councilor Russell seconding the motion. The motion was carried unanimously.

11. CONTRACTING POLICE SERVICES TO THE COUNTY: The only issue being discussed is whether a ballot measure should be put to the voters to determine whether we should contract police services through the county. Mayor Boehme made reference to the memorandum submitted by City Manager Bauer, which stated issues regarding cost, liability, accountability, and operations. Councilor Russell presented some figures and items for consideration by the Council. The Sheriff's proposed 1995-1996 budget totals $264,000 while the proposed 1995-1996 City's budgeted personnel services show $172,325 in the report submitted, a 17% increase over the 1994-1995 figures. Councilor Russell pointed out the step pay scale for police personnel, which indicates a 4% increase over the current year. If the 4% increase is projected, instead of the 17% increase the total comes out to $149,121. $9,100 of the proposed budget is flagged for the City Manager for supervising the police force, Councilor Russell commented that this will be an on-going expense, and should be figured into the Sheriff's proposed budget. Support services for the City Attorney fees are $11,500. City Attorneys fees are given for the calendar year, not for the fiscal year, in order to compare these figures accurately, the figure should be given for the fiscal year. Another support service cost which is figured into the proposed City budget is $3,000 for clerical support services, this is another cost to the City which will not go away with the dissolution of the local police force. The total police budget for 1994-1995 was itemized as follows: $146,921 Personnel Services; $29, 810 Material & Services; $5,500 Dispatch; $12,000 Capital Outlay, Patrol Vehicle; $1,900 Capital Outlay, Other for a total budget of $190,631. Councilor Russell also presented historical budget information: for 1991-1992 the police figures were $169,146, actual expenditure:$163,459; for 1992-1993 proposed budget figures were $185,323, actual expenditure: $160,576; for 1993-1994 the proposed budget figures were $174,069, actual expenditures were $172,231. Councilor Russell pointed out that one item that was left out was the estimated travel expenses, which are 1 1/2 hours per shift. The weekly figure for this is 22 1/2 hours for travel time

and briefing. Based on the Sheriff's projected budget, the cost per hour of contract coverage is $28.79, which would bring the estimated travel costs to $33,684 per year, not including fuel expenses. Councilor Russell felt that these figures should be given serious consideration due to the citizens concerns over budgetary expenditures, and should be well publicized.

Mayor Boehme opened the floor for public comments, questions and concerns. Mr. Dan Sagaitis of 1060 Ball Blvd. made a rebuttal to Councilor Russell's figures, pointing out that the budget was $190,000 , but an additional $14,000 was appropriated for the 1994-1995 budget at a February Council Meeting, bringing the total to roughly $204,000. He also commented that the budget figures given by Councilor Russell regarding historical data may not be accurate, as the Budget Officer at the Budget Meeting in 1994-1995 indicated that the past two years figures should not be reviewed that closely, due to possible inaccuracies. He stated that given the figures as he understands them, including training and relief officers, the City is paying about $47 per hour for Waldport police, and using the expanded 1994-1996 budget for the Sheriff's office, he came up with about $42 per hour. Ms. Val Calkins of Bayview Mobile Home Park, stated that she feels, as a senior citizen in the community, that we need the police here not the Sheriff's office, because she feels that crime is rampant, as she stated in her letter to the Council, and questioned whether we want to be considered as bad or worse than Portland with no police department. She stated that she insists that the City maintain the police force. Mayor Boehme pointed out that in the packets there are a number of letters, one from Mr. & Mrs. Eddy of Hwy 101 in Yachats, one from Leta Haslett, Evie Rhodes, and one from Mrs. Calkins. Mr. George Waggoner of Bayview Trailer Park, commented that when he needed the Deputies, they did not respond. He called the Deputies at 10:00 am and they did not respond, but the Waldport police did, again at 7:00pm he had the same situation. Finally, the matter was taken care of by the Waldport Police, when they found what they were looking for. He questioned how many times will that happen if the Sheriff's office contracts to the City of Waldport. Ms. Judy Rhodes of 265 John St., stated that she believed that this issue has come up before, and was voted down by the citizens. She said that she felt that the response time from the Sheriff's office would leave something to be desired when compared to the response time from the local police. She commented that she felt that if the City was big enough for a City Manager, then it was big enough for a police force. Mr. Cory Comstock of High St., pointed out that there are 4 employees in the police department, 2 employees of the Public Works Department, 2 clerical office employees. He questioned that if the City eliminated the police department, would there be a need for a City Manager with only 50 % of the employees. He also questioned what the benefits were to residents east of Lint Slough to be incorporated into the City if there was no police protection available, since they are not on the sewer system. And by eliminating the police force, the City is taking away the benefits to approximately 40-50% of the population of Waldport, so what is the point of the taxation? Ms. Edna Comstock of Sandpiper, stated that rather than put the proposal to the voters, all that needs to be done is to ask people how they feel. She stated that if the Council were to ask the businesses, they would find out that people want the police department. She stated that prior to having the police department, whenever you needed the Sheriff's department, they were either at Ten Mile or in Lincoln City. Mr. Dan Sagaitis took the floor to rebut the comments of Mr. George Waggoner. Mr. Sagaitus replied that when Mr. Waggoner called the Sheriff's Office, he should have called the Waldport police, because the Sheriff Department will not respond when you have a local police authority. Mr. Ed Lohmeyer of 465 Crestline Dr., stated that there is total anarchy in his area of town. He claimed that there are traffic problems at all hours of the day and night, with speeding, squealing tires, and other commotion. He stated that he felt that dealing with the Sheriff's Department would be leaving the City wide open for greater problems. Mr. Lohmeyer commented that if people feel that they are unprotected, they will protect themselves. He further stated that the people need to get together and decide what they want to do. Ms. Evie Rhodes of Mill St., commented that she has had occasion to have

dealings with the Waldport police, and that she feels much safer due to their presence. She said that she felt that the local police department contributed greatly to the safety of the senior citizens in the community. Mr. Glen Eddy of Yachats, proposed to the Council that he feels the Waldport police do a good job, and that he personally would be interested in a South County Police Force, based in Waldport. He stated that he would be glad to contribute tax monies to a mutually beneficial source. Mr. Eddy further stated that he did not know the general feelings of other residents outside of Waldport, because a police force is a necessity, and the Waldport police do a good job. Mr. Rick Ballantine, Reserve Officer with City of Waldport Police, stated that there were 5 reserve officers for the Waldport police, including himself, and that they donate their time to help the department and to gain experience and knowledge. Mr. Ballantine went on to say that the Sheriff's Office has no interest in establishing a reserve force, and so the City would be losing reserve officer coverage if they contract to the county. Mayor Boehme concluded the public portion of the hearing.

Councilor Russell made the point that if each item is considered individually : accountability - the Sheriff is not accountable to the City; liability - the City has no say in any aspect of law enforcement, existing personnel will not be transferred, term of contract cannot and will not be for a short period of time, and so on. Councilor Russell pointed out that the City requires new hires to sign an agreement which states that the hiree will repay the City for any training expenses if they resign their position from the City within three years of hiring. Councilor Russell stated that he felt it unfair to ask anyone to sign an agreement that is incumbent only upon the employee, and not upon the City. Councilor Russell stated that he had requested staff to determine if the Sheriff's Department would provide the proposed speed reader board. Mayor Boehme directed the question to City Manager Bauer, who apologized and replied that she had overlooked the inquiry. Councilor Russell remarked that he had read in the newspapers about the Sheriff's "unique" ideas for law enforcement in Waldport, and inquired as to what those ideas were. City Manager Bauer replied that the Sheriff's unique perspective was that the City of Waldport was his constituency and that he has a commitment to provide law enforcement services in the City of Waldport. City Manager Bauer stated that the Sheriff had a vision of having precincts in different areas of the county and perhaps having a South County precinct for our county Sheriff's. She stated that she was interested to hear his perspectives on providing law enforcement to the citizens of Waldport. Councilor Russell stated that he was not sure how precincts would work, and City Manager Bauer stated that she would not debate the Sheriff's vision of law enforcement in the future in the county, and that the Sheriff chose specifically not to come to the Council meeting, because he will not express an opinion as that is a decision that the City would have to make. Keith Johnson, Chief of Police, Waldport clarified Councilor Russell's query by stating that there has been talk of a unified Lincoln County law enforcement agency, and that it had been under discussion for a considerable time. Chief Johnson went on to say that the Sheriff is, by Oregon Revised Statutes, the head law enforcement officer in the county, and that he has total jurisdiction. Chief Johnson went on to say that the system of one unified law enforcement agency has worked in some areas and failed in others, depending upon the geographical areas and the politics of a specific area. Ms. Edna Comstock queried as to whether or not the City of Waldport was provided with Sheriff's office coverage as a part of its jurisdiction right now, or would the City of Waldport have Sheriff coverage if they dissolved the local department. City Manager Bauer responded with the statement that it is a common misunderstanding; the Sheriff's office will pick up what the Waldport police handle. City Manager Bauer stated that the issue at hand is not a matter of eliminating police coverage, but rather substituting Sheriff's Deputies for police officers. It is a three for three substitution, although it does not precisely equate as to coverage as has been shown in the meeting. Councilor Russell commented that when you really figure out the difference between the two budgets, there is considerably more than a $11,000 discrepancy, and when you add to that a

$2,000 election, you are paying more for less and he does not feel that it is a wise use of City money. Councilor Pat Tryon had no comments or questions on the issue of contract police coverage. Mayor Boehme responded that both sides are viable options, but that this has been a subject that has polarized the community. He responded that he did not feel that the six or seven council members should make the decision for the community. He commented that his feeling was such that the council should pass a resolution and put the decision to the voters. Councilor John Atkinson commented that he felt it was advantageous to have local control over services, however there is an element that wants to look at the situation financially. He stated that he wanted to give the community a chance to decide for themselves. Councilor Kim Lehmann responded that in voting to put the resolution on the ballot, it doesn't suggest that any of the Council is in favor of contracting to the Sheriff's Office. She commented that she felt the community wanted to vote on the issue, and that perhaps by putting it on the ballot, the issue could at last be put to rest, and people could stop fighting over it. Councilor Lehmann inquired as to the cost of placing an item on the ballot. City Manager Bauer responded that the City had not been billed for an election during her tenure with the City, and she did not know if Lincoln County billed the City. Councilor John Atkinson responded that he had spoken to Dana Jenkins, and there would be a charge, however he had not inquired as to what the fee would be. He stated further that the only elections which were not billed were primary and general elections. Mayor Boehme interjected that there will be another bill on the ballot, and that it is a school bond issue, therefore the cost will be split between the two. He stated further that he wasn't sure of the charge, but felt that it was in the vicinity of $300-$400 for the City's portion. Councilor Matt Pompel stated that he agreed with the view that the community has been polarized over this issue, and that the voters should have a chance to decide what they want to do. Councilor Pat Tryon stated that she felt that several things needed to be clarified. She continued that the City Manager has been put in the position where people have been directing a lot of these decisions towards her, that it is a presentation that is coming from her thoughts and her feelings on this issue. She stated further that it is the duty of the Council to make the public aware that at the Council Meeting, City Manager Bauer was directed to have a meeting with the Sheriff, to formulate a set of questions, to formulate a set of things that the Council needed to be educated about the contract option. She added that the initial action was instigated by the Budget Committee, and taken through the Council, who in turn initiated City Manager Bauer's involvement in the process. She stressed that the Budget Committee needs to be aware that the vote could go either way, and that they need to be prepared for either outcome. Ms. Jan Hansen commented that Councilor Russell had made several good points, and that she would like to have an explanation of the figures that the City presented to the Council in the report prepared by City Manager Bauer. City Manager Bauer responded that the numbers presented in the report are fully costed amounts; the figures include liability insurance, attorney expenses, support services, and overhead costs. She went on to say that there is only a certain amount that history can do in helping us determine the present and future evaluations; as we evaluate costs today, determine what our liabilities are and address the future appropriately. Councilor Russell inquired as to the 17% increase in personnel services that was shown in the City Managers report. City Manager Bauer responded that in looking at the report, she sees that the overtime expenditure has been added in twice in error, so there is a $9500 discrepancy in the figure. Councilor Gene Moore directed an inquiry to City Manager Bauer, asking if the figure which was quoted by the Sheriff's Office was a final figure. City Manager Bauer responded that the figure was indeed pre-negotiated, and should by no means be what the City considers final. Ms. Edna Comstock requested that the figures be presented to the citizens via the newspapers with a form which they could return, to see if the issue needed to go to the polls at all. Mayor Boehme replied that the Council had to make that decision at the present meeting, as the deadline for the May election was quickly approaching. Mayor Boehme requested the pleasure of the Council. Councilor Moore

