

**WALDPORT CITY COUNCIL  
JUNE 9, 2016  
MEETING NOTICE AND AGENDA**

The Waldport City Council will meet at 2:00 p.m. on Thursday, June 9, 2016 in the City Council Meeting Room, 125 Alsea Highway to take up the following agenda:

1. CALL TO ORDER
2. MINUTES: *May 12, 2016*
3. PUBLIC COMMENTS/PRESENTATIONS:
4. PUBLIC HEARINGS:
  - A. *State Revenue Sharing*
  - B. *City of Waldport Budget for FY 2016-2017*
  - C. *Amendment of Municipal Code Section 16.28 (Retail Commercial Zone C-1)*
  - D. *Amendment of Municipal Code Section 16.32 (General Commercial Zone C-2)*
  - E. *Proposed Zone Change and Comprehensive Map Amendment: Map 13-11-19AD Tax Lot 801, Zone Change From R-1 to C-1 or C-2, Comprehensive Map Designation Open and Public to Commercial*
5. DISCUSSION/ACTION ITEMS:
  - A) *Budget Resolutions:*
    1. *State Revenue Sharing*
    2. *Adopting Budget for FY 2016-2017*
    3. *Amending Budget for FY 2015-2016*
  - B) *Certificate of Appreciation for Sheriff Dennis Dotson*
  - C) *Consideration of Dahl Disposal Fee Adjustment*
  - D) *Intergovernmental Agreement with Lincoln County (Police Services)*
  - E) *Recreational Marijuana City Tax*
  - F) *Other Issues*
6. COUNCIL COMMENTS AND CONCERNS
7. REPORTS
  - City Manager*
  - City Librarian*
  - City Planner*
  - Code Compliance Officer*
8. 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.*
9. ACTIONS, IF ANY, FROM EXECUTIVE SESSION
10. GOOD OF THE ORDER
11. 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)264-7417, during normal office hours.

Notice given this 3<sup>rd</sup> day of June, 2016 - Reda Q. Eckerman, City Recorder

**WALDPORT CITY COUNCIL  
MAY 12, 2016  
MEETING MINUTES**

1. **CALL TO ORDER AND ROLL CALL:** Mayor Woodruff called the meeting to order at 2:00 p.m. Mayor Woodruff and Councilors Gates, Christenson, Campbell, and Holland answered the roll. Councilors O'Brien and Cutter were excused. A quorum was present.

Noting the presence of representatives from the Seashore Family Literacy Center and Angell Job Corps, Mayor Woodruff moved the "Shelter Me" proclamation up on the agenda. Senitila McKinley addressed the Council regarding the program and the upcoming events for "Shelter Me Week". Several of the program participants spoke in regard to the benefits they have received by participating in the literacy programs.

2. **MINUTES:** The Council considered the minutes from the April 14 Council meeting and the April 26 Budget Committee meeting. Councilor Holland **moved** to approve the minutes as presented. Councilor Gates **seconded**, and the motion **carried** unanimously on a voice vote.

3. **CITIZEN COMMENTS AND PRESENTATIONS:** Jan Power distributed a letter of concern and spoke regarding escalating problems with the transient occupation of Keady Wayside. Following discussion, it was determined that staff will research existing regulations and other resources for dealing with this issue. Pam Pitts addressed the Council regarding the Fire District levy in the upcoming election, and urged the Council to explore ways to help support the District. Interim Fire Chief Marcus Reed introduced himself to the Council and provided a brief synopsis of his experience and the goals that he hopes to accomplish during his tenure. Amanda Yount and other representatives from PacWest Ambulance introduced themselves and expressed enthusiasm about the opportunity to provide service to this area.

4. **DISCUSSION/ACTION ITEMS:**

A. **Proclamations:** Mayor Woodruff read the Beachcomber proclamation into the record. The Council acknowledged the Older Americans Month proclamation. The Shelter Me Week proclamation was previously addressed.

B. **Taxation and the Central Oregon Coast Fire & Rescue District:** City Manager Kemp reviewed his report, noting that the District includes the City of Waldport but also extends up the Alsea Highway to Tidewater and the Five Rivers area. Additionally, there are some portions of the City which are actually in Yachats or Seal Rock Fire Districts. This could make the allocation of City funds to the District problematic. Additionally, the City would not be able to make a fiduciary contribution without reducing other services or implementing an additional tax. Currently, the City does support the District by allowing them to rent their portion of the building for \$1 per year, and maintaining and testing the fire hydrants, which would normally be a function of the Fire District. Fire Chief Reed stated that the District had a good working relationship with the City. He explained that the

personnel costs run about \$120,000 per employee and for full twenty-four hour coverage it takes a minimum of six to seven people. The District is looking at a multitude of ways to address the need for services regardless of the outcome of the levy. Councilor Campbell suggested that this topic be on the agenda for the upcoming joint meeting with the Lincoln County Commissioners on June 1.

C. Parks, Recreation and Trails Master Plan/Open Space: City Manager Kemp reviewed his staff report and the attachments, which included draft goals and objectives, the results of the public outreach effort, draft maps, and information on recreational immunity and liability. A brief discussion ensued regarding the potential acquisition of additional properties and the possible enhancements, as well as funding opportunities. Mr. Kemp noted that this is an ongoing process and further updates will be provided at a future public meeting.

D. Other Issues: None.

5. COUNCIL COMMENTS AND CONCERNS: Mayor Woodruff noted that she is on the Community Relations Council for Angell Job Corps, and they are bringing back the culinary program and looking for an instructor. The mosaic project is now complete, and looks very attractive. She reported that the Council of Governments is providing transportation to the new clinic, and also the "Fairly Priced Food" group is working with representatives from the local market to look at the possibility of providing discounts for low income families and seniors.

6. REPORTS: The reports from the City Librarian, Public Works Director, Code Compliance Officer and City Planner were included in the packet materials. City Manager Kemp reviewed his written report and noted the attachment of the City's Street Light policy, in response to a question that had come up at the Budget Committee meeting.

7. EXECUTIVE SESSION: At 3:40 p.m. 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. The topic of discussion was the status of the water tank rehabilitation project.

8. ACTIONS, IF ANY, FROM EXECUTIVE SESSION: The Council reconvened into Open Session at 3:45 p.m. No actions were taken.

9. GOOD OF THE ORDER: Councilor Campbell reminded the Council of the upcoming dinner and silent/live auction for the Fireworks Fund, which will take place on June 4 starting at 5:00 p.m. He also reported that evidently both the Big Wheel restaurant and the Adobe down in Yachats are under new ownership. A brief discussion ensued regarding the requested zone change for the old Public Works building, and City Manager Kemp noted that this will be on the next agenda for Council action, as it has now been through the public hearing process for the Planning Commission.

10. ADJOURNMENT: At 3:52 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 \_\_\_\_\_, 2016.

SIGNED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2016.

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Susan Woodruff, Mayor



## **CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION**

**TITLE OF ISSUE:** Amending the City of Waldport Budget for Fiscal Year 2015/2016

**REQUESTED BY:** City Manager, City Accountant

**FOR MEETING DATE:** June 9, 2016

**SUMMARY OF ISSUE:**

The City of Waldport has an approved fiscal year budget, which is requested to be amended due to changing circumstances surrounding revenues and expenditures.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Approve City of Waldport Resolution amending the budget for fiscal year 2015/2016.

**BACKGROUND:**

A budget is a plan for receiving revenues and spending these resources. As it is a plan, Oregon statutes provides for amending budgets due to changing conditions. The attached budgetary amendments are exempt from the supplemental budget process and simply require a resolution by the governing body. Exemptions from the supplemental budget process include specific purpose grants and gifts, re-appropriating a limited portion of contingency, and the transfer of appropriations within a fund.

A specific purpose grant has been received from Lincoln County for emergency preparedness (\$2,500) and the library has received many contributions for the Vic Bucy Memorial (\$3,345) at the Waldport Public Library. These specific purpose revenues (\$5,845) and re-appropriation of contingency (\$13,500) provide for increasing authorized expenditures by \$19,345.

- General fund's public safety budgetary expenditure is increased by \$5,000 for emergency preparedness radios and supplies and by \$1,000 for public works services associated with emergency operations. (The emergency preparedness grant of \$2,500 requires a dollar-for-dollar grant match.)
- The community fund's materials and services are increased by \$3,345 for the Vic Bucy Memorial at the Waldport Public Library.
- The water fund's materials and services appropriation is increased by \$5,000 for public works services at the water treatment plant for certifications of additional water plant operators and by \$5,000 for public works distribution services. The public works distribution services budget amendment is a direct response to an increase in unexpected emergency water repairs this year. The public works services increase is for water plant operators that are trying to gather required hours for future required state certifications.

A transfer of the public works fund appropriations, reducing materials and services and increasing capital outlay appropriation, will provide for a new smaller excavator, taking advantage of state procurement contract pricing. (There is no increase in expenditures.)

**ATTACHMENT:** Resolution

**CITY OF WALDPART RESOLUTION # \_\_\_\_\_**

**AMENDING THE BUDGET FOR FISCAL YEAR 2015/2016**

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

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

THEREFORE, THE CITY COUNCIL RESOLVES that City of Waldport budget appropriations for the fiscal year 2015/2016 are hereby amended as follows.

<b>General Fund</b>	<b>Resource or Revenue</b>	<b>Amount Increased (Decreased)</b>	<b>Requirement or Expenditure</b>	<b>Amount Increased (Decreased)</b>
	Grant Proceeds	2,500	Public Safety	6,000
			Contingency	(3,500)

Lincoln County grant proceeds for emergency preparedness are appropriated and the public safety appropriation is increased by \$5,000 for emergency supplies and increased by \$1,000 for public works services associated with emergency operations. After this budget amendment, contingency will be changed from \$24,342 to \$20,842.

