

**WALDPOR CITY COUNCIL  
JUNE 11, 2020  
MEETING NOTICE AND AGENDA**

The Waldport City Council will meet at 2:00 p.m. on Thursday, June 11, 2020 in the City Council Meeting Room, 125 Alsea Highway to take up the following agenda:

1. CALL TO ORDER & ROLL CALL
2. MINUTES: *May 14 Council Meeting, May 26 Budget Committee Meeting, May 28 Special Council Meeting*
3. PUBLIC COMMENTS/PRESENTATIONS
4. CORRESPONDENCE: *Letter of Introduction - New EDALC Director*
5. PUBLIC HEARINGS:
  - A) *State Revenue Sharing*
  - B) *Budget for FY 2020/2021*
6. DISCUSSION/ACTION ITEMS:
  - A) *Dahl Rate Adjustment Request*
  - B) *Findings of Fact and Conditions of Approval - Vista View*
  - C) *Resolutions:*
    - 1) *Establishing a Water and Wastewater Rate Increase for FY 2020/2021*
    - 2) *Declaring City's Election to Receive State Revenues*
    - 3) *Adopting Budget for 2020/2021*
  - D) *Business License Discussion*
  - E) *Other Issues*
7. COMMITTEE REPORTS
8. STAFF REPORTS
9. ADDITIONAL PUBLIC COMMENTS FROM VIEWING AUDIENCE
10. COUNCIL COMMENTS AND CONCERNS
11. EXECUTIVE SESSION: *Pursuant to ORS 192.660(2)(e): To conduct deliberations with persons designated by the governing body to negotiate real property transactions.*
12. ACTIONS, IF ANY, FROM EXECUTIVE SESSION
13. GOOD OF THE ORDER
14. ADJOURNMENT

The City Council Meeting Room is accessible to all individuals. Note that due to Covid-19 distancing requirements it will be necessary to call (541)563-3561 if you plan on attending, as seating will be very restricted. The meeting will be live-streamed and viewing instructions will be provided on the City's website ([www.waldport.org](http://www.waldport.org)) prior to the meeting. Pursuant to Order 20-16, comments from the viewing audience may be emailed to: [reda.eckerman@waldport.org](mailto:reda.eckerman@waldport.org) during the course of this meeting, and will be read to the Council under Agenda Item #9 above. The public is also encouraged, if they see fit, to mail written testimony to the City. Comments may be mailed to PO Box 1120, Waldport, OR 97394, and must be received no later than 1:30 p.m. on the day of the meeting in order to be considered.

Notice given this 9<sup>th</sup> day of June, 2020

Reda Q. Eckerman, City Recorder

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**WALDPORT CITY COUNCIL**  
**MAY 14, 2020**  
**MEETING MINUTES**

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1. CALL TO ORDER AND ROLL CALL: Acting Mayor Woodruff called the meeting to order at 2:03 p.m. Mayor Woodruff and Councilors Virtue, Dunn, Dennis, Campbell and Holland answered the roll. A quorum was present.

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2. MINUTES: The Council considered the minutes from the April 23 and April 27, 2020 meetings. Councilor Virtue moved to approve the minutes as presented. Councilor Dennis seconded. Hollis Lundeen stated that there no indication in the minutes from April 23 that her letter regarding the Tidewater Development remand had been read by the City Council, nor had there been a motion from the Council on her request to have the Council send the remand back through the Planning Commission before their hearing. City Manager Cutter responded that the letter had been distributed to the Council. It was also noted that a motion was not necessary if the Council did not take action on the request. The motion to approve the minutes as presented then carried unanimously.

3. PUBLIC HEARING - Remand Appeal, Tidewater Development LLC: Mayor Woodruff opened the public hearing on the remand appeal for Tidewater Development. There were no abstentions due to bias, *ex parte* contact, or conflicts of interest, and no objection raised. Mayor Woodruff indicated that the deliberations will take place at a subsequent meeting, and the record will be left open for one week to allow for additional comments. Contract Planner Peterson noted the distribution of written comments received after the publication of the meeting packet. He reviewed the staff report, stating that the issue before the Council was to make a determination that construction activities would not cause drainage or pollution problems outside the planned area. Councilor Campbell asked if civil engineering plans were in place for roads and discharge waters. Mr. Peterson responded that those had been submitted at a previous meeting, and Mayor Woodruff noted that they were related to post construction. Mr. Peterson indicated that the applicant has submitted a proposal, included in the meeting packet materials, for addressing the concerns during construction.

1 Applicant's Presentation: Traci MacDowell, representing the applicant, requested  
2 that all previous materials submitted be included in the record. She then read a statement  
3 outlining the applicant's proposal into the record, and stated the applicant's willingness to  
4 work with Public Works, the City's engineer, and DEQ to ensure that the work would be  
5 done to the desired standards.