moved that Resolution 757 be adopted by the Council. Councilor Pompel seconded the motion for Resolution 757 to place before the electors of the City of Waldport the question of contracting police services to Lincoln County Sheriff's Department, whereas the electors should have the opportunity to choose between the police services provided by the City of Waldport Police Department or the Lincoln County Sheriff's Department, and that the City of Waldport will hold an election on May 16, 1995 to put the question before the electors in ballot language. That City Manager Bauer is authorized to refine the ballot language in conjunction with City Attorney Gordon for the purpose of meeting both the election law requirements and the intention that the City Council has expressed. The City Manager is directed to file a notice of election with the Lincoln County Elections Office by March 16,1995. All Council Members voted in favor of Resolution 757, with no Council Members abstaining or opposing the adoption of the Resolution, and the motion was carried.

12. MEETING ADJOURNED

March 23, 1995

1. ROLL CALL: Mayor Fred O. Boehme; Council President Pat Tryon; Councilors George Russell, Kim Lehmann, John Atkinson, Gene Moore, Matt Pompel.

2. MINUTES: From the City Council meeting of Feb. 23rd, 1995, the first paragraph should say Councilor Atkinson seconded, and lower on the same page "...appointed to the second..." rather than seconded. On page 5, a motion on the use of vacated space at City Hall by the Council had been omitted. Mayor Boehme stated that the corrections would be inserted. Councilor Russell moved for the adoption of the minutes as corrected. Motion seconded and carried, with Councilor Lehmann abstaining by reason of not having attended the meeting. After determining the absence of the minutes from the March 9th packet were due to the fact that Ms. Bauer had been ill and unable to edit the minutes, although they had been completed on time, Councilor Russell moved for the approval of the Infrastructure Planning Committee minutes of Feb. 21, 1995. The motion was seconded, but then an error was noted by Councilor Atkinson on page 2, second paragraph, "owed" needed to be changed to "owned". Councilor Tryon also noted that the name "Warvick" had been misspelled, as there should be two "a's". The minutes for the Infrastructure Planning Committee meeting, with corrections, were then unanimously approved.

NEW BUSINESS: Before the subject of the appeal on the Forest Hills Subdivision, Councilor Pompel raised the issue of a proposal by the South Lincoln Drug and Alcohol Task Force to utilize the space vacated by the City's move to the new City Hall. Councilor Atkinson suggested that this proposition be assigned to number 5 on the agenda, and that adjournment be moved to number 6. Consensus was favorable.

Councilor Russell then inquired as to whether there would be room at this meeting for citizen's comments. Mayor Boehme indicated that this was a special meeting involving the appeal of the Forest Hills subdivision and the consideration of the Vandehey development resolution, but a correction from the March 9th meeting would be allowed. Councilor Russell then called upon Chief Johnson, who indicated that he had the approval of City Manager Bauer to raise this issue under citizen's concerns.

The issue raised by Chief Johnson involved a comment made by Mr. Dan Sagaitis at the March 9th meeting, regarding lack of response. He then distributed copies of several documents to the members of the city council, including a statement made be Officer Jason Malloy and a copy of the Linn-Comm log concerning the incident in question. After playing back a portion of the video copy of the March 9th city council meeting in which this issue was raised, and portions of the voice log from Linn-Comm made the night of the incident and again on the following day, Chief Johnson stated that he had also contacted Officer Malloy about responding to this incident and Officer

Malloy said that he had. Chief Johnson stated that the incident had been responded to and followed up on in a timely manner. Mr. Sagaitis of 1060 Ball Blvd. was recognized by Mayor Boehme and indicated his continuing disappointment in the handling of this problem, including a lack of contact by the Waldport Police. Chief Johnson then refuted the allegations, stating that Officer Malloy had indicated in a sworn statement that he had contacted Mr. Sagaitis personally. The issue was noted, and the meeting continued.

Mayor Boehme stated that they would proceed with the agenda, having to do with the appeal of the Forest Hills subdivision. He indicated that there would be a formal public hearing, and that the items that will go into the appeal would become a portion of the public record, so everything that needs to be said regarding this issue should be said during this meeting. Mayor Boehme then closed the Council meeting and opened the public hearing, calling for abstentions, ex parte contact, bias, and conflicts of interest.

3. APPEAL - FOREST HILLS SUBDIVISION

Public Hearing: Councilor Pat Tryon declared a conflict of interest. Councilor Moore declared that he had been on the Planning Commission when the subject was brought up, had heard the testimony and voted against it. He indicated that he felt he had an open mind on the subject if he heard the testimony again, however if the parties involved wished him to step down he would do so. The parties indicated that they did not wish him to step down.

Councilor Russell asked if this was a de novo hearing. Mayor Boehme responded affirmatively, and indicated that the Council needed to "start from scratch". There were no objections, so Mayor Boehme then requested the staff report.

City Planner Jay Sennewald presented the staff report, prefacing it with the statement that application materials had been submitted and made available for review at least twenty days prior to the hearing. He informed the parties of the right of continuance in the event that they felt new material had been introduced or was being introduced in the current meeting, in order to allow them to review said material. He further stated that the testimony should be directed to the applicable criteria, in this case Section 10.050 "Procedures of Final Approval of Subdivisions". He then warned that failure to address an issue in the hearing precluded an appeal to the Land Use Board of Appeals on that issue, so statements needing to be said in regards to the current hearing should be said at this meeting in order to allow arguments being made to be considered by LUBA (Land Use Board of Appeals).

Mr. Sennewald then read the Findings, Conclusions and Order for Forest Hills Subdivision, Case File 1-S-90, adopted by the Planning Commission on January 19th, 1995.

Subsequently, Mr. Sennewald offered his services in answering any and all questions regarding the appeal placed before the City Council at this hearing, with help from the City Attorney. Mayor Boehme then opened the public hearing and asked for the proponent's presentation, requesting each person speaking to state their name and address.

Proponent's Presentation Dennis Bartoldus, P.O. Box 1510, Newport - representing the applicant, Mr. Ray Wells and his corporation, the developer of this subdivision. Mr. Bartoldus stated that at the time of the initial tentative approval for the project, Waldport was still operating under the 1987 Development Code. He originally appeared on behalf of the applicant at that time, GVR Investments, and he and Gary Tryon discussed the improvements at that meeting. It was his understanding at that meeting that the improvements being discussed were based on a set of drawings prepared by a previous owner, that had not been implemented. After the subdivision was tentatively approved, Mr. Bartoldus' involvement with the project ended, and was not resumed until "...a little over a month ago..." when Mr. Wells contacted him to sit in on the last Planning Commission meeting regarding this matter. At this meeting, Mr. Bartoldus did not speak on the subject, since it appeared that the public hearing had been closed. During this five-year hiatus from the project, the property had changed hands several times, or at least a couple of times. It

was Mr. Bartoldus' understanding that once they began trying to implement the actual improvements, the specifications had to be changed because what was on paper did not necessarily accurately reflect the conditions of the property. He cited the specific example of the canyon which goes through the property, which had water being dumped into it from several other sources, making it "virtually impossible to have a full thirty-five foot street on Chad Way", the street which is furthest west in the subdivision. He indicated that Fairway Drive, which is the street furthest east in the subdivision, is thirty-five feet wide. The other streets in the subdivision (Chad and Kelsey) are twenty-four feet paved, with the curbs, making about twenty-five and a half feet from back of curb to back of curb. At the time of the initial tentative approval, the 1987 Development Code required the street widths to be twenty-four feet wide, and that requirement was met. There was no requirement for curbs at that time, but the applicant had originally agreed to put them in. These curbs are known as "rolled curbs", which allow occupants to access their driveways more easily from the street. On Fairway, the original street to be curbed, residents have put in lumber to allow them to get into their driveways , potentially creating a problem with drainage and debris . He then passed around photographs to illustrate this point. Mr. Bartoldus continued, stating that Mr. Wells had tried to contact the Public Works Department several times in order to have them view the project, but had difficulty in obtaining someone with "decision-making authority ", so the project proceeded and the roads were built. This was admittedly an error, as they should have been more persistent in seeking a modification pursuant to Section 10.070 of the ordinance which allows modifications if trying to comply with the standards. He then reiterated the fact that the 1987 standards had been met. Mr. Bartoldus made reference to the Planning Commission Report of June 14,1990 which had been included in this meeting's packets. In this he specifically cited Paragraph Four, "...(the)Applicant has offered the following additional non-mandatory improvements in conjunction with the development: (a) Underground utilities will be provided. (b) 35 foot improved surface widths and curbing on all proposed streets. (c) Ocean View Ct., an existing public right-of-way, will be improved to match the proposed streets." Referring to the park which had been a part of the original proposal but dropped due to the increased width of the streets and larger lot size, then later reentered as a part of the 1994 Planning Commission extension, Mr. Bartoldus offered to make a proposition that would hopefully resolve the issue, at the expense of the developer, that would also be of benefit to the City. He then started the presentation that he had prepared but not presented at the last Planning Commission meeting by passing around photographs which illustrated some of the problems currently experienced due to improper drainage. These photographs showed the damage created by water run-off on Range Drive, water that eventually ends up running through the Forest Hills property on its way to the canyon which is the drainage area shown on the plat map. In addition, there is water from the Fairway Heights subdivision which also drains onto the Forest Hills property. All this water, flowing onto the property by natural and artificial means, has created a hardship for the owner in trying to comply with the required street width restrictions. Mr. Bartoldus then proposed a solution in which the owner would grant portions of the property to the City as drainage easements, in one case additionally collecting the water in a basin to prevent undermining the road, and piping the water to the gully. The area on the west side of Chad Drive, where this drainage would come through the property, would be dedicated to the City as a park. Additional photographs were then presented to the City Council, illustrating the difficulties of widening the roads to the required thirty-five feet without impacting lot size. After pointing out that the original intent of the thirty-five foot requirement was to allow for pedestrian traffic, although provisions for sidewalks were not included in the ordinance, Mr. Bartoldus illustrated the next part of his client's proposal by using a map. He indicated that his client would be willing to provide four-foot sidewalks in the areas where the roads are not the required thirty-five feet in width. This would meet the original intent of the agreement, since the roads would be twenty-four feet wide, with curbs, and an additional four-foot sidewalk to

bring the total amount of improved area to twenty-nine to thirty feet. Mr. Bartoldus then told the council that he was trying to comply with what the City required in other similar developments, citing the example of the Whispering Woods subdivision proposed to the City Council at their December meeting. Mr. Schulte, the owner of this subdivision, proposed a street width of twenty-four feet, with curbs, and a sidewalk on one side. At that time, the City Attorney suggested that it might be a good idea to adopt an ordinance that would put sidewalks into its' standards, as it is not currently the case. Although there may still be a question as to whether that could be legally required, Mr. Schulte indicated that he would comply if others were required to do the same. Mr. Bartoldus stated that he and his client were making the same proposal to the city, basically emulating Mr. Schulte's project, which had been approved at the December meeting. "In sum, it is our proposal that we would make these modifications, and we would ask for approval with these modifications being made. That being: resolving the water problem, which affects the southerly portion of the property; and also putting in the sidewalks, which would then give us the twenty-four foot paved surface plus a four-foot sidewalk on that one side. With those modifications, we would request final approval." Mr. Bartoldus then pointed out that Section 10.070 does give the council the ability to modify the conditions, indicating that they were only asking for modifications down to what they would require were they to reapply for a subdivision at the present time. After asking for any questions from the Council on other matters, Mr. Bartoldus concluded his remarks and indicated his willingness to answer any other questions.