<b>Community Fund</b>	<b>Resource or Revenue</b>	<b>Amount Increased (Decreased)</b>	<b>Requirement or Expenditure</b>	<b>Amount Increased (Decreased)</b>
	Contributions	3,345	Materials & Services	3,345

Library contributions for the Vic Bucy Memorial are appropriated and materials and services are increased by \$3,345.

<b>Water Fund</b>	<b>Resource or Revenue</b>	<b>Amount Increased (Decreased)</b>	<b>Requirement or Expenditure</b>	<b>Amount Increased (Decreased)</b>
			Materials & Services	10,000
			Contingency	(10,000)

The water fund's materials and services appropriation is increased by \$5,000 for public works services at the water treatment plant for certifications of additional water plant operators and by \$5,000 for public works distribution services. The public works distribution services budget amendment is a direct response to an increase in unexpected emergency water repairs this year. The public works services increase is for water plant operators that are trying to gather required hours for future required state certifications. After this budget amendment, contingency will be changed from \$25,141 to \$15,141.

<b>Public Works Fund</b>	<b>Resource or Revenue</b>	<b>Amount Increased (Decreased)</b>	<b>Requirement or Expenditure</b>	<b>Amount Increased (Decreased)</b>
			Materials & Services	(18,300)
			Capital Outlay	18,300

Public works capital outlay appropriation is increased by \$18,300 for a new smaller excavator. A smaller used excavator in good condition, originally estimated at \$50,000, has been hard to find. A new excavator offers the advantages of state procurement contract pricing and a warranty, deemed a better value for a better piece of

**CITY OF WALDPART RESOLUTION # \_\_\_\_\_**

equipment. Public works materials and services appropriations are reduced for equipment repairs and maintenance, as more repairs are accomplished in house.

Adopted by the Waldport City Council this 9<sup>th</sup> day of June 2016

Signed by the Mayor this \_\_\_\_\_ day of June 2016

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Susan Woodruff, Mayor

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Attested by Reda Eckerman, City Recorder



## **CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION**

**TITLE OF ISSUE:** Adopting City of Waldport Budget for Fiscal Year 2016/2017

**REQUESTED BY:** City Manager, City Accountant

**FOR MEETING DATE:** June 9, 2016

**SUMMARY OF ISSUE:**

The budget committee met on April 26<sup>th</sup> and approved the budget document with no amendments and recommended its adoption to the Waldport City Council. A summary of the budget, as approved by the budget committee, was presented in the Newport News Times in the May 25<sup>th</sup> edition.

Once the budget hearing has been held, the governing body can make changes to the budget that was approved by the budget committee. The governing body must take all available information into consideration when adopting the budget. This information includes the public testimony presented at the budget hearing and any new information.

Any expenditure in any fund can be reduced as long as resources and requirements in the fund remain in balance. Any tax levy can be reduced from the rate or amount that was approved by the budget committee. **Expenditures may be increased by \$5,000 or 10 percent, whichever is greater.** If any funds are increased by more than \$5,000 or 10 percent, the governing body must publish notice of a second budget hearing and a new financial summary, and hold the second hearing before the adjusted budget can be adopted.

<b>Fund</b>	<b>Expenditures</b>	<b>10%</b>
General	943,088	94,309
Community	496,321	49,632
Street	296,550	29,655
Public Works	874,178	87,418
Water	930,277	93,028
Sewer	618,518	61,852

**STAFF RECOMMENDATION or ACTION REQUESTED:**

After the public hearing and budget deliberations, we recommend the City Council approve a resolution to either adopt the budget for fiscal year 2016/2017 as presented, or adopt the budget for fiscal year 2016/2017 as amended and authorize the Mayor to sign when the document has been revised.

**RESOLUTION \_\_\_\_\_**

**DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES**

The City of Waldport resolves as follows:

Pursuant to ORS 221.770, the City hereby elects to receive State Revenues for Fiscal Year 2016-2017.

PASSED by the Waldport City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

SIGNED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Susan Woodruff, Mayor

ATTEST:

\_\_\_\_\_  
Reda Q. Eckerman, City Recorder

I certify that a Public Hearing before the Budget Committee was held on April 26<sup>th</sup>, 2016 and a Public Hearing before the City Council was held on June 10<sup>th</sup>, 2016 giving citizens an opportunity to comment on use of State Revenue Sharing.

\_\_\_\_\_  
Reda Q. Eckerman, City Recorder

**CITY OF WALDPORT RESOLUTION # \_\_\_\_\_**  
**ADOPTING THE BUDGET, MAKING APPROPRIATIONS,**  
**IMPOSING AND CATEGORIZING THE TAX**

BE IT RESOLVED the City of Waldport hereby adopts the budget for fiscal year 2016/2017 in the amount of **\$5,376,846** now on file at Waldport City Hall, Waldport, Oregon.

BE IT RESOLVED that the amounts shown below are hereby appropriated for the following purposes for the fiscal year beginning July 1, 2016.

<b>General Fund</b>	
Transfers	112,900
Contingency	23,439
Administration	415,524
Land Use Planning	63,281
Public Safety, Court	378,230
GO Bonds	86,053
<b>Total</b>	<b>1,079,427</b>

<b>Community Fund</b>	
Personnel Services	175,649
Materials and Services	135,442
Capital Outlay	185,230
Contingency	5,594
<b>Total</b>	<b>501,915</b>

<b>Street Fund</b>	
Materials and Services	235,600
Capital Outlay	60,950
Transfers	28,881
Contingency	23,310
<b>Total</b>	<b>348,741</b>

<b>Public Works Fund</b>	
Personnel Services	760,508
Materials and Services	73,300
Capital Outlay	10,000
Debt Service	30,370
Contingency	33,301
<b>Total</b>	<b>907,479</b>

<b>Water Fund</b>	
Materials and Services	467,600
Capital Outlay	423,000
Debt Service	39,677
Transfers	65,587
Contingency	27,091
<b>Total</b>	<b>1,022,955</b>

<b>Sewer Fund</b>	
Materials and Services	483,100
Capital Outlay	90,000
Debt Service	45,418
Transfers	60,988
Contingency	43,896
<b>Total</b>	<b>723,402</b>

<b>Total Appropriated</b>	4,583,919
<b>Total Reserved and Unappropriated</b>	792,927
<b>Total Adopted Budget</b>	<b>5,376,846</b>

BE IT RESOLVED that the following ad valorem property taxes are hereby imposed for the tax year 2016/2017 upon the assessed value of all taxable property within the City of Waldport in the amount of \$2.3328 per \$1000 of assessed value for permanent rate tax, subject to general government limitation, and in the amount of \$86,053 for debt service on general obligation bonds, excluded from Measure 5 limits.

The above resolution statements were approved and declared adopted on June 9, 2016

Signed by the Mayor of the City of Waldport this \_\_\_\_\_ day of June 2016

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Susan Woodruff, Mayor

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Attested by Reda Eckerman, City Recorder

**CITY OF WALDPOR**  
**MEETING AGENDA COVER SHEET FOR**  
**DISCUSSION / ACTION ITEMS**

**TITLE OF ISSUE**

**Public Hearings for Proposed Amendments to the C-1 and C-2 Commercial Zones**

**REQUESTED BY**

**City Manager/City Planner**

**FOR MEETING DATE**

**June 9, 2016**

**SUMMARY OF ISSUE**

**PROPOSED AMENDMENT TO THE C-1 RETAIL COMMERCIAL ZONE**

Currently, goods offered for retail sales in the C-1 zone are not allowed to be manufactured, fabricated or assembled on the site. The proposed amendment would allow this as long as the manufacturing, fabricating, assembling, and storage does not exceed 50% of the total floor area of the building and provided it occurs within an enclosed building.

The purpose for this proposed change is to help expand commercial activity and retail sales. There is an ongoing trend for entrepreneurs and retailers to manufacture, fabricate and assemble goods in the location that retail sales are occurring. One example is brew pubs where beer is made on the same site where the retail sales and/or restaurant is located. Another example is the manufacturer of craft items that are sold in the retail store.

The Planning Commission reviewed and revised the proposed amendment, and recommends the following new Use Permitted Outright in the C-1 zone:

*The manufacture, fabrication and/or assembly of those goods offered for sale on the premises that are permitted for sale in the C-1 zone, provided all manufacturing, fabricating, assembling, and storage not exceed 50% of the total floor area of the establishment and provided further that it shall occur within an enclosed building and provided that the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard .*

This use would also become an allowed use in the C-2 General Commercial Zone since all uses permitted outright in the C-1 zone are also permitted outright in the C-2 zone.

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**PROPOSED AMENDMENT TO THE C-2 GENERAL COMMERCIAL ZONE**

Currently, processing or packing of goods in the C-2 zone is limited to food and beverage. Packing and processing of non-food and non-beverage items are not currently permitted in the C-2 zone. The proposed amendment would allow processing or packing of all goods provided that the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard. The Planning Commission reviewed and revised the proposed amendment, and recommends the following:

Amend the existing outright permitted use to read as follows:

*M. Processing, packing or storage of food or beverage, excluding those products involving ~~distillation,~~ ~~fermentation,~~ rendering of fats or oils, or slaughtering.*

Add a new conditional use to read as follows:

*E. Processing or packing provided that the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard.*

**STAFF RECOMMENDATION or ACTION REQUESTED:**

The City Council considers adopting the proposed C-1 Retail Commercial Zone and C-2 General Commercial Zone amendments and directs staff to prepare ordinances for adoption.