6 Opponent's presentation: Hollis Lundeen addressed the Council regarding the  
7 difficulties presented by the necessary restrictions due to Covid-19 at both the previous  
8 and current meeting, and requested that the Council consider postponing the hearing to  
9 allow for citizen participation. She noted submittal of a letter signed by twenty citizens,  
10 including herself, as evidence of the concern. In her testimony, Ms. Lundeen stated that  
11 the remand was not following the planned development preliminary plan review procedure  
12 as outlined in Waldport Development Code Section 16.60.030, which required the Planning  
13 Commission to review the application pursuant to Section 16.108.020(B). She also  
14 indicated that she did not feel the applicant adequately addressed the requirements of  
15 Section 16.60.030(C)(4) in their proposal. She asked that the Council and all others  
16 involved review the details of the application and all accompanying documentation prior to  
17 making a decision.

18 Rebuttal: Ms. McDowell responded that this is a preliminary plan, and detailed  
19 engineering plans are provided after the conceptual approval. She noted that much of  
20 Waldport had been developed on similar terrain, this development was not unique. If the  
21 development had been proposed as a subdivision rather than a planned development, the  
22 applicant could have increased the number of residential lots, but the proposed plat was  
23 designed to avoid building on steep slopes and to provide buffers, areas of drainage, and  
24 a trail for public use. Councilor Campbell asked if a detailed erosion plan had been  
25 submitted. Ms. McDowell responded that she would ask Mr. Bartoldus.

26 Mayor Woodruff noted that the record would remain open until 5:00 p.m. on May 21,  
27 2020. Both the applicant and proponent will receive the materials at the same time as the  
28 Council, prior to the next meeting.

29  
30 5. PROCLAMATION: Mayor Woodruff read the proclamation for "Older Americans Month"  
31 into the record.  
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## 1 6. DISCUSSION/ACTION ITEMS:

2 A. Timeline for Lodging Restrictions: Discussion ensued regarding whether to follow  
3 the County's timeline or to consider allowing hotels, motels and vacation rentals to open  
4 earlier. The County was looking at May 31 or June 1. The decision of the Council at the  
5 April 27 meeting had been to delay the opening until May 15. Concerns expressed included  
6 the potential impact of an earlier opening due to a potential influx of visitors vs the  
7 employment needs of the community, and whether departing from the County's timeline  
8 would show a lack of cohesion. Following the discussion, Councilor Campbell moved to  
9 allow opening on May 22<sup>nd</sup> within the City limits. Mayor Woodruff seconded and the motion  
10 carried unanimously.

11 It was announced that the Chamber of Commerce had voted at their last meeting  
12 to cancel the 3<sup>rd</sup> of July fireworks.

13 B. Business License Discussion: City Manager Cutter noted that In a normal year,  
14 the notices for the annual license renewal would go out in May, with a due date of July.  
15 However, in light of the fact that many businesses have had to curtail services or close  
16 altogether due to Covid restrictions, the addition of an extra financial burden might prove  
17 to be difficult to business owners. He asked if the Council wished to have staff provide  
18 more information for them to consider, and noted that couple of options might include  
19 waiving the license fee altogether for the current year or extending the due date, with or  
20 without a commensurate proration of the cost. Mayor Woodruff noted that the Chamber of  
21 Commerce had decided to wait until September to send out their annual dues notices.  
22 Councilor Campbell indicated he could entertain the idea of prorating the first quarter,  
23 although he observed that OLCC had not only sent out their renewals already, but also  
24 increased the fees. Councilor Dennis suggested sending out the renewal notice with a  
25 lower rate and a due date by the end of September. Discussion ensued, following which  
26 consensus of the Council was to look at making the due date the first of October. More  
27 information, including a draft resolution, will be provided at the June meeting.

28 C. Letters of Interest for Council Vacancy. Letters of interest from Heidi Lambert  
29 and Rick Booth were included in the packet materials. Discussion ensued, and consensus  
30 of the Council was to hold a meeting on May 28, 2020 at 2:00 to complete deliberations  
31 for the Tidewater Development remand appeal, along with discussions on the meter  
32 project, the Council vacancy, and any other issues that may need attention prior to the

1 June Council meeting.

2 D. Other Issues: None.

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4 7. COMMITTEE REPORTS: Mayor Woodruff reported that the Parks Committee was  
5 moving forward in renovating the downtown planters, and noted that there had been an  
6 offer from the Seal Rock Garden Club to assist in the project.

7 Councilor Virtue asked that City Manager Cutter send an invitation to the County's  
8 Harm Prevention person to provide a presentation, Mr. Cutter suggested scheduling the  
9 presentation for August, or possibly September/October depending on availability.