Councilor Russell asked if Forest Way had been changed to Kelsey. Mr. Bartoldus affirmed, and also indicated that Ocean View Drive had been changed to Chad. Mayor Boehme inquired about the drainage, wondering where the water went after leaving the property. Mr. Bartoldus deferred to Mr. Wells, who stated that there was a canyon which drains somewhere south of town. He later indicated that the drainage of the adjoining property would require a dropped manhole and an underground pipe to carry the water to the corner of his property. Councilor Moore indicated that he had found no reference in the April, 1990 meeting that would support the substitution of a park for the thirty-five foot width requirement, and he felt that this requirement was a condition of approval. He also questioned the depth of paving. Mr. Bartoldus replied that according to the 1987 standard, the depth of paving was two inches, and the sub-base depth was generally eight to ten inches. The 1992 standard was changed to four inches, but that was not changed as a condition of approval on the extensions. Mr. Bartoldus then found the answer to Councilor Moore's original question, reading from Page 5 of the Planning Commission Minutes for April 24, 1990: "(Commissioner Train) did not feel compelled to require the developer to have a park and recreation area, due to developer indicating substantial improvements over what the City requires by widening the streets, curbing, accommodating for street lights, underground utilities, and willingness to change street name of Ocean View for safety and emergency purposes." Mr. Bartoldus indicated that he had not said that this was adopted by the commission as a final finding, but it had been brought up in discussion as one of the potential trade-offs. Councilor Moore then questioned the "as-built" drawings that were submitted in November, one month after the streets had been finished. The first set of drawings indicated the improved area as being thirty-five feet, but a later set submitted after the inspection had been done indicated the actual width of the improved area. Mr. Wells replied that the original set of drawings, done by the engineer for the project, Mr. Riley, had been drawn up from the information provided by the surveyor. They had neglected to inform the engineer of the change in plans, therefore the drawings were in error. Councilor Atkinson stated that he did not remember the plans presented to the Council on April 24, 1990 as being the earlier drawings from a previous interest. Mr. Bartoldus replied that he had run across some maps when he was moving, and recognized them as being from an earlier application, but suggested that it might be helpful to research the issue by accessing the city records. After establishing the fact that applicant status does not change with ownership, thus allowing a new

owner to maintain the position of being the original applicant, Councilor Atkinson questioned the requirements of the 1987 Development Code with regards to curbs and sidewalks. He stated that it would be helpful to have a copy of those codes, since he felt that the thirty-five foot width was a requirement and curbs were not, and blending the two issues made it look as though this were a voluntary type of condition. Mr. Bartoldus then read from his copy of the 1987 Development Code, Section 10.080, under Improvements: "...All streets shall have a minimum of 8" of base material with a minimum (width) of 28'. All streets shall have a leveling course of 1" crushed rock, 2" depth-compacted. All streets shall be paved with 2" of asphalt concrete to a minimum of 24' in width. All street improvements shall be certified by an engineer licensed in the State of Oregon as meeting the required standards." City Attorney Gordon pointed out a discrepancy appearing in this version of the code which is present in the current City Code as well. In Section 10.080A, the page preceding the section on improvements, under the heading of surface width, it states that the travel width of a single-family density area should be twenty-eight feet rather than twenty-four feet as it appears in the code under the heading of improvements, letter "d". He stated that to hold someone who applied in 1990 to this standard, the minimum should be twenty-four feet, but then pointed out that the applicant had agreed to more than that so they could be held to the requirement for extra width streets. There was no requirement for curbing in the 1987 Code, as far as he could tell. Councilor Atkinson then stated that the procedures did not really require the Council to "trade out" a requirement for another requirement, for example a park requirement to offset a street width or a curb condition. Mr. Bartoldus replied that there were no such provisions, but if compliance with a particular application caused unusual hardship for the developer, then certain conditions could be modified to the advantage of both the developer and the City if it were agreeable. Councilor Russell asked Mr. Bartoldus about his reference to right-of-way widths. He replied that the current requirements recommended about a sixty-foot right-of-way, but that caused a problem for the developer in regards to the lot lines and some of the slopes. Councilor Russell asked if these types of issues had been brought to anyone's attention prior to continuing the improvement. Mr. Bartoldus deferred to Mr. Wells in answering this question. Mr. Wells commented on the difficulty he'd had trying to get someone of authority out to inspect the project. Councilor Atkinson proceeded with the questioning, establishing the identity of the Public Works Director at the time, and inquiring if proceeding without the proper clearance was a wise idea. Mr. Wells admitted that it probably wasn't, and he should have tried to come before the Board of the Planning Commission to modify the requirements. Councilor Atkinson referred to an engineering report by Mr. Svennungsen, the City Engineer, who stated that he'd had some concerns about whether it was wise to proceed in this manner. Mr. Bartoldus stated that he found it interesting that "...an engineer who appeared as a developer's engineer in another matter that has been recently before the City was hired as a city engineer to critique another subdivision that's going along parallel to the approvement of their subdivision." He indicated that he felt that this selection was a "poor choice". He then deferred to Mr. Wells. Mr. Wells stated that he had brought his engineer to the first Planning Commission meeting, but the City Engineer declined to attend. Mr. Wells' engineer addressed the main issue of the slopes contained in the City Engineer's report, but felt that the other issues such as drainage were not pertinent to the project. Mr. Bartoldus then submitted a letter from Mr. Wells' engineer, to be made part of the record. This letter addressed considerations for the twenty-four foot street widths with a sidewalk on one side presented to the City Council on behalf of the Whispering Winds subdivision to be equally applicable to the Forest Hills subdivision. Councilor Atkinson asked why the Council should be asked to give final approval to a project that did not meet the guidelines set up in the tentative approval, when there was no supporting documentation to prove that the developer had asked for any modifications of the original plan. Mr. Bartoldus replied that his client had made a mistake, and admits making that mistake, but that depending on the outcome of the Council's decision, his client would resubmit the application with

provision for the twenty-four foot widths that are currently in the ordinance. Councilor Moore asked if there would be a dedication of land for park purposes, and Mr. Bartoldus replied that the drainage area would serve as such, also resolving the drainage problems on Range Drive and the other subdivisions. He felt that these concessions constituted a means to resolving this issue. Councilor Lehmann questioned where the sidewalks would be located, and Mr. Bartoldus said it would be on a portion of two streets, on Kelsey between the two streets, and then the full length of Chad Drive to where the Wells' property ends. Councilor Pompel reiterated Councilor Atkinson's last question, if the tentative approval stated thirty-five foot streets and curbs, where was it stated that it was acceptable to build in any other fashion. He also wondered why they kept referring to the 1987 Code when it didn't seem to apply to this situation. Mr. Bartoldus stated for the record that there was some question as to whether or not the 1992 Code and those revisions on the street width were ever validly adopted, although he didn't want to get into that issue at the present time. After further discussion regarding the initial proposed width of the streets and the difficulty in adhering to that proposal due to topographical and geographical constraints, Mr. Bartoldus admitted that his client had erred in not resubmitting his application with the adjusted twenty-four foot width at the time of discovering these constraints. Mr. Wells indicated that while he had not formally requested a response, he had requested the City to come out and assist them in addressing some of these problems. When the City did not respond, he adjusted the street widths to suit the conditions. He also indicated that at the time of the original requirement, the ordinance should have read that a sixty-foot right-of-way was required for a thirty-five foot street. Councilor Moore referred to a letter dated January 4, 1995 from Oregon Coast Engineers, and asked Mr. Bartoldus if he could comment on the contents of the first paragraph of that letter. Mr. Bartoldus read the section which stated that "...Tentative Approval calls for 35 foot width. City Section 10.080 calls for 28 foot width..." , and then raised the issue that the subdivision that Mr. Svennungsen represented in December had included a twenty-four foot width which he indicated complied with the standards. Councilor Moore directed him to the previous sentence, which states that "...The actual asphalt paving width is only 22 feet". Mr. Wells replied that the concrete gutter is also considered to be part of the running surface of the street, comprising a surface area of twenty-two feet of asphalt and two feet of concrete. Councilor Atkinson raised the issue of erosion in the drainage area, asking if this issue is also being addressed, since the reduction in the street width was due to the drainage issue. Mayor Boehme stated that this could be addressed later, then asked for any other questions. When there were none, he inquired if there were any other proponents that needed to make a presentation. Mr. Bartoldus indicated that, to his knowledge, there were none. Mayor Boehme then opened the hearing to any opponents that wished to make a presentation.