**CITY OF WALDPOR**  
**MEETING AGENDA COVER SHEET FOR**  
**DISCUSSION / ACTION ITEMS**

**TITLE OF ISSUE**

**Public Hearing for Proposed Zone Change**

**REQUESTED BY**

**City Manager/City Planner**

**FOR MEETING DATE**

**June 9, 2016**

**SUMMARY OF ISSUE**

The City of Waldport is interested in rezoning the former public works property located at 425 Lint Slough Road from residential to commercial. The R-1 zone primarily limits the use of the property to single family residential. This is inappropriate for the site and limits the potential use of the property. Commercial zoning will allow a range of uses that are allowed on the site. The City has an opportunity to lease or sell the property which could generate an ongoing or one-time revenue source for the City.

City staff initially presented C-1 Retail Commercial rezoning of the property to the Planning Commission. Upon further research, staff proposed rezoning the property to C-2 General Commercial. The purpose for rezoning the property to C-2 is to allow greater flexibility in allowed uses. The C-2 zone allows all uses allowed in the C-1 zone plus additional uses. For example, with C-2 zoning the City could lease building space for storage of RVs, however that is not a permitted use in the C-1 zone.

On April 25, 2016, the Planning Commission held a public hearing to consider the zone change and make a recommendation to the City Council. Following deliberation, the Planning Commission passed a motion to recommend rezoning the property to C-1 Retail Commercial. The Planning Commission was concerned that some uses allowed in the C-2 zone would not be appropriate for the site, i.e. tire retreading and vulcanization, or a truck terminal/freight depot.

City staff notes that as property owner, the City is able to control what uses are allowed or prohibited, as long as the use is in conformance with the designated zone. The City is able to evaluate proposed uses of the property, and not allow certain uses if the use would not be a benefit to the city or community. This same strategy applies if the City were to sell the property. A property sale could include deed restrictions that prohibit certain uses or limit the property to a select number of allowed uses.

Both the City and the community will benefit from rezoning the property, whether it is C-1 Retail Commercial or C-2 General Commercial. Rezoning the property to commercial also results in a Comprehensive Plan Map change from 'Open and Public' to 'General Commercial'.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

The City Council considers adopting the zone change of 425 Lint Slough to either C-1 Retail Commercial or C-2 General Commercial, and amending the Comprehensive Plan Map from 'Open and Public' to 'General Commercial'; and directs staff to prepare the ordinance for adoption.

# STAFF REPORT

## Zone Change Application

**APPLICANT:** City of Waldport

**REQUEST:** This is a request to rezone the subject property from Residential Zone R-1 to General Commercial C-2. The zone change would also result in a Comprehensive Plan Map amendment from 'Open & Public' to 'General Commercial'.

### A. REPORT OF FACTS

1. Property Location: The subject property is located at 425 Lint Slough Road, and further identified on Lincoln County Tax Assessor's Map 13-11-19AD as tax lot 801.
2. Zoning: Residential Zone R-1
3. Plan Designation: Open & Public
4. Approximate Lot Size: The lot size totals 0.92 acres (approximately 40,075 square feet).
5. Existing Structures: Two storage buildings are located on the property. This property is the former City of Waldport Public Works facility.
6. Topography and Vegetation: The property is flat with no significant vegetation.
7. Surrounding Zoning & Land Use: The Lint Slough, zoned Marine Waterway (M-W) is located north, east and south of the property. Undeveloped R-1 zoned property is located to the west across Lint Slough Road. The C-1 zoned former high school property is located northwest of the property. The City Wastewater Treatment Plant is located southwest of the property.
8. Utilities: The following utilities are available to serve the subject property:
  - a. Water: City of Waldport
  - b. Sewer: City of Waldport
  - c. Electricity: Central Lincoln P.U.D.
10. Development Constraints: Flood hazard zone AE (El. 14')

### B. EVALUATION OF REQUEST

#### 1. Relevant Criteria

Relevant sections of the Waldport Development Code (WMC) are identified below by title only. The complete descriptions of the relevant criteria are enclosed as an attachment.

**Chapter 16.12 Residential Zone R-1**

**Chapter 16.32 General Commercial Zone C-2**

**Chapter 16.68 Flood Hazard Overlay Zone**

**Chapter 16.104 Amendments**

#### 2. Applicant's Proposal

The applicant submitted the application form, a memorandum summarizing the proposal, an aerial photograph, and maps showing the existing and proposed zoning. The summary of the requested zone change is provided below.

*The City of Waldport is interested in rezoning the former public works property located on Lint Slough Road from Residential Zone R-1 to General Commercial (C-2). The R-1 zone is inappropriate for the site. The C-2 zone would provide greater opportunity for future development and use of the property.*

*One example of a future use for the property was identified in the September 2015 3-day design charrette. The concept plan identified a restaurant and brewery overlooking the Lint Slough with a public kayak launch. That use would require a commercial zoning classification.*

3. **Public Testimony**

As of the writing of this staff report, the City had not received any written testimony.

**C. STAFF ANALYSIS**

1. **Background**

The City of Waldport Public Works Department occupied the site for several years until recently moving to the planned industrial area. The site is located near Lint Slough, Crestline Drive, and the former high school site. In September 2015, a 3-day design charrette was conducted to develop a concept plan for the former high school site and surrounding area. The draft concept plan identified alternative uses for the former public works site including a restaurant, brewery, hostel, and public kayak launch. Those uses would require a commercial zoning classification. No specific uses have been approved for the site.

2. **Existing Zoning and Zone Change Request**

City staff conducted research to determine the existing zoning classification of the subject property. That research resulted in an existing zone classification of Residential R-1 which essentially allows for development of one single family dwelling per lot. It is evident the property has not been used as a single family residence.

The City realizes there is an opportunity for development of this property that will be an economic benefit to the City and to the community while capitalizing on the natural beauty of the nearby Lint Slough and the forthcoming park/open space development at the nearby former high school site. The C-2 zoning provides the greatest flexibility for this type of use.

3. **Surrounding Zoning and Land Use**

Zoning surrounding the subject property is a combination of commercial, residential, public facility, and marine waterway. Surrounding land use consists of open space along Lint Slough, undeveloped residential land, the City's wastewater treatment plant, and the forthcoming park/open space development at the former high school site.

4. **Code Criteria When Considering a Zone Change**

In addition to meeting the minimum standards of the requested zoning district, the Planning Commission must find that one of three circumstances exists in order to grant a zone change. The three circumstances are identified below in *italics* and followed by a staff analysis.

- a. *That there has been a substantial change in the character of the area since zoning was adopted and which warrants changing the zone.*

The R-1 zoning for this property was adopted many years ago. It is evident that the character of the area has changed or the property should have had a different zoning designation. Now that the public works facility has been relocated, there certainly is a change in the character of this specific property which warrants consideration for a zone change.

- b. *That the zoning previously adopted for the area was in error.*

There is an argument that the residential zoning for this property was in error. In all likelihood, this property was placed in context with the adjacent property to the west. However, the adjacent property to the west is at a much higher elevation where the majority of residential development has occurred. The subject property is located on the lowlands and should either have been zoned Public Facilities with the public works facility, or commercial which is similar to the nearby former high school site with direct access from Hwy 34 and Crestline Drive.

- c. *That there is a public need for the change being sought and the subject property is suitable to meet that need and will not impair the actual or legally designated uses of surrounding properties.*

This may be the most compelling circumstances to granting a zone change. This property, when combined with plans for the former high school site, provides an opportunity to create a focal point and amenity that will be an attraction to local residents and visitors. This property has tremendous redevelopment potential while capitalizing upon the natural beauty of Lint Slough and complementing future development of the open space site. The site has direct access from arterial (Hwy 34) and collector (Crestline Drive) streets without impacting any residential areas.

#### 4. **Comprehensive Plan Map Amendment**

If the zone change is approved, it is also appropriate to amend the comprehensive map designation for this property from 'Open and Public' to 'General Commercial'.

#### 5. **Redevelopment of Property**

Upon approval of a zone change to C-2, any redevelopment occurring on the property will need to conform to C-2 General Commercial standards, i.e. land use, building standards, access and parking, etc.

#### 6. **Flood Hazard Zone**

The flood hazard overlay zone criteria is relevant to new or substantially improved structures. No new structure or substantial improvement to the existing structure is proposed at this time. Any new or substantial improvements proposed in the future shall adhere to provisions of the flood hazard overlay zone.

### **D. CONCLUSIONS**

For a zone change request, the Planning Commission makes a recommendation to the City Council. The findings should address surrounding zoning and comprehensive plan map designations and consistency with applicable codes and goals.

**#1-ZC-PC-16 City of Waldport Zone Change Application**  
**April 25, 2016 Planning Commission Meeting**

If the recommendation is to deny the zone change request, the Planning Commission should state the general reasons and facts relied on, and direct staff to prepare findings to be forwarded to City Council. If the request is denied, the action must be based on reasons related to orderly development and best interests of the surrounding area or the city as a whole.

If approved, there should be finding that there either have been changes in the character of the area that warrant the zone change, and/or the property was zoned in error, and/or there is a public need for the zone change.

A recommendation of approval should include 1) a zone change from Residential R-1 to General Commercial C-2; and 2) a comprehensive plan map change from Open and Public to General Commercial. If the recommendation is to approve the zone change and comprehensive plan map amendment the Commission may include conditions, stipulations, or limitations that are necessary to insure the public interest.