Opponent's Presentation

Joan Parquette, 1570 Fairway Drive, Waldport, voiced several concerns on the width of the streets, including citing a near-accident on the corner of Chad and Kelsey as a result of the narrowness of the street and a reluctance to drive in the gutters. She expressed a desire to see all the streets in the subdivision made to the same specifications as Fairway Drive. Elizabeth Fields, 1440 Fairway Drive, Waldport, stated that in her opinion, the narrowness of the streets constituted a safer environment, especially for the children, since the cars have to move slower and the pedestrians tend to remain on the sidewalk. Larry Clausen, Yachats, asked if Kelsey was eventually going to access onto Highway 101. The response was that it had been discussed, but no formal plans had been made for doing so. His concern was that the narrower street would not be adequate for increased traffic at that time. He mentioned a possible drainage problem that he felt could be taken care of in the future, and then questioned whether the sewer and water lines went all the way to the property line. Mr. Wells confirmed that they did. Mr. Clausen then complimented the developer in what he had done with the property. Dan Sagaitis, 1060 Ball Blvd., stated that he had some questions pertaining to a letter found in the Council's packet, entitled

"Before the City Council of the City of Waldport, State of Oregon...In the Matter of the Application of GVR Investments for Approval of Second Addition to Fairway Heights...Proponent's Findings of Fact". He cited the last paragraph of the second page, entitled "Conclusion" and asked if these conditions had been met. The question was referred to Council. Gertrude McAllister, corner of Fairway and Range Drive, stated that she was in favor of the increased street width. She pointed out that there is inadequate room for two cars to pass safely, unless on-street parking was prohibited. Ms. McAllister indicated that there has been an increased problem with water accumulation on Range Drive, causing the road to buckle, and that prior to construction the problem had not existed. She admitted that there had always been some problems with drainage in that area, but not to the present extent. She also expressed a concern that she saw no way for a public safety vehicle to safely access the area if on-street parking was allowed, and hoped that additional access needs would be addressed before anything else was done. A copy of the letter she had addressed to the Council, expressing those concerns, was part of the packet for this meeting. Jack Sleeper, Waldport, admonished the City Council to use common sense in dealing with this issue, not to get entangled in the process. He indicated that there were a number of people who were waiting for lots, and that their future depended on this decision. He suggested that they might turn this into a private development by installing a gate, which would alleviate this problem but would cause the City to lose continuity of the streets. He felt that a solution of private developments with narrow roads and gates might not be desirable. Ray Reddick, 830 S.W. Delores, indicated that his concern was that the present street width would not allow emergency vehicles to access the area. In addition, he felt that if the streets were allowed to remain narrow, they would resemble little more than "cow paths" and presented other hazards to the drivers as well. Mr. Tryon had offered thirty-five foot streets in the original proposal, Mr. Reddick averred, and nothing had been submitted to the Planning Commission that indicated anything less than that was being considered. In fact, he stated that the Planning Commission would probably not have approved anything less. Mr. Reddick felt that the City should not have to put up with inferior streets and erosion problems due to the miscalculation of a developer. He questioned why Mr. Wells was going to this extreme to save a few dollars, rather than simply adhering to the original proposal, and then adjured the Council not to "foul up" the City of Waldport in order to provide those savings to the developer. Mayor Boehme requested the record show that Mr. Reddick is a current member of the City Planning Commission, then opened the floor to Mr. Bartoldus and Mr. Wells for rebuttal.

Proponent's Rebuttal

Mr. Bartoldus responded to the concerns regarding safety issues and the ability of emergency vehicles to access the streets in the subdivision. He referred to the December meeting where Mr. Pankey indicated that twenty-four foot roads were adequate for such access. Mr. Gary Pankey, 535 Crestline, commented that a twenty-four foot wide street allows for two twelve-foot driving lanes, which is something he wished all streets in Waldport provided in terms of accessibility. He indicated that the road in question is a loop road, with two entrances and exits, and should cause no problem. The fire hydrants are properly placed and meet all City criteria. Mr. Bartoldus again indicated that twenty-four foot streets had been approved by the City Council in December, when Whispering Woods, a more densely populated subdivision, came before the Council for approval after being denied by the Planning Commission. He stated for the record that he found it odd that the Planning Commission came before the Council at the present hearing to testify against the matter when they had already made a "quasi judicial" determination in the matter. Mr. Bartoldus then addressed the drainage issue, and indicated once again that he and his client were willing to sit down and discuss solutions to both problems in order to resolve the situation. He then reiterated the request that the Council agree to modify the application to allow the twenty-four foot roads, install the sidewalks, and resolve the drainage problem.

Mayor Boehme then closed the public hearing, and began deliberations, reminding the

audience that questions and comments were not allowed at this time, and speaking was limited to response to a direct question from a City Councilor.

Deliberation

Councilor Lehmann asked Mr. Bartoldus why both streets were built to the twenty-four foot width when only one had a drainage problem. He replied that it was for consistency when bringing it out onto Chad Drive, and perhaps it should have been widened, but it was not. Mr. Wells indicated that where Chad and Kelsey meet, there is a fifty-foot right-of-way with a fairly steep hill, which would have been even steeper if the road had been widened. Councilor Pompel commented that he still had problems with what had been agreed upon and what had actually been built, since Mr. Wells had agreed to the thirty-five foot roads and then decided that twenty-four feet would suffice. He was concerned with the precedent being set for other agreed-upon terms. Councilor Lehmann asked if the current City standards included the twenty-four foot streets, and if so, could the applicants refile for approval using these standards. City Attorney Gordon confirmed the standards, but indicated that the applicants did not want to refile, since there would be additional requirements to be met under the 1992 Code Standards and other laws since 1990, and if they brought in a proposal at this time, they would have to comply with the new regulations. Councilor Atkinson expressed a concern that he could not locate a reference which Mr. Bartoldus had used in response to a question on drainage. After much discussion, City Attorney Gordon located and read the reference: "Disposal of run-off shall be approved by the City prior to the issuance of a building permit". Councilor Atkinson wondered what relationship the reduced road width and the drainage plan had. Councilor Moore reiterated the concern that throughout the project, thirty-five feet was what was proposed, and expressed an additional concern regarding the depth of the asphalt. He felt that since the roads were built in 1994, the contractor should have adhered to the present standards of four inches in depth rather than two. City Attorney Gordon indicated that because the standard at the time of tentative approval was two inches, that would not constitute a basis for denial. He also indicated that for future renewal of tentative approvals, it might be wise for the Council to require adherence to the updated guidelines, but that was not applicable in this particular case. Councilor Pompel asked if he was correct in reading that a tentative approval is only good for two years. City Attorney Gordon indicated that was correct, but renewals could be applied for on a yearly basis, and throughout this project that had been done in a timely fashion. Councilor Russell expressed a concern regarding the apparent lack of response on the part of the City, and asked again what changes would have to be adhered to in order to refile at the present time. City Attorney Gordon indicated that he had not evaluated all the changes between the 1987 and 1992 Codes, but that he could create a list of the different provisions to which this particular application would be subject. Mayor Boehme asked for any additional comments or questions. He then stated that the question was for approval and asked for a vote.

Councilors Atkinson and Pompel both expressed concern regarding this issue, feeling that some portions had not yet been resolved and merited further discussion, investigation and possible compromise. Councilor Moore stated that he felt, because of the non-compliance with the original tentative approval and what he perceived to be an effort to cover up the problem, that the approval should be denied and resubmitted to the Council. Councilor Lehmann was concerned that the City would end up being responsible for what could possibly be substandard streets. Mayor Boehme indicated that approval would imply that the streets in the subdivision were in compliance with the City standards. Mr. Bartoldus indicated that if the maintenance of the streets would cause a problem for the City, Mr. Wells was willing to have the homeowner's association maintain the streets and absolve the City of any responsibility. After further discussion, Mayor Boehme asked again for a vote. Councilor Pompel stated that he felt the issue should be tabled until the next meeting, in order to resolve some of the questions. City Attorney Gordon indicated that this could be allowed, but warned that since any decision the Council made in this hearing had to be based

on the facts presented in the hearing, the issue would then have to remain open until the next Council meeting in order to allow new information to be responded to on both sides. Councilor Pompel then indicated that he did not want to make a formal motion to ask for a continuation. Councilor Moore made a motion to deny approval. Councilor Lehmann seconded. Mayor Boehme acknowledged the motion and asked for discussion. City Attorney asked for a vote based on roll call. The vote was cast, with Councilors Moore, Atkinson, Lehmann, and Pompel voting "Yes" and Councilor Russell voting "No". Motion to deny final approval passed.

City Attorney Gordon indicated that it was assumed that implicit with the denial was the instruction for the staff to bring back appropriate findings and conclusions of law for the consideration of the Council at the next City Council meeting. Mayor Boehme thanked all involved for their forbearance.

4. CONSIDER ADOPTION OF RESOLUTION REGARDING VANDEHEY DEVELOPMENT. Mayor Boehme indicated that Resolutions 758, 758A and 758B would be under consideration. Resolution 758 concerned property tax exemption for low-income housing adopting provisions of ORS 307.515 through 307.537, and was the first item to be considered. Councilor Tryon moved and Councilor Atkinson seconded the motion to adopt Resolution 758. Mayor Boehme then asked for discussion. City Attorney Gordon introduced an explanation, indicating that Resolution 758 was the principal resolution that needed to be adopted by the Council in order to do three things. He cautioned the Council that this issue was a fairly new idea, with few precedents in place for guidance. He did not feel that this was a problem, however. In this resolution, the City would be adopting the statutes dealing with tax exempt, for-profit, low-income housing. The City would also be setting standards for consideration of applications submitted pursuant to the adoption of those statutes. Lastly, the City would be approving the Vandehaven Project based upon the application submitted and the standards that the Council would be adopting. Mr. Gordon indicated that he felt the resolution reflected all the concerns raised by the motion for approval at the last Council meeting, set forth the standards for any applications specifically tailored to the Vandehaven Project, and states that those standards could be changed to become more generic in nature, rather than specific to a particular project. In addition, the language of the resolution contained protection for the City in the event that the tax exemption would not be allowed; limited the low-income units to senior citizens as defined by federal law; required approximately $50,000 worth of infrastructure improvements to be made by the applicant; provided for a penalty of unpaid taxes to be paid in the event of deviation from the specific requirements for the property; and indicates that when other tax levying districts that affect this property (up to 51% of the value) indicate their approval of this project, the City will certify the eligibility for tax exempt status to the County Assessor. After this explanation, City Attorney Gordon indicated his willingness to answer any questions. Councilor Russell indicated that he had a concern regarding the wording of Paragraph E, having to do with the eligibility for housing under the definition of Paragraph B. Mr. Gordon read the paragraph in question, and indicated that yes, if an agency or someone with authority determined that it was discriminatory to non-Waldport residents, the resolution would still only allow seniors as defined in Paragraph B to be eligible for this housing. Councilor Atkinson raised a concern with the word "approximately" in conjunction with the $50,000 amount in Paragraph F, preferring the word "minimum" instead. City Attorney Gordon indicated that he did not know where that amount came from but assumed that it was for infrastructure improvements as required by the Development Code and Urban Renewal requirements. Councilor Russell indicated that the reason it was approximate was that neither party had the exact figures on those improvements. City Attorney Gordon then indicated that there were several other paragraphs in the resolution that contemplated subsequent actions. One was the commitment to enter an agreement that would make it legally binding for four years. Another stated that the applicants would enter into an agreement with the City the scope of the required improvements as set forth

in the resolution, and would do so no later than June 30, 1995. Failure to do so would be a violation of the terms of approval and a basis for termination of the tax exempt status. Councilor Tryon voiced an opinion that the actual dollar amount in the agreement was not an issue, as long as the improvements are made to the City's approval. Jim Moorefield from CSC (Community Services Consortium) agreed with Councilor Tryon's opinion, stating that the dollar amount was approximate because it was based on early estimations of cost, and it was not known how much of the public monies could be used on this project. He indicated that the improvements would be in the best interest of both parties, and the agreement should be taken in the spirit in which it was given. Councilor Atkinson felt that without further definition and clarification, the City could find itself battling the attorneys in an attempt to resolve these issues. City Attorney Gordon indicated agreement with Councilor Atkinson, but because they were so close to approval, he simply tried to use the applicant's estimated cost for the improvements. He felt that at some future time the City could sit down with the applicant and specify which improvements it felt were necessary to the project, and the applicant had already indicated a willingness to comply with the decisions, regardless of whether it cost $50,000 or more. Since this agreement would have to be decided upon within the next two months or the applicant would lose the tax-exempt status, Mr. Gordon indicated that this would not be a problem. Mr. Moorefield indicated that this was one of the issues that had been discussed at length in a meeting earlier in the day with City Attorney Gordon, and felt that the language in the resolution captured the intent of the issue, even though the dollar amount was vague. Mr. Gordon agreed, since the improvements that were being required had yet to be firmly delineated. Councilor Russell asked if it would be appropriate to insert a period after "project" and omit "...in an amount of approximately $50,000". City Attorney Gordon indicated that would be acceptable, since unless the agreement was approved by the time set, the status would not be granted. Councilor Lehmann voiced a concern that since the issue of the dollar amount had been brought up at several meetings by the applicant, using it as one of the selling points of the application, to eliminate the specific amount at this time may cause the City to lose out on benefits. Mr. Moorefield replied that costs change and the process is an ongoing one, so it's difficult to put a specific dollar amount on one aspect of the project, especially since the grants for this project had not yet been secured. Gary Diers, Waldport, stated that on this issue, the City Development Code and the Urban Renewal requirements are somewhat vague. He advocated the approach of the City Attorney to agree in principle to meet the requirements or to come up with a consensus of what is to be required, to be included in the package at that time. Councilor Pompel indicated that he understood both sides of the issue being debated by the Council members, but felt that for the time being, the language of the resolution should remain the same, not trying to be specific at this time. Councilor Atkinson raised an issue involving language to be included in this resolution, dealing with storm water drains, currently not listed under "Improvements" in Paragraph F. After some discussion, the Council agreed to insert the language. Councilor Pompel requested that the words "and City" be added after the word "applicant", so that both sides would need to agree on these terms. City Attorney Gordon read the amended version of the resolution: "...provide for infrastructure and local improvements associated with the construction of any such project in an amount of approximately $50,000. Said improvements shall consist of street, sidewalk, sewer, storm water drainage, curbing, and gutter installation as required by the City Development Code and the Urban Renewal agency or as otherwise agreed to by applicant and City. Applicant shall enter into an agreement with City , specifying the scope of such improvements not later than 5:00 p.m. on June 30, 1995." Mayor Boehme then asked for a vote on Resolution 758 as corrected. Motion carried, with no dissenting votes.

After determining that the City Council was, in fact, the governing body for the district covered in Resolution 758 B, the motion for the adoption of the resolution was moved and seconded. Motion carried, with no dissenting votes.

5. REQUEST FOR VACATED SPACE AT CITY HALL: Councilor Pompel indicated that, to his knowledge, the entire portion occupied by the previous City Hall had not been given over to the Library, and he saw a way of possibly recovering at least a small amount of money by allowing part of the area to be used by the South Lincoln Drug and Alcohol Task Force/ Lincoln County Partnership, in conjunction with the old apparatus room at the Youth Center. This would allow them more exposure to the public, as their current location is not as prominent. Councilor Tryon indicated that, since this was a new issue, it might be better to have the Drug and Alcohol Task Force write up a proposal involving costs and expenditures and present the request to the Administrative Committee for consideration. She also stated that the Library, and any other interested entity might want to do the same. She felt that this would eliminate unnecessary speculation and confusion. Councilor Moore raised the concern that the Library might be under the impression that they were going to take over the old City Hall, but no formal decision had been made by the Council to allow this. Mayor Boehme volunteered to speak to the Library in order to clear up any potential misunderstandings before a concrete move was made.

6. MEETING ADJOURNED

March 30, 1995

ROLL CALL: Mayor Fred Boehme; Council President Pat Tryon (absent); Councilors Gene Moore, John Atkinson, Kim Lehmann, George Russell, Matt Pompel (absent).

Mayor Boehme opened the special meeting of the Council by reading letters from concerned citizens regarding the Wastewater Treatment Plant. The first of these was presented from Ms. Trudi Rhodes, who stated in her letter that she did not feel that the problems at the Wastewater Treatment plant were taken care of, and that the problems could not have been solved overnight. She continued by urging that the Council did not "...shove it under the rug now, but deal with (the problems) forthrightly..." The next letter presented was from Ms. Sheila Corley, who also felt that the problems at the Wastewater Treatment Plant needed to be addressed. She stated that all resident's health "is being affected by a malfunctioning treatment plant." She went on to state that the people deserved a plant that runs the way they were told it was going to. The third letter was of the same genre, and was submitted by Ms. Isabelle Booth of Yaquina John Point. She states that the designers, engineers and contractors should be held responsible for the problems at the plant, and that they should accept the financial obligation of the repairs. She submitted to the Council that she already pays over one hundred ($100) dollars per month, and feels that the Council should not increase her share to bring the plant into compliance.

Mayor Boehme explained that, in addition to the regular sewer fee, the residents of Yaquina John Point pay an LID assessment charge in connection with hooking that area up to the sewer system. He continued that these letters were a fair representation of the correspondence members of the Council and other city officers had been receiving from concerned citizens.

City Manager Bauer commented that she would not be giving a presentation, as most people were aware of the plant's history and that the plant had been in operation for 7 months. She continued by introducing Jerry Minor and Kevin France, both of KCM, as well as Barbara Burton and Mark Hamlin from the Department of Environmental Quality (DEQ).

Mr. Jerry Minor and Mr. Kevin France, of KCM presented a brief status report, stating that the City of Waldport has an NPDES permit from DEQ, which regulates several factors associated with the plant discharge. Among others, these include total suspended solids, pH, Biochemical Oxygen Demand (BOD) removal, percent removal and fecal coliforms. Mr. France continued on by stating that the plant has spent most of the last seven months, since the startup of the new plant, in compliance with the first four factors. He went on to point out that these factors are ones which would be associated with the plant Sequencing Batch Reactors (SBR's), and that once the

defective valves were replaced, the SBR has functioned well, and that Ms. Sonja Pickner, WWTPO, would probably confirm this. Mr. France further stated that the real problem with the plant has been disinfection and discharge once the effluent decants from the SBR into the equalization basin (EQ). He continued on to state that Ms. Pickner had made some interim modifications that had brought the plant into compliance on the fecal coliform results, which is the measure of disinfection. He pointed out that although there were a few days of non-compliance during the month of March, the City 's permit is based on a monthly and weekly average, and that the days of non-compliance did not cause the City to violate permit. Mr. France then listed the modifications that KCM has funded since the completion of the plant and the start up of the new plant, including lowering a section of the outfall line and installing vents in the outfall line to release trapped air. KCM believes that these modifications will increase the capacity of the outfall line to equal the design capacity. The modulating butterfly valve, which will regulate the flow from the EQ basin, is currently on site, and waiting to be installed. He continued by stating that with these modifications, KCM feels that the plant will be able to meet and maintain the standards for the NPDES permit, and that the butterfly valve will eliminate the overflow problem of the EQ basin by allowing more flow out of the basin and through the UV channel. Mr. France commented that the concerns relating to the capacity of the plant are related to the overflowing of the EQ basin, and that at the meeting with the DEQ in February, Plant Operator, Sonja Pickner had stated that she is confident that whatever flow has gone into the plant, she has been able to treat through the SBR, but the problem has been getting the effluent out of the EQ basin and through the outfall line. Mr. France went on to state that this does not mean that the City does not have an inflow and infiltration (I&I) problem that needs to be addressed. He further stated that another problem with the plant is that the sleeves which cover the UV disinfection lamps seem to get dirty more quickly than normal, and that part of the problem is an inordinate amount of grease which comes through the system and bakes onto the lights. Mr. France stated that the best "cure" for this particular problem would be an education system for citizens in regards to proper grease disposal and a grease trap ordinance.

Councilor Russell asked if the butterfly valve will actually solve the problem of getting the effluent from the EQ basin to the UV chamber. Mr. France responded that the flow meter will monitor the flow from the EQ basin to the computer that controls the plant, and the computer will compare the desired flow signal to the actual flow signal, and based upon the comparison, will command the valve to open or close to maintain a set flow point. Councilor Russell stated that he understood that the valve can vary as much as 250 gallons per minute in flow rate and that similar plants have had to go to hydraulic siphon valves to get the correct amount of flow. Mr. France responded that Councilor Russell was referring to the Canby plant, which has a different scenario, in which the siphon valve was added downstream of the weir, and was installed to control level, not flow. He further stated that what needed to be controlled at the Waldport Wastewater Treatment Plant was the flow out of the equalization basin, and at the Canby plant, they wanted to vary the flow rate while keeping the level constant. Councilor Russell then asked if the butterfly valve created a large variable flow. Mr. France stated that the valve should control within a tight range of flow. Mr. Jerry Minor added that the valve should control the flow within approximately 100 gpm, but that the flow is currently varying from 800 to over 1500 gpm, or 700 gpm variation. Councilor Russell asked that since KCM is perceiving the problem as coming out of the EQ basin and the outfall line, why were additional UV tubes added to the disinfection channel. He went on to state that the plant is not achieving proper killing of bacteria in the UV channel. Mr. Minor replied that the original design had a presumed 60 percent transmittance, or how well the ultraviolet light travels through the effluent. He continued that as engineers, KCM does not know why the plant is not always reaching the appropriate transmittance, but that the City put in additional UV bulbs and is achieving a somewhat better transmittance, however the percentage still decreases with the

presence of greater I&I. Councilor Russell stated that KCM was aware of the I&I problem prior to building the plant, and that the engineering study prior to construction addressed I&I. Mr. Minor replied that KCM was aware of the I&I, but that other systems they installed with UV disinfection achieved a higher transmittance, even with a higher I&I. He further stated that the plant has been in compliance for the month of March, even with the higher flows in the middle of the month.

Councilor Atkinson asked if there is any saltwater in the I&I, and if it would affect the transmittance. Mr. Minor replied that there could be salt in the I&I, but that he did not know if it would affect the transmittance or not. He further stated that some iron could be entering the system with the groundwater, and that could have an impact. He continued by saying that further testing needs to be conducted to determine whether or not this is occurring, since transmittance is lower during periods of high I&I.