Submitted by,

Larry Lewis  
City Planner

Enclosures: Vicinity Map  
Existing and Proposed Zoning Map  
Relevant Waldport Development Code Criteria

March 21, 2016

**To: Waldport Planning Commission**

**From: Larry Lewis, City Planner**

**RE: POTENTIAL ZONE CHANGE – FORMER PUBLIC WORKS PROPERTY**

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The City of Waldport is interested in rezoning the former public works property located on Lint Slough Road from Residential Zone R-1 to General Commercial (C-2). The R-1 zone is inappropriate for the site. The C-2 zone would provide greater opportunity for future development and use of the property.

One example of a future use for the property was identified in the September 2015 3-day design charrette. The concept plan identified a restaurant and brewery overlooking the Lint Slough with a public kayak launch. That use would require a commercial zoning classification.



### **The Process**

Zone changes require public hearings by both the Planning Commission and the City Council. The first step is for staff to prepare and submit the Oregon Department of Land Conservation and Development (DLCD) Notice of Proposed Amendment at least 35 days prior to the Planning Commission holding a public hearing. Notices of the Planning Commission hearing will be mailed to all directly affected property owners at least 21 days prior to the meeting. At the public hearing, the Planning Commission will take public testimony and make a recommendation to be forwarded to the City Council.

# **CERTIFICATE OF APPRECIATION**

**THIS CERTIFICATE IS PRESENTED BY THE  
WALDPORT CITY COUNCIL TO  
DENNIS DOTSON**

**IN COMMEMORATION OF MANY YEARS OF SERVICE  
AND DEDICATION TO LAW ENFORCEMENT IN  
LINCOLN COUNTY, AND SPECIFICALLY FOR  
YOUR DEPARTMENT'S VIGILANCE IN ENSURING  
THE HEALTH AND SAFETY OF THE CITIZENS OF  
WALDPORT.**

**IT HAS BEEN THE CITY'S DISTINCT PLEASURE TO  
WORK WITH YOU, AND WE WISH YOU ALL THE  
BEST IN ENJOYING YOUR WELL-DESERVED  
RETIREMENT.**

**SIGNED THIS 9TH DAY OF JUNE, 2016**

---

**SUSAN WOODRUFF, MAYOR**



## **CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION**

**TITLE OF ISSUE:** Dahl Disposal Rates for 2016-17

**REQUESTED BY:** City Manager

**FOR MEETING DATE:** June 9, 2016

### **SUMMARY OF ISSUE:**

The City of Waldport has a franchise agreement with Dahl Disposal Service, Inc. that requires submittal and approval of any rate increases proposed for the following year. The notification and approval for 2016 rates is the second year of a two-year rate increase approved last June.

### **STAFF RECOMMENDATION or ACTION REQUESTED:**

Confirm 2016 rates and determine that they fall within the parameters of the Municipal Code.

### **BACKGROUND:**

Pursuant to City Code 8.12.55, the Solid Waste Disposal Franchisee ("Franchisee" or "Dahl Disposal") is subject to a Uniform Rate Reporting Format. Each year, Dahl Disposal submits financial information to the City to indicate either that rates will not need to be adjusted, or to request a rate adjustment based on the complex parameters of the Municipal Code. The City adopted the Rate Review Format, along with Lincoln County and other cities within it, in order to have consistency in the rate structures for solid waste disposal.

At its meeting on June 11, 2015, the City Council approved an increase of 10 percent in 2015 and 10 percent in 2016, with the latter to be verified that it falls within the parameters of the Municipal Code. The rates were adjusted based on various economic and operating conditions including staffing increases and capital expenditures for replacing equipment and fleet, which is allowed under the Code, but was not being captured before 2015.

The Franchisee is allowed to increase rates when justified by changing conditions, so long as the expenses are allowed in the Code. The Franchisee is also allowed, by Code, an Operating Margin of 88 – 91 percent, with return on gross revenues of approximately 12 percent. The Franchisee's report identifies an actual Waldport Operating Margin of 96.23 percent for 2015 and a projected margin of 91.45 percent in 2016, which equates to an actual return of 3.77 percent for 2015 and a projected return of 8.55 percent in the current year, less than Code.

Dahl Disposal has submitted confidential financial statements to the City for review, along with an independent accountant's review report. Staff has reviewed this information and finds that the fee adjustment conforms to provisions of the Code regarding allowable expenses.

Attachments: Memorandum and Rate Review Report for year ended December 31, 2015



East County Transfer Center  
5441 W. Hwy 20  
PO Box 357

Toledo, OR 97391  
Office: 541.336.2932  
Fax: 541.336.4817

South County Transfer Center  
235 SW Dahl Ave.  
PO Box 1059

Waldport, OR 97394  
Phone: 541.563.3888  
Fax: 541.563.7373

City of Waldport

Enclosed please find our Annual Report of Operations as required in Section 8.12.155 (B)(3) of the City of Waldport Municipal Code.

As required in this section, we have included an annual report of results of operations prepared by our CPA for the year ended 12/31/2015 (Exhibit A). We have also included a schedule of all additional allowable expenses that we anticipate for the current year (Exhibit B), Calculation of Operating Ratio for last year and the current year (Exhibit C) and the projected equipment and depreciation schedule for 2016 (Exhibit D).

Based on this data, our Operating Ratio is projected to be outside of the allowable range of 85% to 91%. The Operating Ratio that we project, as calculated in Exhibit B, is 91.45%. Because we anticipate our Operating Ratio to be so slightly outside of the range this year, and we are implementing the second phase of the rate adjustment approved last year, we are not requesting any additional rate adjustment. The second phase of the rate adjustments that were approved last year are included in our calculations, and will be implemented on July 1, 2016.

We are happy to sit down and discuss our Annual Report of Operations with you at your convenience, and ask that we be notified of any planned discussions of this report with the City Council so that we may attend.

Please let us know if you have any questions or concerns.

Respectfully,

A handwritten signature in black ink, appearing to read "Chuck Lerwick".

Chuck Lerwick  
Dahl Disposal Service, Inc.

RECEIVED  
MAR 31 2016  
BY: \_\_\_\_\_



## **CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION**

**TITLE OF ISSUE:** Intergovernmental Agreement with Lincoln County

**REQUESTED BY:** City Manager

**FOR MEETING DATE:** June 9, 2016

**SUMMARY OF ISSUE:**

The City of Waldport has an existing contract with Lincoln County for police services, which is technically on a month-to-month basis. The request is to enter into a new contract for services.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Enter into new Intergovernmental Agreement for Law Enforcement Services between Lincoln County and the City of Waldport.

**BACKGROUND:**

The City of Waldport ("City") has contracted with Lincoln County for enhanced police services since 1997. The most recent agreement had a term from July 1, 2012 – June 30, 2013, with two one-year options (now proceeding on a month-to-month basis).

Services provided include those customarily delivered by a municipal police department, with enhanced services in the amount of two full-time patrol deputies, as specifically defined in Section 3 of the attached Draft Intergovernmental Agreement ("IGA").

Staff recommends that a new contract be approved on an ongoing basis moving forward, with no set termination date. The City also still has an annual option to continue services or terminate, and each party still has the option to terminate without cause, with 60 days' written notice. Terms are specified in Section 12 of the IGA.

Attachment: Draft Intergovernmental Agreement

Approved by Lincoln County Order # \_\_\_\_\_

**INTERGOVERNMENTAL AGREEMENT**

**FOR**

**LAW ENFORCEMENT SERVICES**

**BETWEEN**

**LINCOLN COUNTY**

A POLITICAL SUBDIVISION OF THE STATE OF OREGON  
BY AND THROUGH ITS SHERIFF AND BOARD OF COMMISSIONERS

**AND THE**

**CITY OF WALDPORT**

A MUNICIPAL CORPORATION OF THE STATE OF OREGON  
BY AND THROUGH ITS CITY COUNCIL

## **SECTION 1. DEFINITIONS**

As used in this Agreement:

- (1) "Agreement" means this intergovernmental agreement.
- (2) "City" means the City of Waldport, a municipal corporation of the State of Oregon.
- (3) "Collective Bargaining Agreement" means the Collective Bargaining Agreement between the Lincoln County Deputy Sheriffs' Association and the Lincoln County Board of Commissioners and the Lincoln County Sheriff which is currently in force and effect.
- (4) "County" means Lincoln County, a political subdivision of the State of Oregon.
- (5) "Services" means the municipal law enforcement services provided by the County to the City pursuant to this Agreement.
- (6) "Sheriff" means the Lincoln County Sheriff and his/her duly appointed deputies.

## **SECTION 2. RECITALS**

The City desires to continue to contract with the County for municipal law enforcement services within the corporate limits of the City.

The County, through the Sheriff, is agreeable to providing municipal law enforcement services to the City.

Oregon law permits the City and the County to enter into intergovernmental agreements for the purpose of providing municipal law enforcement services. ORS Chapters 190, 203, and 206.

## **SECTION 3. SERVICES PROVIDED**

The County agrees to provide municipal law enforcement services within the corporate limits of the City in the following manner:

- (1) Services will encompass duties and functions of the type within the jurisdiction of, and customarily rendered by, a municipal police department charged with the enforcement of state laws and city ordinances, including, but not limited to:
  - (a) Traffic law enforcement and investigation;
  - (b) Criminal law enforcement and investigation;
  - (c) City Code enforcement and investigation;
  - (d) Court appearances;
  - (e) Transportation of arrested person to the Lincoln County Jail;
  - (f) Records and evidence keeping;
  - (g) Participation with interagency law enforcement groups, such as the Lincoln County Major Crimes Team and the Lincoln Interagency Narcotics Team (LINT).
- (2) The amount of services will be the services of two full-time patrol deputies (including some activities which may take place outside of the City, such as court appearances, training, and transportation of arrested persons to the jail).

(3) Services will be provided at times mutually agreed upon by the City and the Sheriff.

(4) Routine patrol services shall be restricted to within the City's limits, except in cases of immediate need where the Patrol Deputy may respond outside the boundary of the City of Waldport.

#### **SECTION 4. FACILITIES AND EQUIPMENT**

(1) Except as provided in subsection (2) of this section, the County will provide all facilities, equipment and supplies necessary for the provision of services provided pursuant to this Agreement, including, but not limited to, the Sheriff's Office and Lincoln County Jail.

(2) The City will provide, at no cost to the County (including but not limited to, utilities and rent), a law enforcement office facility, with furnishings, as identified in Exhibit "A" attached to and made a part of this Agreement, within the City, at which location deputies assigned by the Sheriff to perform services pursuant to this Agreement can report for duty, and at which location the Sheriff can keep necessary equipment, supplies, and evidence.

#### **SECTION 5. SUPERVISION AND CONTROL**

The Sheriff will have exclusive supervision, control, and authority over the rendition of services, including, but not limited to, standards of performance by deputies and discipline of deputies.

#### **SECTION 6. TRAINING**

(1) The Sheriff will provide all training necessary for the performance of services pursuant to this Agreement.

#### **SECTION 7. DELEGATION OF MUNICIPAL POLICE AUTHORITY**

(1) The Sheriff is hereby delegated authority as the municipal police authority for the City.

(2) In accordance with ORS 819.140(1)(c), the City hereby appoints and designates the Sheriff as the City agency with authority to enforce the abandoned vehicle laws on public streets and alleys within the City.

(3) The Sheriff and his/her deputies are appointed as code enforcement officers of the City. The Sheriff will enforce specific ordinances of the City, including ordinances of the Port of Alsea adopted by the City as municipal ordinances, as mutually determined by the Chief Administrative Officer of the City and the Sheriff. The Sheriff will also, on an as-available basis, serve City Code violation citations prepared by City staff upon alleged violators. The City shall be responsible for prosecution of all City ordinance violations in all forums; provided, however, that the Sheriff and his/her deputies shall prosecute infractions customarily prosecuted without legal representation, in accordance with the Civil Infraction Code of the City.

(4) To the extent practicable, in performing services pursuant to this Agreement, traffic infraction citation summons and City ordinance violation summons will direct appearance in the Waldport Municipal Court.

#### **SECTION 8. WORKERS' COMPENSATION**

In accordance with ORS Chapter 656, the County will provide workers' compensation insurance coverage for all County employees providing services pursuant to this Agreement.

#### **SECTION 9. LIABILITY**

(1) The County agrees to indemnify, defend, and hold the City, its officers, agents, and employees, harmless from any and all claims, actions, liability or costs including attorney fees and other costs of defense, arising out of or in any way related to services performed under this Agreement, and arising from the sole negligence of the County.

(2) The City agrees to indemnify, defend, and hold the County, its officers, agents, and employees, harmless from any and all claims, actions, liability or costs including attorney fees and other costs of defense, arising out of or in any way related to services performed under this Agreement, and arising from the sole negligence of the City.

#### **SECTION 10. INDEPENDENT CONTRACTOR**

It is agreed and understood that the County is providing services pursuant to this Agreement as an independent contractor and not as an employee of the City. The City has no right to control the manner of the performance of the services. Neither the Sheriff nor any of his/her deputies shall be entitled to any benefits from the City that are provided by the City to City employees, and the County is responsible for all compensation and fringe and retirement benefits due to persons providing services pursuant to this Agreement.

#### **SECTION 11. ASSIGNMENT AND DELEGATION**

The County and the City acknowledge that the nature of this Agreement is for personal services, and therefore the rights and duties under this Agreement cannot be assigned or delegated.

#### **SECTION 12. TERM AND TERMINATION**

(1) Term: The term of this Agreement shall be from July 1, 2016 until terminated.

(2) Annual Option: By March 15 of each year, the County shall provide estimated costs for continuation of services under this Agreement during the following fiscal year. No later than May 1 of each year, the City shall provide written notice to the County of its intention to exercise an option to either continue services under this Agreement for the subsequent fiscal year, or terminate this Agreement.

(3) Notwithstanding subsections (1) and (2) of this section, either party may terminate this Agreement without cause by giving the other party written notice of termination at least 60 days before the effective date of termination.

(4) If the City fails to make an election pursuant to subsection (2) of this section, or if either party issues a notice of termination under subsection (3) of this section, then this Agreement shall continue in full force and effect on a month-to-month basis, until terminated, and the amount due to the Sheriff for services during that time period shall be the annual amount provided in Section 12(2) of this Agreement divided by 12, and payable in monthly installments.

(5) It is the intent of this section to permit an orderly transition of municipal police services if the parties are unable to agree upon the terms of renewal of this Agreement.

### **SECTION 13. COST**

In consideration for the services provided pursuant to this Agreement, the City agrees to pay to the County the proposed sum in equal quarterly installments due on or before September 30, December 31, March 31 and June 30 of the respective fiscal year.

### **SECTION 14. SEVERABILITY**

The determination that any provision of this Agreement is in conflict with any federal, state or local constitution, charter, law, ordinance, regulation or order shall not nullify any other provision of this Agreement. the conflicting provision shall continue in effect to the extent that it remains valid.

### **SECTION 15. MODIFICATION**

The County and the City may agree, in writing signed by appropriate and authorized representatives of the County and the City, to modify any term of this Agreement.

### **SECTION 16. NOTICE**

In the event that written notice is desired or required to be given by one party to the other pursuant to this Agreement, written notice shall be delivered by personal deliver of first-class mail to the other party at the following address:

CITY OF WALDPOR  
Office of the City Manager  
125 Alsea River Highway 34  
P.O. Box 1120  
Waldport, OR 97394

LINCOLN COUNTY  
Office of the Lincoln County Sheriff  
225 West Olive Street  
Newport, OR 97365

**IT IS SO AGREED.**

**CITY OF WALDPOR**

DATED this \_\_\_ day of \_\_\_\_\_, 2016.

**WALDPOR CITY COUNCIL**

---

Susan Woodruff, Mayor

ATTEST:

---

Kerry Kemp, City Manager

**LINCOLN COUNTY**

DATED this \_\_\_ day of \_\_\_\_\_, 2016

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

---

Doug Hunt

---

Bill Hall

---

Terry Thompson

**LINCOLN COUNTY SHERIFF**

---

Sheriff Dennis L Dotson

**ATTACHMENT A  
LAW ENFORCEMENT SERVICE AGREEMENT  
CITY OF WALDPOR AND LINCOLN COUNTY SHERIFF'S OFFICE**

**(UPDATED JUNE 2, 2010)**

**PURSUANT TO SECTION 4 (2) OF THE ABOVE-REFERENCED AGREEMENT, THIS EXHIBIT LISTS ALL FACILITIES AND EQUIPMENT TO BE PROVIDED TO THE LINCOLN COUNTY SHERIFF'S OFFICE BY THE CITY OF WALDPOR.**

**I FACILITIES**

- 1) USE OF ONE OFFICE IN THE SOUTH EAST CORNER OF THE WALDPOR CITY HALL, 125 ALSEA HIGHWAY, INCLUDING AN INTERVIEW ROOM AND EVIDENCE STORAGE ROOM.
- 2) ACCESS TO OTHER CITY HALL COMMON FACILITIES INCLUDING RESTROOMS, CONFERENCE ROOMS, EXCLUDING ACCESS TO OFFICES ASSIGNED TO CITY PERSONNEL.
- 3) TELEPHONE SERVICE WILL BE PROVIDED BY THE LINCOLN COUNTY SHERIFF'S OFFICE.
- 4) HEATING AND LIGHTING COSTS ALONG WITH BUILDING REPAIR, EXCEPT THOSE ATTRIBUTABLE TO SHERIFF'S OFFICE EMPLOYEE NEGLIGENCE, SHALL BE PAID BY THE CITY.

**2 EQUIPMENT**

- 1) TWO ANDERSON & HICKEY CO. DESKS WITH RIGHT HAND EXTENSIONS
- 2) ONE ANDERSON & HICKEY HORIZONTAL TWO DRAWER FILE CABINET



## **CITY COUNCIL MEETING AGENDA COVER SHEET FOR DISCUSSION / ACTION**

**TITLE OF ISSUE:** Recreational Marijuana City Tax

**REQUESTED BY:** City Manager

**FOR MEETING DATE:** June 9, 2016

**SUMMARY OF ISSUE:**

The City Council adopted Ordinance No. 754 taxing recreational marijuana, and Resolution No. 1191 adopting a zero percent tax rate, at a special meeting on November 3, 2014. Measure 91 passed with a majority vote at the State-wide election on November 4, 2014. Subsequent State legislation authorizes local taxation, subject to referendum, of up to three percent.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Consider adopting ordinance regarding local tax on recreational marijuana, and resolution referring ballot measure to voters in November general election.

**BACKGROUND:**

Measure 91 ("Measure" or "Act") allows for the possession, manufacture, sale of marijuana by or to adults, subject to state licensing, regulation and taxation. (In November, 2014, the City adopted Ordinance No 754 allowing for a local tax, and Resolution No. 1191 adopting a zero percent levy. The legitimacy and status of these actions remains unclear.)