Councilor Moore stated that the winter season was very high in I&I, and that perhaps it was a peak I&I flow. He asked if KCM could guarantee that the plant could handle the I&I flows during the winter. Mr. Minor stated that the plant has provided good treatment to date, with the exception of disinfection, but as far as guaranteeing the plant, nothing has been guaranteed except that the plant will work within the design parameters. Councilor Moore stated that now that KCM understands what the flows are with the current I&I, could they determine whether or not the plant will adequately handle the flows. Mr. Minor replied that the plant is designed to handle flows within reasonable constraints, but that he could not guarantee that the plant can achieve disinfection during periods of high I&I. Councilor Moore asked whether or not the outfall line could handle the outflow of the plant during periods of high I&I. Mr. Minor stated that the outfall line will handle the flows, and that KCM will guarantee the outfall line for design flows, and that the plant was designed for wet weather flows of 1390 gpm or approximately two million gallons per day (2 MGD). He further stated that actual flows into the plant this past winter were not above that limit. Mr. France interjected that there were peaks greater than that flow, but that the daily average was between 1.2 and 1.4 MGD during peak flows this past winter. He further stated that the plant is designed for a maximum day of 1.2 MGD. Councilor Moore reiterated this figure and asked Mr. France and Mr. Minor if the plant were then already at full capacity at times this winter. He added that it was his understanding that the plant was designed to accommodate growth to the year 2013. Mr. Minor replied that there were two capacities involved in any plant; one is an organic capacity and the other is a hydraulic capacity. He stated that KCM believes that the plant will still provide good treatment even with the instantaneous highs, but that he would acknowledge that it has been a wetter than normal year. Councilor Moore stated that the area has been in a drought for the last seven years, and that this is a generally accepted idea. He stated also that it was his understanding that the plant was designed to handle the current flows, I&I, and have expansion room to the year 2013. He asked the KCM representatives if this were accurate, and if the plant had already reached its capacity. Mr. Minor concurred that the plant had been designed to accommodate to the year 2013, and that it had been designed to handle the known I&I. He went on to state that it did appear that the plant has indeed reached its capacity flow from a known standpoint on I&I. Mr. France stated that with the operation of the Grade School pump station, it has become apparent that the I&I problem is much greater than it was initially thought to be. He further stated that the pump station is keeping the flows going to the plant, rather than letting all of the pipes surcharge. He went on to state that the plant is well below its organic capacity, and that if measures are taken to reduce the I&I, the plant could handle additional growth. Councilor Moore asked if these things were not known when the plant was designed. Mr. Minor stated that it was, in fact, known that the town had a severe I&I problem, and the plant was designed on the best estimates which were available. Councilor Moore directed a question to the DEQ, regarding the outfall line from the plant to the discharge point (which is approximately 2500 feet). He questioned why the discharge cannot go from the plant straight into Lint Slough, and how that 2500

feet affects the ecology. Mr. Mark Hamlin replied there is inadequate dilution further upstream at Lint Slough Creek, and also that there were some sensitive sanctuary properties near the new Wastewater Treatment Facility. Mayor Boehme added that a third reason was that the discharge point is the same as it was for the old Wastewater Treatment Plant, and that DEQ allowed the City to use the existing site rather than design and install a new discharge point.

Councilor Atkinson stated that in going over the subject matter which was discussed on March 7, 1995, he wondered about the Yaquina John Point pump station. He verified that the pump station was built to resolve the situation on Yaquina John Point, and asked which pump station downstream from the YAP pump station was not large enough to handle the flow. City Manager Bauer stated that the pump station in question was the Forest Service lift station. She indicated that the situation in question came about when the Forest Service lift station could not keep up with the YAP lift station and pump the wastewater further on towards town, causing the "back up" at YAP. Councilor Atkinson went on to state that the next segment of the DEQ letter submitted to the Council states that the Grade School lift station is not adequate to handle the flows. Mr. Minor responded that the Grade School lift station is more than adequate for handling the flows, but that the flows are not getting to the lift station. City Manager Bauer clarified that the problem is essentially in the lines coming from the south side of the lift station, where the velocity of the flow coming off the hill from Crestline overpowers the line from Sadamunn Apartments, not allowing these flows to enter the lift station. Councilor Atkinson mentioned that the force main from the Grade School lift station to the Wastewater Treatment Plant appeared to be too small to handle the flows, resulting in a bypass situation. Mr. France responded that it was his understanding that of the three pumps present at the Grade School Lift Station, WWTPO Sonja Pickner has only seen one of them running, indicating plenty of capacity. City Manager Bauer requested that Councilor Atkinson read the portion of the letter to which he was referring. Councilor Atkinson recited the following "...the force main from this pump station to the treatment plant appears too small to handle the flows, resulting in sewage backing up and overflowing..." This was an excerpt from the letter composed by Ms. Barbara Burton of the DEQ. City Manager Bauer refuted the statement, replying that the information was inaccurate, and that just one of the pumps at the Grade School Lift Station was capable of handling the flows. Ms. Burton replied that she had composed the letter, but had been at a disadvantage because she had not been present at the meeting, and so based her information on what she had understood had taken place. She was, however, willing to admit that it had been a mistake. Mayor Boehme concurred that the statement was incorrect, and that the item under discussion was the manhole/connection prior to the lift station. He went on to agree with City Manager Bauer, that the head pressure coming off the hill gives it priority over the more level section heading in from the lower part of town, causing it to back up.

Mr. Mark Hamlin stated that the I&I was thoroughly researched prior to design of the plant, and that KCM proposed that it was not cost effective to repair or rehabilitate the collections system, but rather to build a larger plant. Councilor Atkinson verified that the I&I was more severe than was originally thought and asked KCM if they had gone by the study performed by Dyer Engineering. Mr. Minor concurred that the design plan was based on the facilities plan, which was a year and a half study done by Dyer Engineering, whose recommendation was to not do further I&I work, but rather treat all flows which came into the plant. Councilor Atkinson proceeded by asking Mr. Minor what the proper way of dealing with one entity taking the advice of another, with poor results, or the ramifications of one firm basing their design solely on someone else's work. Mr. Minor stated that KCM was hired to design a plant based on the criteria found in the facilities plan, prepared by Dyer Engineering. He went on to state that the document was an extended study and had been approved by DEQ. He stated that KCM was not negligent in designing for what was provided. He further stated that (Dyer) had made an estimate, and their estimate was a little bit low. Councilor Atkinson stated that prior to moving from the old plant, Sonja Pickner could surcharge the system

to a point where the I&I would not come in, stay within the discharge limits, and keep the sewer from backing up and overflowing Sadamunn. He asked if there was a way to do that with this new system. Mr. Minor stated that the old Grade School Lift Station could handle a flow of .6MGD, and all other flows would back up into Red Ditch, probably quite routinely. He went on to state that until approximately 1991, the City was not required to report when an overflow or bypass was occurring. He stated that the way the WWTPO attempted to run that plant was to not pump all the flows which she could get into it, and the pump station would only pump 400 gpm. He further stated that the way he understood it, when the flows were excessive, the biosolids floated out of the old plant into the discharge.

Councilor Lehmann stated that KCM kept saying that the plant needed to be so big because of the I&I problems and to allow for growth. She stated that it was difficult for her to believe that the "experts" (KCM) could misjudge the I&I and a 20-year period of growth. She asked how the EQ basin could have overflowed and gone down the drive, if the plant was designed to last for 20 years. Mr. France replied that KCM had lowered the outfall line and added vents to prevent that from happening. He stated that the replacement of the vortex valve with the butterfly valve will increase the flow rate from the EQ basin to the UV channel. He stated that by increasing the flow out of the outfall line, the weir will not surcharge to a depth where not all of the effluent is being treated.

Mr. Dale Haslett, of Alsea River Cable, asked if the flows were below 1000 gpm with the vortex valve in place. Mr. France replied that the breaking point with the vortex valve was approximately 1200 gpm, and that the butterfly valve should increase that flow to 1300 - 1400 gpm. Mr. Haslett inquired as to whether any additional work had been done since the taping of the weir surcharge and the EQ basin overflow. Mr. France responded that the vents had been added to the effluent outfall line, and that the design flow coming into the plant was a daily average of 1.2 MGD with a 2.0MGD peak and the design flow leaving the plant was 2.0 MGD. He went on to add that the modifications which had taken place were hoped to alleviate the problems of getting the effluent out of the plant, and that KCM would be testing them after installation. Mr. Minor then stated that the outfall should go out through the outfall line at 1390 gallons per minute perpetually, if it is needed.

Mayor Boehme asked if the outfall line would hold a steady rate of 1390 gpm without backing up, with the addition of the vents and the lowering of the outfall line, and if it can hold out against a high tide of perhaps 9.5. Mr. France stated that they felt that the line would hold. Mr. Minor stated that the line had taken 1400 gpm at start-up.

Mr. Haslett stated that the flow meter was not accurate with the vortex valve, and that the only way to know for sure if the outfall line was holding the desired capacity was to do a"draw down" for the duration of the decant. Councilor Russell asked who had verified the flow of 1400 gpm at startup. Mr. Minor responded that the engineer was present, WWTPO Pickner, Mayor Boehme, Councilor Tryon and Mr. France. Mayor Boehme stated that the flow according to the flow meter at that time was somewhere around 1350 gpm and not 1400 gpm. Mr. Dale Haslett inquired why the outfall line would hold 1350 gpm in September at start-up, but would not hold that rate during the winter. Mr. Minor replied that he was wondering the same thing. Councilor Russell asked if the flow meter had not been faulty at some point. Mr. Minor replied that the meter was still inaccurate to some degree due to the air created by the vortex valve. He continued that KCM felt that the meter would be more accurate and calibrated better with the butterfly valve. Mr. France stated that Mesa Labs had replaced the meter with a better meter, but that there were still inaccuracies due to air, and that the butterfly valve should eliminate or diminish those inaccuracies. Councilor Russell asked if the flow was verified when the faulty valve was in place. Mr. France replied that a "draw down" was also executed simultaneously to verify the flow rate. Mr. Haslett inquired if the "draw down" had occurred over the entire emptying of the EQ basin. Mr. France

replied in the affirmative. Mr. Haslett stated that the meter was "vastly wrong" because it showed that the effluent outfall line would not handle over 1100 gpm, and the EQ basin overflow and the UV channel was surcharged 4 inches over the top of the weir and that there was no air in the weir or at the beginning of the outfall pipeline, only lots of water. He further stated that he did not see how a butterfly valve would prevent this from happening. Mr. France stated that when the pipe was initially being filled, there was air trapped in it which was restricting the flow. He stated that the vents which were added should allow that air to be released, increasing the capacity of the effluent line. Mr. Haslett then inquired as to when the venting had been done. Mr. France replied that it had been sometime after March 7, 1995. Councilor Pompel asked if it was possible to achieve the appropriate level of disinfection at 1300 - 1400 gallons per minute. Mr. France replied that it was his understanding, from Ms. Pickner, that with the vortex valve capped, she has been getting from 1200-1300 gpm, with peaks of 1500 gpm, and has remained in permit for the past month, and has been achieving disinfection.