Under HB 2041 (2015), the Oregon State Legislature revised the tax structure to impose a 17 percent tax on the retail sales of marijuana, with early sales being taxed at a higher rate of 25 percent. The City will receive 10 percent of a net amount of taxes generated statewide, based on per capita up until June 30, 2017, and number of licensed establishments after July 1, 2017. These funds are to be used to assist local law enforcement in performing its duties.

Under HB 3400, the Legislature allows a City to adopt an ordinance, which then must be referred to voters, imposing a tax or fee up to three percent on the sale of marijuana items by a retail licensee. The ordinance must be referred to voters in a statewide general election, meaning an election in November of an even-numbered year. Cities may enter into Intergovernmental Agreements with the Oregon Department of Revenue to collect the local tax. There is no restriction on the use of tax receipts, and staff recommends that the ballot measure does not include any restrictions. Restrictions, if any, may be added during budget deliberations. To identify specific uses in the ballot measure would preclude future flexibility.

Both the cities of Newport and Lincoln City have adopted ordinances and referred them to voters in the next election on November 8, 2016, each with a proposed rate of three percent. According to the County, the deadline for the filing of the ballot measure is August 19.

**CITY COUNCIL MEETING – June 9, 2016**  
**CITY MANAGER REPORT**

*1. Disorderly Conduct/Vagrancy*

Jan and Gary Power submitted a written complaint at the last City Council meeting about disorderly conduct and vagrancy at Keady Wayside Park. Staff researched the Municipal Code, and the Code Enforcement Officer, City Recorder, and myself met recently with Lt. (now acting Sheriff) Landers and Sergeant Brian Cameron about this and other items.

With respect to the Code, we have some conceivable influence in Title 8 (Health and Safety):

*Section 8.08.050. No person shall deposit upon public or private property any kind of rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling upon a public way.*

*Section 8.08.105.G. Begging. No person shall accost another in a public place for the purpose of soliciting alms.*

*Section 8.08.105.H. Lodging. No person shall lodge in a car, outbuilding or other place not intended for that purpose without permission of the owner or person entitled to the possession thereof.*

The Sheriff's Office will initiate a low-key "trial run" with respect to these code violations, although generally a deputy would need to catch someone in the act, which may be difficult.

In addition, Title 12 (Streets, Sidewalks and Public Places) offers the following:

*12.28.010 Rules and Regulations*

*Rules and Regulations. Council may by Resolution establish rules for any outdoor recreational areas within the City's limits.*

*12.28.020 Violation - Penalty*

*Violation - Penalty. Any violation of any rules set by such Resolution will be a Class "A" violation pursuant to Chapter 1.08 of the Waldport Municipal Code. (Ord. 705, 2006)*

At the Council's behest staff could research and outline possible rules for consideration.

*2. Community Specific Alert Group in Everbridge (Lincoln County)*

Lincoln County Sheriff's Office invited communities in the county to increase their utilization of the Everbridge mass notification system through the implementation of citizen opt-in groups. Citizens would be able to subscribe (and unsubscribe) to these new alert groups, with content being street closures, events, weather impacts, or other messages of import. We've accepted this offer, and will begin utilizing it when it becomes available. This will be another means for communicating.

Attached is the letter from the Sheriff's Office with more details on this opportunity.

### 3. *Emergency Preparedness*

About 30-40 people attended the community presentation on a Cascadia Subduction Earthquake, held May 14<sup>th</sup> at the Community Center. Jenny Demaris, Emergency Manager with the Sheriff's Office, gave an excellent presentation on the causes and potential effects of a major earthquake and tsunami. The bottom line is that there will be devastation along the coast, and services will be impacted for some time, but with **personal preparation** people will have the resiliency to survive and recover. People need to prepare themselves, with food, water, tents, etc. to last a few weeks. There will not be a lot of outside assistance during the initial timeframe, including local government.

City staff is participating in the Cascadia Rising exercise on June 7<sup>th</sup> and 10<sup>th</sup>. The scenario on Day 1 is a 4.0 magnitude foreshock, and Day 4 is a mainshock of 9.0. We are planning to operate out of our new EOC (Emergency Operations Center) being created at the new Public Works facility.

The general theme is simulation of situational assessment, resource tracking, communications and command and control. Technology and roads will be available on Day 1, and Day 2 will involve lack of communications and serviceable public infrastructure.

We encourage all citizens to actively use this time to evaluate personal preparedness. Information may be found at <https://www.ready.gov/> and <http://www.co.lincoln.or.us/emergencymanagement>.



# Lincoln County Sheriff's Office

Dennis L. Dotson, Sheriff

"The only limits are those of vision."

Administration

April 19, 2016

Kerry Kemp  
City Manager  
City of Waldport  
Waldport, Oregon 97394

Dear Mr. Kemp:

Re: Invitation to create a city/tribal community specific alert group in Everbridge

Lincoln County Sheriff's Office would like to invite the cities of Lincoln County and the Confederated Tribes of Siletz Indians (CTSI) to increase their utilization of the Everbridge mass notification system through the implementation of citizen opt-in groups specifically for their jurisdiction.

Since implementation of Everbridge in 2011, technology, availability of mobile phones and demand for more day to day community information by the general citizen has grown substantially. The Sheriff's Office recognized this request from our general citizens and set about orchestrating how to provide this service.

We feel we have designed a concept enabling our city/tribal partners to push out day to day community information at their discretion without overwhelming those citizens who only want to receive urgent or critical emergency information.

The Sheriff's Office would like to offer our city/tribal partners the opportunity to add a citizen opt-in group specifically for their jurisdiction. The citizens who "opt-in" for these new alert groups would agree to receive these types of messages and could, at any time, unsubscribe from that specific alerting group. The content of these messages may be street closures, community events, closure of services due to weather events or other messages approved by the city/tribal agency leadership.

However, after the creation of these opt-in groups, the city/tribal partner would be responsible for activating and distributing those messages on their own behalf. Emergency or critical notifications would still be activated at the Sheriff Office/Dispatch level for all users in our Everbridge system regardless of their opt-in status.

This would be a free service to our community partners and is optional. For those who are interested in this feature we would like to coordinate one community message announcement and would send an email communication to current opt-in subscribers to let them know of the expanded alert groups they could subscribe to. The sign-up page and FAQ on the citizen log on screen would also be edited to reflect these additions. We have also included for your review, our "Mass Notification Message Protocols: Citizen Notifications" which describes how the community alerts will be utilized.

If you are interested in moving forward, please send an email to Jenny Demaris indicating your agreement and she will add your community's alert option to the list and begin preparing the community announcement to include your information. Our goal is to activate the new opt-in alert groups by the first of July with the distribution to general citizens by mid-June. Training will be offered for those users at each jurisdiction who will have authorization to distribution notifications to that specific community alert group; training will take approximately 1.5 hours.

The following provides an example of the current view of the opt-in subscriber page and a listing of additional opt-in alert groups to which citizens could potentially subscribe.

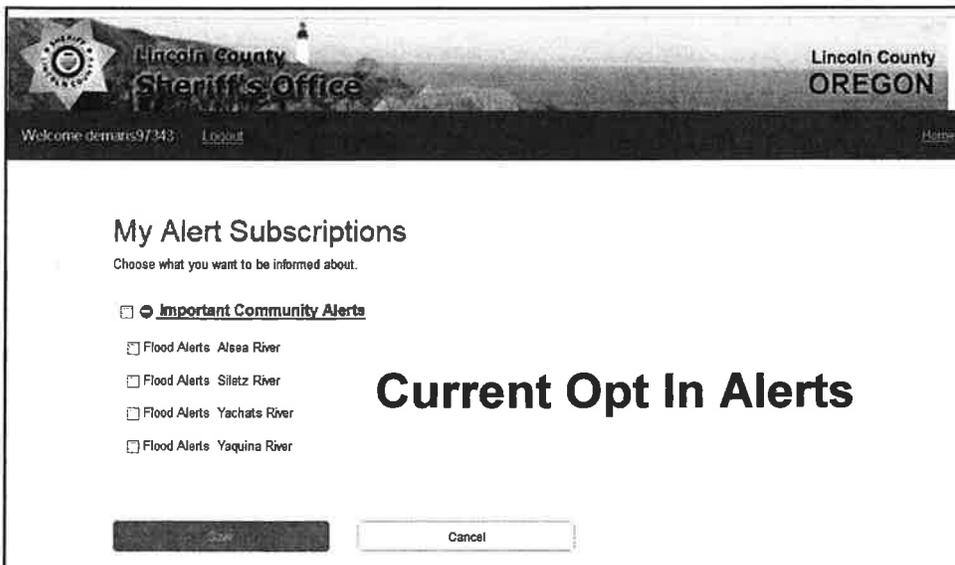
Regards,

Sheriff Dennis L. Dotson



Virginia "Jenny" Demaris  
County Emergency Manager

cc: Lt. Curtis Landers



**Proposed "My Alert Subscriptions"**

- City of Depoe Bay
- City of Lincoln City
- City of Newport
- City of Siletz
- City of Toledo
- City of Waldport
- City of Yachats
- Confederated Tribe of Siletz Indians
- Lincoln County Sheriff's Office
- Flood Alert: Alsea River
- Flood Alert: Siletz River
- Flood Alert: Yachats River
- Flood Alert: Yaquina River



## LINCOLN COUNTY SHERIFF'S OFFICE

### Mass Notification Message Protocols: Citizen Notifications

Effective: April 10, 2016  
Supersedes:

Policy Number: A1-A0  
Emergency Management

#### **Purpose:**

It is the policy of the Lincoln County Sheriff's Office to provide definition of authorization of activation and appropriate use of the mass notification system for notifications to citizen and business land line numbers and opt in profiles.

#### **Types of Notification:**

There are two types of notifications that can be activated through the Everbridge system.

- 1) Public Safety notifications – Specific agency personnel will be given access to and permission to distribute messages to their agency personnel and/or to identified team groups such as the County Rope Rescue Team, etc. The County Emergency Manager will manage permissions and group access; please refer to LCSO Mass Notification Protocols: Public Safety Notifications for further guidelines.
- 2) Citizen notifications:
  - a. 911 landline individual/business numbers and flood alert groups - Dispatch and Lincoln County Sheriff's Office Leadership are the only authorizing individuals who can distribute notification messages to these groups
  - b. Citizen Opt-In Profiles – each city/tribal partner with a designated opt in group is authorized to distribute notifications to their group. Dispatch and Lincoln County Sheriff's Office Leadership are the only authorizing individuals who can distribute notification messages to the general citizen opt-in groups

#### **Request for Activation:**

Any agency can contact one of the three local dispatch centers or the County Emergency Manager to request activation of notification to citizens for general opt-in accounts and 911 numbers. However, dispatch personnel must validate the message meets notification criteria or is approved by Lincoln County Sheriff's Office Leadership before any general message can be distributed to citizen or business landline 911 numbers. City/Tribal partners are authorized and have access to activate their own opt-in groups when needed.

#### **Dispatch Service Providers:**

- Primary: Willamette Valley Communication Center, 503-763-1400
- Secondary: Toledo Dispatch, 541-336-5555
- Secondary: Lincoln City Dispatch, 541-996-3636

#### **County Emergency Manager:**

*Virginia "Jenny" Demaris*  
Lincoln County Sheriff's Office  
[vdemaris@co.lincoln.or.us](mailto:vdemaris@co.lincoln.or.us)  
(541) 265-4199 Office  
(541) 270-0702 Cell

#### **Notification System Activation Levels and Types:**

- Immediate threat to life and safety – any event requiring communication to the general public that has the potential to immediately protect their life or wellbeing.
- Important – any event requiring communication regarding potential safety issues, preparation for evacuation or other important information that is not considered life threatening or time sensitive
- Informational – non life threatening information that is not time sensitive



**LINCOLN COUNTY SHERIFF'S OFFICE**  
**Mass Notification Message Protocols: Citizen Notifications**

Effective: April 10, 2016  
 Supersedes:

Policy Number: A1-A0  
 Emergency Management

<b>Activation Type</b>
<b>Immediate Threat to Life Safety Notifications</b>
Armed Intruder Events
Hazardous Materials (Evacuation or Shelter in Place Orders)
Wildland Fire – “Go” (Evacuation Orders)
Other as identified by Incident Commander or LCSO Leadership Rep
<b>Important Notifications</b>
Amber Alerts
Distant Tsunami - Warning
Public Health Event
Weather Events – Flood Warnings, Watches
Weather Events – Other as authorized by County EM
Wildland Fire – “Set” Activations
Utility/Infrastructure Catastrophic failures – bridge, water/sewer systems, telecommunications that could or does significantly affect a communities ability meet the needs of its citizens
Other messages as needed
<b>Informational Notifications</b>
City Utility Service Notifications (typically notifications required by State for water service disruptions, etc.)
Public Health Event
Distant Tsunami – Advisory/Watch
Weather Events
Wildland Fire – “Ready” Activations
Other:

\*LCSO Leadership = County Emergency Manager, Sheriff, Lt., Sgt.

**Message Preparation:**

Listed below are suggestions for preparing a message to be delivered by Dispatch or Lincoln County Sheriff's Office or by city/tribal specific alert group:

- Keep the message short enough so it could be understood during a phone voicemail message
- Use the outline below to structure the message:
  - One sentence description of the emergency problem or event
  - Describe the action required from the person or business contacted including the timeline for the action
  - Provide an estimate when the emergency problem or event would end
  - When and how an updated status would be available
  - Provide a contact point for more information

**Waldport Public Library**  
**Monthly Circulation FY 2015-16**

Patron Category	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	TOTAL
LCLD-Adult	2,738	2,663	2,501	2,567	2,229	2,877	2,912	2,861	3,113	2,650	2,504		29,615
LCLD-Youth	158	131	87	126	98	71	106	52	70	88	43		1,030
Waldport Adult	1,995	2,308	2,279	2,173	1,892	1,998	2,182	2,043	1,950	1,825	1,743		22,388
Waldport Youth	190	246	103	95	153	113	66	39	50	55	106		1,216
CITIES (Adult & Juv)	41	61	45	45	38	49	53	43	35	32	40		482
Temporary 1 yr	26	55	64	68	115	94	63	59	60	45	55		704
Temporary	79	87	24	38	1	2	16	19	90	30	32		418
OCCC	0	0	4	5	3	17	15	5	1	7	4		29
Oregon Passport	101	113	45	47	92	92	82	62	51	52	72		809
Interlibrary loan out	<u>63</u>	<u>60</u>	<u>50</u>	<u>67</u>	<u>45</u>	<u>55</u>	<u>72</u>	<u>60</u>	<u>69</u>	<u>76</u>	<u>62</u>		<u>679</u>
Chinook Circ	5,391	5,724	5,202	5,231	4,666	5,368	5,567	5,243	5,489	4,860	4,661		57,402
% circ in public lib	45%	49%	47.60%	45.60%	46.60%	49.20%	46.78%	47.90%	58.70%	48%	49.19%		48.52%
Non-cataloged	814	745	814	572	607	539	712	628	645	732	570		7,378
Library2Go *	<u>174</u>	<u>144</u>	<u>145</u>	<u>145</u>	<u>183</u>	<u>190</u>	<u>208</u>	<u>155</u>	<u>199</u>	<u>163</u>	<u>154</u>		<u>1,860</u>
	988	889	959	717	790	729	920	783	844	895	724		9,238
<b>GRAND TOTAL</b>	<b>6,379</b>	<b>6,613</b>	<b>6,016</b>	<b>5,948</b>	<b>5,456</b>	<b>6,097</b>	<b>6,487</b>	<b>6,026</b>	<b>6,333</b>	<b>5,755</b>	<b>5,385</b>		<b>66,495</b>
<i>Last Year</i>	<b>6,718</b>	<b>6,675</b>	<b>5,495</b>	<b>6,139</b>	<b>5,606</b>	<b>5,909</b>	<b>5,783</b>	<b>5,410</b>	<b>6,078</b>	<b>5,647</b>	<b>5,434</b>	<b>5,930</b>	<b>70,824</b>
Interlibrary loan In	39	57	68	62	51	50	103	36	53	72	60		651
Computers	1,348	1,202	1,189	1,271	939	943	950	958	1,284	1,045	917		12,046
WiFi	295	301	252	272	248	260	248	324	262	228	229		1,368
Patrons added	29	41	33	40	20	33	29	26	31	35	34		351
Program attendance	651	396	159	277	105	412	164	173	144	372	178		3031

**Waldport Public Library  
Board of Trustees  
Minutes of Regular Meeting April 12, 2016**

**Members Present:**

Jan Hansen, Vice Chairman  
Brian Fodness  
Gary Hodges  
Barbara Smith-Huggins

**Members Absent:**

Shirley Hanes, Chairman

**Others Present:**

Jill Tierce, Director

**Call to Order:** Ms. Hanes was not able to attend this day. Ms. Hansen called the meeting to order at 9:35 a.m.

**Minutes:** The minutes for the regular meeting March 8, 2016 were approved with corrections.

**Financial Report:** Revenues for March included \$15,036 from Lincoln County Library District (LCLD). Library expenses totaled \$19,245 for the month.

**Committee Reports:** In their March 10 meeting the Friends outlined some projects to pursue. They intend to schedule speakers through the year. There was a proposal to enhance the performance space behind the library for the summer reading programs. They will initiate a “seed exchange” this month. They intend to hold a book sale and have made arrangements with the City Public Works to store books in their new shop. When it comes time for the sale, the trucks will be parked outside to make room for the tables of books. It will also be good publicity for Public Works to demonstrate what they are doing with their new shop.

**Director’s Report:** Circulation for March totaled 6,333, a 4.2% increase over March last year. Thirty-one new patrons were registered. Computer sessions totaled 1,284 and 262 wifi sessions were tallied. It is estimated 144 persons attended library programs during March including the regularly scheduled Family Fun Night, and Story Times. The library celebrated Read Across America by inviting Ms. Olson’s first grade class for Dr. Seuss stories and activities. A display of graphic art created by Sharon Dvora’s high school students is on display in the Moore room for the month of April. Art work by Grayson Schlosser complements this display and will continue into May.

By changing the settings on the opener door, Mr. Hooker was able to restore the automation to the front door. It will only open automatically when the buttons are pushed. When pulled open it will still close slowly.

**Old Business: Bucy Memorial** Ms. Tierce sent requests for proposals to members of the Oregon Woodworkers. She hopes to receive proposals by May 1. She has not been able to get the Newport engraver to respond to emails or phone calls. She asked for help making progress on these projects related to Vic’s memorial. Mr. Fodness will take up the engraving and Mr. Hodges will help with the woodworkers’ proposals.

**Budget 2016-17** The budget hearing is scheduled for April 26.

**Waldport Public Library, Board of Trustees  
Regular Meeting April 12, 2016**

**Job Descriptions** A new Library Clerk job description is completed. The Assistant and Senior Librarian positions will be similar, but each will include additional responsibilities and require special skills and experience.