Mayor Boehme asked the Council to direct their questions towards the representatives from DEQ at this time. Ms. Barbara Burton, of the DEQ, stated that she realized the City has moved forward in good faith, and has attempted to meet the terms of the enforcement letter to come into compliance. She went on to state that the DEQ is concerned that the overflows and bypasses are still occurring. She felt that the problems at the WWTP were on their way to being taken care of, and stated that the design flows were obviously estimated too low, and expects the City to move towards correction of these problems. She further stated that they were not looking at punitive actions, even though there have been violations of the orders. Mayor Boehme stated that by-passes have been eliminated, and the plant has had only overflows, with the exception of the problems caused by the backing up of the Sadamunn complex. Ms. Burton agreed, stated that she intended the statement to be "over-flows" not by-passes. She stated that the DEQ would be putting together an enforcement letter, asking the City to come up with an outline of a plan and a reasonable schedule to determine what the collections problems are and eliminating them. She also stated that there may be grants or low-interest loans available to help absorb some of the costs. Mayor Boehme replied that most of the monies available were on a loan basis. He stated that the issues had been talked about, but not formally. He further stated that the City is aware that there is an I&I problem that needs to be dealt with. Ms. Burton stated that she had received a letter from the Port of Alsea, and that there was the possibility of a law suit from that quarter if no action was taken to correct the problems. Mayor Boehme replied that the City has been working towards a remedy for the problems at the WWTP, along with KCM. He stated that members of the Port of Alsea and owners of two local marinas were in the audience at the meeting, and that they had been affected, in some part, by the signs which the City had been required to post. Mr. Mel Lulay, Commissioner, Port of Alsea stated that the main issue at hand was that they wished to be kept current with the issues, as there have been many questions as to the status of the Bay and the marine life there. He indicated that if they are not kept notified, they do not know what to tell their clients. Mr. Lulay then asked if the water under the Hwy 34 bridge at Lint Slough is any different than the water 15 feet upstream. City Manager Bauer replied that Lint Slough Creek is nearer to the plant than Lint Slough. The effluent line dumps into the slough, allowing for better dilution than if dumped into a smaller, upstream creek. Councilor Russell asked the DEQ representatives if they were trying to tell the Council that there were no engineering design faults, and that the only existing problems are I&I flows. Ms. Barbara Burton stated that there had been problems with the outfall line, but that they had been corrected, as far as the DEQ knew. She further stated that, as she understood the situation, the replacement of the valve would eliminate the disinfection problems. She stated that at this point, the plant itself is going to be okay. She did acknowledge that the estimated flows in the facilities plan were underestimated. She stated that she did not know where liability might lie, but that she was sure that Gary Dyer of Dyer Engineering had done

the best that he could with the information that was given. Mr. Mark Hamlin stated that there was a list of minor difficulties with the plant, but that none of the difficulties appear to be directly causing permit violations. Councilor Russell commented on the letter presented in regards to the March 7,1995 meeting between City representatives, the DEQ, and KCM, and asked which subdivisions had been approved by the City, but had not received approval from the DEQ. Ms. Burton replied that Ocean Hills was one subdivision which she knew for certain fell under this category. City Manager Bauer stated that she had discussed this issue with the City Planner, and that there were two others. Councilor Russell inquired whether the plans for the Wastewater Treatment Plant had been reviewed and approved by the DEQ, and received an affirmative response from Ms. Burton. He continued on to ask about the Grade School Lift Station pipe which fails to deliver enough capacity to get the flows to the Lift Station. Mr. Minor replied that the pipes which were inadequate for the flows were the older pipes in the system, and not the newer pipes which deliver to the Wastewater Treatment Plant. Councilor asked why there were three pumps at the Grade School Lift Station if only one pump were working. Mr. Hamlin responded that the City is required to have a backup pump in case of failure, but that he was unsure of the purpose of the third pump. Mr. France replied that the second pump was used for picking up the slack when the volume is greater upstream, and would only run occasionally, not constantly. He indicated that the third pump is the required backup pump.

Councilor Lehmann inquired if two pumps are mandated for each of the lift stations within the system. Both representatives from KCM responded that each lift station is required to have at least two pumps. Councilor Lehmann then asked what had been the problem at the Yaquina John Lift Station, and if the next lift station down from YAP (Forest Service Lift Station) had two pumps, or if they were both operational. City Manager Bauer responded that she was unable to answer that question. Mayor Boehme replied that the Forest Service Lift Station pumps the flow up the hill to Norwood Heights through a force main, and that the flow is then gravity fed down to the Grade School Lift Station, where it is pumped to the Wastewater Treatment Plant. He continued that he, too, was unsure of the difficulties which had occurred at the Forest Service/YAP stations that had caused the by-pass. Councilor Lehmann inquired if the Forest Service Lift Station was the responsibility of the City or of the Forest Service, to which City Manager Bauer replied that the Forest Service Lift Station is the name of the location and that it belongs to the City. Mayor Boehme reinforced that all of the lift stations are the City's responsibility and that they belong to the City. Mayor Boehme reiterated that the letter from the DEQ was incorrect, and that the pipe that was too small was the one going into the Grade School Lift Station, and not the one from the Grade School to the Treatment Plant.

Mr. Cory Comstock of Waldport, stated that everyone is concerned with the I&I into the sewer lines and the surcharging into the pipes, as well as the overflows and by-passes that occur during the rainy winter months. He stated that his concern is what happens in the summer months, after the water table has receded. He asked if there is the possibility that the sewage from the pipes can escape from the system through the same cracks and connections that the ground water can enter through. Mr. Hamlin responded that this was a definite possibility, and that will be one of the factors that will be studied this summer when flows are lower. He stated that the flow will be examined to determine if it drops off more than would be expected for the population. He further stated that if the flow stays within an acceptable range, that possibility will most likely be dismissed. Mr. France clarified that a lot of the I&I problems come from the connection of roof drains to the system, and that in periods of low flow, the wastewater will not back up into the roof drains. He also stated that many times, the connections of the houses to the sewer system will have leakage problems, but that these will not backup with sewer during periods of low flow. He stated that there would not be the same amount of leakage out of the pipes as there is into the pipes. Mr. Comstock rebutted his statement by saying that according to his information, there are

bad seals on some of the pipes, and breakages, as well. He noted his sources as being ex-City personnel. Ms. Burton stated that it is a logical assumption that if there is inflow in the winter, there would be outflow in the summer. She went on to say that every municipality has some leakages, to a lesser or greater extent than Waldport. She stated that they have no documented evidence of a ground water problem. Mr. Comstock stated that the issue at hand is the I&I problem. He went on to say that when the plans for the Wastewater Treatment facility were being made, one of the concerns of the citizens was the I&I problem. He said that at that time (1992) those concerns were set aside with statements that the plant would be large enough for any I&I flows, and that the repair and rehabilitation of the pipelines was not cost effective. He requested that KCM not use the I&I problems as a "scapegoat" because this concern was broached when the plant was being discussed and designed, and the Citizen's Advisory Committee was informed not to worry about the I&I because the plant would be designed large enough to handle the problem. Ms. Burton stated that the I&I problem would not be so serious if the plant had been designed to handle the flows. She stated further that if the estimate had come closer to the actual inflow and infiltration amount, there would not be the concern that there is now. She stated that the concern of the DEQ are the by-passes and the overflows that had been occurring. She continued that it is not clear to her, at this time, that even if all of the flows were gotten to the treatment plant, that the plant has the capacity to treat them. Mr. Dale Haslett stated that when the plant was considered, it was not cost effective to repair the collection system but that the cost effective route was to build a larger treatment facility. He continued on to state that Mr. Dyer's estimate had been 1.33 MGD peak I&I flow, according to the Waldport Facilities Plan, and so it was his opinion that the plant should have been designed to handle that amount and more, if it was projected to last until 2013.

Mr. Minor stated that the plant is designed to handle 2.0 MGD peak instantaneous flows. Mr. France stated that the flow cannot get to the plant because of the bottleneck in the system at the manhole where the convergence of pipes from Crestline Drive and the flat of town are located. Mr. Haslett indicated that the KCM representatives may be right, that the collection system cannot get all of the flows to the treatment plant, but that what does get to the plant is more than it can handle. Mr. France stated that modifications had been made to the plant so that it can handle the flows since the occurrences of the by-passes and overflows this past winter. Mr. Haslett asked if this negotiation will be kept open through next winter when the peak flows and high I&I problems occur, and if KCM will stand behind the plant at that time. Mr. Minor replied that KCM will not be walking away from its obligations. Mr. Haslett asked the representatives of the DEQ if the standards for disinfection and treatment had changed in the last few years. Ms. Burton replied that the standards had been approximately the same for the last 15 - 20 years. Mayor Boehme questioned if the old sewer plant had met these standards. Ms. Burton replied by saying that it depended upon whether or not there was a solids washout. Mayor Boehme stated that part of the public relations problem was that the City was not required to post the warning signs around the bay until after the final stipulated order. Mr. Hamlin stated that the final stipulation order did have very specific requirements, but that it does not mean that the City should not have been posting the signs before. He stated that if the DEQ had known of all of the overflows and other problems, and had requested the City to take appropriate action, the other overflows would also have been posted. Councilor Lehmann stated that the health warning signs along the Bay had come down very quickly. She commented that one week, there was a horrible pollution problem in the Bay, and the next the Bay is clear and open to harvesting and recreation. Mr. Hamlin responded that, in fact, the Wastewater Treatment Plant had been in compliance with permit limitations for quite some time before the signs were removed. He further stated that there were some high fecal coliform numbers in March, but that they averaged down to within permit limitations. He also mentioned that there were some high fecal coliform results in the Bay when City personnel collected the samples and had them analyzed, but that it was the feeling of the DEQ that the marine life and birds were

the contributing factor, and not the Treatment Plant. He stated that the DEQ was very conservative in allowing the removal of the signs, commenting that frequently it is only two or three days before the signs are allowed to be removed, but that with Waldport, the plant was in compliance for a month. Councilor Lehmann stated that she wanted to verify that the signs had been removed because of real tests that were conducted, and not for economic or public relations purposes. Mr. Hamlin stated that the DEQ was interested in letting the City take down the signs as soon as was possible, but that they weren't taking any chances. Mayor Boehme clarified that the DEQ did not "let" the City take down the signs until Friday of Spring vacation. Councilor Moore asked what the point of contamination was for fecal coliform results. Mr. Hamlin stated that the plant has a fecal coliform limit of a 400 weekly average and a 200 monthly average. Councilor Moore then inquired as to when the signs must go up. Mr. Hamlin indicated that when the City calls the DEQ and reports a problem with one sample or a raw sewage overflow, the signs would go up immediately. He stated that if the DEQ received the daily monitoring report at the end of the month, and the results varied considerably, with a few results over the permit limit, there would probably be no concern.

Councilor Moore asked if the DEQ tested the river for all of the overflow from septic systems and wildlife "contributions". He asked if the Department set a baseline standard to verify contamination. Mr. Hamlin replied that the DEQ had not tested the Bay itself for contamination since 1983. Mayor Boehme asked for clarification of what the DEQ considered to be the Bay. Mr. Hamlin replied that the Bay is classified as reaching up to Tidewater/Five Rivers Bridge. Councilor Moore asked if the responsibility concerning the clams in the Bay which were being laid upon the City could, in fact, be caused by contamination from further upstream, and that no one would be aware of it. Mr. Hamlin stated that this was possible, and that he would have the upstream test results in a few days, which should give an indication of the status. He stated that the Bay had not been tested by the DEQ or the Department of Agriculture, as they do not have a management plan for shellfish in the Bay. Councilor Russell stated that the Department of Agriculture had informed him that the only places where they would test would be where there is commercial harvest of shellfish. Councilor Moore pointed out that there is a commercial clammer authorized to harvest in the Alsea Bay, according to Oregon Department of Fish and Wildlife. Mayor Boehme asked what it would take to get the other parts of the Bay tested above the City of Waldport and the plant discharge site. He stated that almost all of the problems within the Bay had been laid upon the City, and noted that there are a lot of septic systems along the Bay, and that many animals use the creeks that empty into the Bay. Ms. Burton responded that DEQ could test, but that they have limited resources. She stated that there was a routine statewide monitoring program, and the concentration is on larger streams. She indicated that they do not have the resources to monitor the smaller streams, and the reason they monitor sewage treatment facilities is because the discharge is human waste. She went on to state that there are diseases which are passed through human waste, and hence the feeling is that human wastes are a much higher potential public health hazard. Mr. Hamlin stated that he would like to point out that the signs were taken down because the City is in compliance, not that the Bay is in compliance. He noted that there are areas within the Bay that are not within compliance, but that the City is not responsible for those problems. He stated that the City is not being required to remedy the other situations within the Bay. Councilor Moore stated that the City is being blamed for the entire problem within the Bay by the media and others. He requested that the DEQ begin to publicize that the problem does not rest solely on the City and the Wastewater Treatment Facility. Ms. Burton commented that there are many small streams which do show violations of fecal coliform standards because of septic tanks and domestic and wild animal life. She stated that the DEQ would be happy to make that generalized knowledge available, and that just because the City is required to post the signs, does not mean they are the only contributors. Councilor Tryon stated that the entire problem has been laid on the City, with