**New Business: Video Collection Guidelines** This library already has a policy for materials selection. The director believes it would be advisable to further describe criteria for the video collection. She presented two such policies for the Board's consideration. The Board will review these and discuss at their May 10 meeting.

**Board members concerns:** Mr. Fodness reported the Shelter Me has introduced tablets to their after school program. They have a bright young woman, Elise, who helped secure the tablets through a grant and she is training volunteers so they can assist the students using them for homework. Wifi access is becoming more important for students to complete homework.

**Actions or recommendations to the City Council:**

**Public Comment:** Ms. Smith-Huggins is looking for help to make her "streaming" work.

**Announcements:**

Family Fun Night at the library, April 14, 5:30 p.m.

Waldport City 2016-17 Budget Hearing, Tuesday April 26, 2 p.m. City Hall

Baby Story Times; Wednesdays 2 p.m.

Pre-schoolers Story Time; Thursday 2 p.m.

**Next Regular Meeting:** Tuesday, May 10 at 9:30 a.m.

**Adjournment:** The meeting adjourned 10:50 a.m.

**Approved in regular meeting May 10, 2016.**

**City of Waldport  
2015 LAND USE / BUILDING PERMIT ACTIVITY**

<b>Date</b>	<b>Application/ Activity</b>	<b>Applicant</b>	<b>Zoning</b>	<b>Tax Map/Lot Location</b>	<b>Description</b>	<b>Status</b>
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**For the Period May 1, 2016 through June 3, 2016**

5/23/16	Land Use Compatibility Statement (LUCS)	Port of Alsea	M-W	North of 13-11-18/ 2400 North of Port St	LUCS for Joint US ACE & Oregon DSL application for repair of existing debris boom	Completed 5/23/16
5/23/16	Building Permit	Ocean Quest Homes	R-1 (PD)	13-11-30CA/6400 – 600 Green Dr Fairway Villas PD Phase 1	New single family dwelling	Approved per #2-PD- PC-16 conditions
5/23/16	Manufactured Home Placement Permit	Malnack	R-2	13-11-30BA/7700 480 Wedge Dr Land & Sea Subdiv.	New manufactured home	Approved 5/27/16
5/23/16	Building Permit	Malnack	R-2	13-11-30BA/7700 480 Wedge Dr Land & Sea Subdiv.	New attached garage	Approved 5/27/16

**WALDPORT PLANNING COMMISSION**  
**APRIL 25, 2015**  
**MEETING MINUTES**

1. CALL TO ORDER AND ROLL CALL: Chair Woodruff called the meeting to order at 2:00 p.m. Chair Woodruff and Commissioners Peterson, Stole, Andrew, Quayle, Barham and Yorks answered the roll. A quorum was present.

2. MINUTES: The Commission considered the minutes from the March 4, 2016 meeting. Commissioner Quayle **moved** to approve the minutes as presented. Commissioner Andrew **seconded** and the motion **carried** unanimously.

3. CITIZEN COMMENTS AND CONCERNS: None.

4. CORRESPONDENCE: None.

5. PUBLIC HEARINGS:

A. Case File #1-CU-PC-16, Application for Conditional Use: Chair Woodruff opened the public hearing, calling for abstentions, conflicts of interest, bias or *ex parte* contact. None were announced, and there were no objections to any Commissioner participating. City Planner Lewis reviewed the staff report, noting that the applicant was requesting a conditional use permit to operate a light manufacturing of medical supplies and wholesale distributing of soft/hard goods in the Planned Industrial zone.

Jyl Wheaton addressed the Commission. Commissioner Andrew noted that the plans called for a fence and wondered how soon this would be erected. Ms. Wheaton responded that this would occur soon, dependent on the outcome of this hearing.

Mr. Lewis explained that the process began with the conditional use permit. Mr. Woodruff noted that the applicant has already erected the building but was unable to obtain proper permits until the conditional use was approved.

There were no further comments. Chair Woodruff closed the public hearing and opened the meeting for deliberations.

Commissioner Peterson **moved** to approve the application with the stipulated conditions. Commissioner Stole **seconded** and the motion **carried** unanimously. The findings will be prepared and submitted to the Commission for review, and will then be signed by the Chair.

B. Case File #1-ZC-PC-16, Application for Zone Change: Chair Woodruff opened the public hearing, calling for abstentions, conflicts of interest, bias or *ex parte* contact. None were announced, and there were no objections to any Commissioner participating. City Planner Lewis reviewed the staff report, noting that the City of Waldport was requesting a zone change from R-1 to C-2 for the former public works building.

Commissioner Barham asked about the change from C-1 to C-2, as C-1 had been proposed in previous discussion by the Planning Commission. City Planner Lewis clarified that in discussions at the staff level, it was determined that the C-2 zoning would allow for greater potential use of the property, especially in conjunction with the 12-acre open space that was adjacent.

Commissioner Quayle asked about the difference between C-1 and C-2. Mr. Lewis

responded that C-1 was designed to be more retail in nature, while C-2 allowed for not only outright uses in the C-1 zone but also allowed for uses that included manufacture as well.

Commissioner Yorks felt that the zoning should remain Public Facilities as the property should remain pristine. Commissioner Barham felt that the zoning should remain C-1, as other uses could be allowed as conditional uses.

City Manager Kemp addressed the Commission regarding the application, noting that the City would like to maintain the character of the setting while remaining flexible to uses. The State is going to be using a portion of the property as wetlands mitigation so there would be an enhancement of the natural portion. He acknowledged that there were uses permitted in the C-2 zone that the City would never want to allow there, but as the City was the owner, it could place conditions on the sale and/or use of the property to prevent those from happening.

Chair Woodruff closed the public hearing and opened the meeting to deliberations. Commissioner Peterson noted that before the sewer plant was located on the site, the Isaac Walton league had a building there and a caretaker had a small residence there. The zoning was not in error, it was in keeping with the other residential uses in the area. The building of the shop and sewer plant, along with the changes in the flood map had changed the use of the property. A lengthy discussion ensued regarding the merits of C-1 zoning vs C-2 zoning. Commissioner Andrew asked about the need for the zone change and Mr. Lewis responded that the City had gotten some inquiries about the property but with the current zoning of R-1 the uses were extremely limited. Several Commissioners expressed concern regarding the additional uses allowed in a C-2 zone such as tire retreading and vulcanization, or truck terminal /freight depot, noting that these uses were not the type of things they felt would be appropriate to the location. Chair Woodruff moved to recommend a change from R-1 to C-1. Commissioner Barham seconded. Following further discussion, the motion **carried**, with Commissioners Woodruff, Andrew, Quayle and Barham voting "Aye", Commissioners Peterson, Stole and Yorks voting "Nay".

C. Proposed Amendments to Waldport Development Code Section 16.28 Retail Commercial Zone C-1: City Planner Lewis explained that the proposed amendment would allow manufacture, fabrication or assembly of the types of goods offered for retail sales as long as the activity would not exceed 50% of the total floor area of the building and provided it occurs within an enclosed building. Chair Woodruff noted that enforcement may be an issue, citing some currently noncompliant businesses as an example.

Christine Collins addressed the Commission, noting that she was concerned that this would somehow restrict some uses, such as an artist's studio, from continuing. City Planner Lewis clarified that this proposed change would actually relax the current standards.

Sherrie Smolen noted that she hoped the Commission would include language about controlling noise, odor and other nuisances, as the City currently has a lot of residential uses in its commercial zones. The Commission agreed with this suggestion. Commissioner Barham **moved** to approve the proposed amendment, adding the following phrase "provided the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard." Commissioner Yorks **seconded**, and the motion **carried** unanimously.

Mr. Lewis noted that staff was proposing another change to the code, under General Commercial Zone C-2, Section 16.32.101 (M), which would take out the following language "...or storage of food or beverage, excluding those products involving distillation, fermentation, rendering of fats or oils, or slaughtering" and adding ""provided the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard." Following a brief discussion, Commissioner Barham noted that this should probably also have a public notice to allow for input prior to making a decision. He then **moved** to table the issue to the next regular meeting to allow for adequate notice. Chair Woodruff **seconded** and the issue was tabled.

6. DISCUSSION/ACTION ITEMS:

A. Planning Report: The City Planner's written report was included in the packet materials. No further discussion took place.

B. Other Issues: None.

7. COMMISSION COMMENTS AND CONCERNS: None.

8. ADJOURNMENT: At 3:21 p.m., there being no further business to come before the Commission, the meeting was adjourned.

Respectfully submitted,



Reda Q. Eckerman  
City Recorder

APPROVED by the Planning Commission this 23<sup>rd</sup> day of May, 2016.

SIGNED by the Chair this 23<sup>rd</sup> day of May, 2016.

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Ray Woodruff, Chair



# City of Waldport

P.O. Box 1120  
Waldport, OR 97394  
Phone: (541)264-7417  
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June 3, 2016

Subject: Monthly Report-May 2016

As of today, there have been 56 ordinance cases opened in 2016. Of these 43 have been worked to completion.

These cases breakdown into the following:

Attractive Nuisances	48 (Misc. junk on property)
Nuisance Vehicles	6 (Unlicensed/Inoperable vehicles left on public streets)
Structure/Buildings	1 (Dilapidated/Improperly Maintained)
Others	1 (Vegetation, Business License, Fences, Zoning, ect)

In addition to this there is still 1 cases open from 2015 for a total of 15 cases being actively worked at this time.

**Notable Cases:** 380 NE Ruble-Property owners had passed away and persons cleaning up the house left items on sidewalk. Neighbors were at the point they were about the move items back onto the property themselves. Code Enforcement tracked down responsible party and made arrangements for property to be cleaned up.