no question as to the blame being distributed anywhere else. She stated that the pollution in the Bay was directed at the City by all media releases, and now the DEQ is stating that there is 15 miles which they are authorized to test, and which have not been tested. She went on to state that there are many septic systems along the river which are polluting the Bay. Ms. Burton stated that she agrees that the blame could not possibly be put entirely on the City. Councilor Tryon asked why this had never been questioned previously. Ms. Maggie Rivers, Manager, Port of Alsea, stated that in November 1994 the Water Quality Task Force (WQTF) did address other sources of pollution. She stated that the WQTF could not even begin to address the sources of these pollutants until the Wastewater Treatment Plant came into compliance. She stated that they would be working for the next few years to develop water quality studies and stated that they are working with the Department of Agriculture and the County Health Department to identify the failing septic systems. She noted that they did not feel the problem was solely with the WWTP, but that until that problem was addressed, they could not go on to solving the remaining problems. Councilor Russell stated that it was his understanding that KCM was considering reprogramming the WWTP computer control system so the plant will handle less capacity, bringing the plant into compliance more often. Mr. Minor stated that they had asked the manufacturer to look at the program to make sure that it is consistent with flow equalization volumes and flow rates. He stated that there had been some suggestions for modification of the program by the manufacturer. Mr. France continued by stating that KCM does not feel that it will decrease the capacity of the plant, but that maybe it can make the plant work more efficiently. Councilor Russell indicated that when the City had the old plant, if there was a by-pass, the effluent went directly to the Bay and not to the plant. He asked if, with the partial working of the new plant, the Bay is better off now than it was when raw sewage was by-passed. Mr. Hamlin stated that was accurate, only now posting of signs is required, where it was not before. Councilor Tryon stated that the fecal count of raw sewage is well over one million, and that the plant is required to reduce that to below 200. She asked what the count was from the plant, even with the problems. Mr. Minor and Mr. France replied that in the month of March there had been a count of around 500, and that in the worst case it had been around 2500. Councilor Tryon inquired if the City would now be required to submit some form of an I&I reduction plan. Ms. Burton stated that the City would be required to do whatever is necessary to eliminate the overflow of raw or partially treated sewage. She continued that the cost effective route may be to build relief interceptors, and an expansion on the treatment plant, or that it may be more cost effective to repair and rehabilitate the collections system.

Councilor Tryon asked how much the plant had been upgraded from the original design that was supposed to handle the I&I flows. Mr. Minor stated that KCM concurred with the facilities plan that stated the City should treat the I&I flows versus doing corrective action. He went on to state that KCM did not increase the projected peak flows, but rather designed the plant based upon the information provided by the facilities plan. Mayor Boehme pointed out the DEQ had stated that the information may have been flawed because of the type of system that is in place. Mr. Comstock stated that there was a meter on the bypass pipe, measuring all of the overflow in addition to the amount that was sent to the treatment plant. He stated that this was all documented by the flow meters, and that to state it was underestimated was inaccurate. Mr. Minor stated that the plant is designed to handle the capacity of the flows recommended in the facilities plan. He further stated that there were some problems with the plant, but that they are in the process of being corrected. He went on to say that there are additional problems in the collection system which restrict the flows from reaching the plant, causing sewage backups and overflows. He stated that KCM is concerned with the I&I problems, and that if all of the flow were to get to the plant, whether or not it could be treated, but that the plant can treat the flows for which it was designed.

Councilor Pompel asked the representatives of the DEQ if they foresaw a time in the future where the City would be required to treat all water, including storm water as well as sewage. Ms.

Burton stated that there are storm water permits for municipalities with a population of 100,000 or more. She stated that at this point they are not required to treat storm water, although they are asked for ideas on how to minimize flows. She went on to say that she did not see this occurring for quite some period of time. Councilor Pompel asked what the cost would be to install another line from the EQ basin, another UV channel, and another outfall line. Mr. Minor stated that the estimated cost on a UV system is approximately $120,000, not including the outfall line. Councilor Pompel stated that the only way that he can see disinfection occurring, after what he witnessed this past winter is to install another UV channel and outfall line, and inquired who would be responsible for its installation. He stated that he understood that the plant was a package deal, and that KCM had designed the plant from the equalization basin out to the discharge point. He then inquired if KCM would be responsible for installation. Mr. Minor responded that Councilor Pompel's understanding was incorrect, and that if an additional UV system needed to be installed due to a low transmittance, that needed to be resolved, but stated that it was not the design that was the problem. He also stated that KCM had not been negligent with the design of the plant. He stated that if the City needed to do more to achieve disinfection, it would be the City's responsibilities. He continued that if additional outfall capacity is needed for extremely high flows, which would only have to be handled at infrequent intervals, it may be that the overflow outfall line could be funneled directly to the canal near the wastewater treatment facility. He stated that there would have to be justification for this modification. Councilor Russell asked if KCM should not be held responsible for a UV chamber which works correctly and handles the flow from the EQ basin. Mr. Minor responded that they had built the chamber to industry standards. Mr. France stated that there are two aspects to the UV chamber. One is the flow through the chamber, and the other is the transmittance. He stated that the flow problem should be remedied by the modifications to the outfall line, but that KCM was not responsible for the transmittance. Councilor Moore stated that the reason the City had gone with the UV disinfection system, was that they had been informed that it was the best possible system. Mr. Hamlin interjected that the DEQ required either a chlorination/dechlorination disinfection system or the UV disinfection system, and that the UV system was the more economical. Councilor Moore inquired if it had been the recommendation of the DEQ that the City pursue the usage of a UV disinfection system rather than a chlorination system. Mr. Hamlin stated that they had not made this determination. Councilor Moore then asked how many UV disinfection systems were in place in the state of Oregon. Mr. Minor replied that KCM had designed three systems, all of which were working very well: Stevenson, Scappoose, and Oakridge. None of these had a violation of fecal coliform count limitations. Mr. France stated that the plants in Siletz and Neskowin also have UV disinfection systems.

Councilor Moore asked if there was a problem getting the solids to the sludge basin. Mr. Minor stated that two of the ports from the digester were plugged, and one of them is working properly. Mr. France stated that one of the reasons they may be plugged is due to sloughing, or that the sludge from the digester plugged the ports. Mayor Boehme asked how the ports were to be cleared, and who was responsible for the work. City Manager Bauer stated that there is a broken valve in the sidewalk near the digester, and that it is a nonessential valve. She continued that there is a possibility of an arrangement with the contractor to vent the digester lines and clear the ports in exchange for the repair of the broken valve. Councilor Moore questioned KCM on the warranty of the valve, and asked what would happen if there were a failure within the warranty period. Mr. Minor replied that there was a one-year warranty on the valve, and that in order to replace it, the sidewalk and surrounding area would have to be excavated. Councilor Moore asked if the valve had failed, and if so, then why has it not been fixed. City Manager Bauer stated that the inspection notes on the job say that the valve was tested and found to be in good working order at the time it was turned over to the City, so there is a controversy as to whom is responsible. City Attorney Dave Gordon stated that if the City could prove a malfunction of the valve then it would

be covered under warranty. Since the valve was delivered in good working order, it is not certain what occurred, and since that time the valve has become damaged.

Mayor Boehme asked KCM if they were going to replace the fencing which was damaged by trees falling during a windstorm. Mr. Minor stated that when designing the plant, they were not sure that the site would be logged, and after construction, removed those trees which they felt were the most precarious. He stated that it is City property, and City trees, which he felt was not the responsibility of KCM to repair.

Councilor Atkinson asked about the suspended solids in the effluent and the quality that could be expected during lower, more highly concentrated summer flows. Mr. Minor stated that he felt that the plant should provide better treatment during the summer, producing a higher quality effluent, with a lower suspended solids.

Councilor Moore inquired how the ports were going to be unplugged in the lagoon. City Manager Bauer replied that she would speak to John Hyland (contractor) about a solution.

Mr. Dale Haslett inquired if it would be possible to use the sludge pond for storing of the effluent before it is disinfected during periods of high flow and surcharge. Mr. Minor replied that it could be done, but that he saw no benefit to that solution.

Mr. Haslett stated that the overflow protection is that the effluent that goes out the top of the EQ basin and down the driveway to be collected by a storm drain catch basin that then pumps the overflow back to the headworks of the plant. Mr. Minor stated that the plant lift station is designed to handle facility wastes, pond overflow and flows from screening and cleanup of the headworks site. He continued that the storm drain catch basin to which Mr. Haslett is referring was actually designed to be a part of the sludge loading arm, and that the City had removed the sludge loading arm from the project, and that it had not been designed to catch any overflows from the plant.

Councilor Russell questioned the KCM representatives on the seepage which occurs up through the blower room floor, and asked if the room had been sealed so that the water could not enter the room. Mr. France stated that they did not feel that this was a design flaw, and that when the contractors had laid the floor and then the walls, that they simply had not gotten the juncture water tight. Councilor Russell asked if the problem would be resolved and who would be responsible. Mr. Minor stated that the problem would be addressed, but that the issue of responsibility would have to be discussed.

Mayor Boehme stated that the butterfly valve was scheduled to be installed on March 31, 1995, and that testing of the valve would ensue, dependant upon progress with the valve and other factors. He further commented that the testing would perhaps be occurring on the following Tuesday, April 4, 1995. He verified with KCM that the problems with the outfall line were believed to be cured, and that testing of the line would occur concurrent with the testing of the valve. He asked how many vents and manholes were located along the outfall line. Mr. Minor stated that there were 3 or 4 vents and three manholes. Mayor Boehme asked who would be available as the KCM representative at the testing. Mr. France replied that he would be present to test both the valve and the outfall line. Mr. Minor stated that KCM had added the vents and approximately 100 to 200 feet of outfall line. Discussion ensued.

Councilor Lehmann asked the representatives from DEQ how long the plant had to be in operation before they would certify the plant. Mr. Hamlin stated that they do not certify the plant, they only inform the City what actions should be taken if the plant goes out of compliance.

Discussion ensued in regards to the elevation of the outfall line and the flow rate out of the effluent line under various conditions. Councilor Moore wondered who would be responsible for the fines if the outflow did not meet the DEQ standard of 1400 gpm. Mr. Minor stated that if the outflow did not meet those standards, KCM would be responsible for making sure that it did. In their closing statements, KCM indicated that although the high I & I flow was still a concern, the

system had been able to adequately treat the flow, and they were optimistic about the future of the plant and its performance. Mayor Boehme commented that within a short period of time after the plant had gone on line, four of the five standards that DEQ needed to have addressed were met. The only problem since then has been the disinfection and resulting problems. A brief discussion ensued regarding the plans to address this issue and who would be liable for the repairs.

Ms. Trudi Rhodes raised a concern that the information reported by the media be accurate in portraying responsibility for the problems, since the City is not totally at fault for the problems. This statement was followed by another brief discussion, in which City Attorney Gordon indicated that the issue of financial responsibility had not yet been resolved and would be taken up at a future time.

Mayor Boehme thanked the representatives of KCM for coming to the meeting to help clear up some of the problems and concerns.

Meeting Adjourned