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11 8. STAFF REPORTS: The written reports from the City Manager, Sheriff's Department,  
12 and Library Director were included in the packet materials. Mr. Cutter noted that he had not  
13 received information on Dahl's annual rate review, though it may be forthcoming shortly.  
14 He mentioned that he had broached the topic of an annual cleanup project and they  
15 appeared to be receptive to the idea. The Council was favorable to the continuation of the  
16 conversation, with Mayor Woodruff noting that Yachats currently has a similar program in  
17 place. With regard to the Interpretive Center, Mr. Cutter noted that he had received a call  
18 from ODOT that they were ready, and asked if he had permission to continue the process.  
19 Consensus of the Council was favorable. Mr. Cutter will provide information on the City's  
20 building assets, current conditions, potential expenses and possible uses for discussion  
21 at the June meeting. Mr. Cutter then spoke about the reopening procedure for City  
22 facilities, noting that City Hall and the Library were being planned for reopening during  
23 Phase 2. The Community Center, due to lack of staffing and the inability to implement  
24 necessary requirements, was not scheduled to reopen until Phase 3. Taking up the topic  
25 of the Crestline Drive improvements for the "Safer Routes to Schools" application, Mr.  
26 Cutter indicated that he had reviewed the proposed area, and felt that, due to factors such  
27 as topography and number of road and driveway entrances, the east side might be less  
28 difficult to improve. Additional updates in Mr. Cutter's verbal report included obtaining  
29 quotes on cyber insurance, reviewing the current health insurance package, progress on  
30 the budget document, and requests from the Library to share some office space in the  
31 bank building, and permission to hang a banner for the summer reading program on the  
32 outside of the facility.

1 9. ADDITIONAL PUBLIC COMMENTS FROM VIEWING AUDIENCE: Two comments  
2 regarding the public hearing were read into the record. Copies will be provided in the May  
3 28 packet, along with any other comments received by the May 21 deadline.

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5 10. COUNCIL COMMENTS: None.

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7 11. EXECUTIVE SESSION: At 4:56 p.m., the Council recessed into executive session  
8 pursuant to ORS 192.660(2)(h), to consult with counsel concerning the legal rights and  
9 duties of a public body with regard to current litigation or litigation likely to be filed. The  
10 topic of discussion was an update on the water tank litigation.

11 The Council reconvened into open session at 5:04 p.m.

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13 12. ACTIONS, IF ANY, FROM EXECUTIVE SESSION: None.

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15 13. GOOD OF THE ORDER: Nothing further.

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17 14. ADJOURNMENT: At 5:05 p.m., there being no further business to come before the  
18 Council, the meeting was adjourned.

19  
20 Respectfully submitted,

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23 Reda Q Eckerman, City Recorder

24  
25 APPROVED by the Waldport City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

26 SIGNED by the Mayor Pro Tem this \_\_\_\_ day of \_\_\_\_\_, 2020.

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28 \_\_\_\_\_  
29 Susan Woodruff, Mayor Pro Tem



1 anticipated in the budget to provide overlap for the Water Plant operator, who is looking  
2 to retire in the upcoming year. Healthcare costs have increased, and Mr. Cutter noted he  
3 would be reviewing alternative coverages before the start of the calendar year. Ms. Crall  
4 suggested considering employee cost-sharing for insurance coverage and the annual  
5 increases. Concluding the budget message, Mr. Cutter explained the necessary 4.2%  
6 increase in utility charges, and the changes that had been implemented in the Public  
7 Works, Wastewater and Water funds to more accurately reflect personnel costs.

8 The committee then commenced review of the budget, fund by fund. Mr. Campbell  
9 moved to change Parks SDC Reserve to Parks SDC Contingency. Ms. Hansen seconded  
10 and the motion carried unanimously. Ms. Hanes moved to change Tourism Reserve to  
11 Tourism Contingency. Ms. Virtue seconded and the motion carried unanimously.

12 At 4:22 p.m., the City Budget Committee meeting was recessed, to take up the  
13 Road District #3 and Urban Renewal Agency budgets. At 4:31 p.m., the City Budget  
14 meeting resumed.

15 Ms. Hanes **moved** to approve the State Revenue Sharing and recommend its  
16 adoption to the City Council. Mr. Campbell **seconded**, and the motion **carried**  
17 unanimously.

18 Ms. Hanes **moved** to approve the budget as amended and recommend its adoption  
19 to the Waldport City Council, and to approve taxes for the 2020/2021 fiscal year at the rate  
20 of \$2.3328 per \$1000 of assessed value for operating purposes and in the amount of  
21 \$86,053 for general obligation bond principal and interest. Mr. Holland **seconded**, and the  
22 motion **carried** unanimously.

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24 5. ADJOURNMENT: At 4:33 p.m., there being no further business to come before the  
25 Budget Committee, the meeting was adjourned.

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27 Respectfully submitted,

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29 Reda Q. Eckerman, City Recorder

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31 APPROVED by the Waldport City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

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2 SIGNED by the Mayor this \_\_\_ day of \_\_\_\_\_, 2020.

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6 Susan Woodruff, Mayor

1 **WALDPORT CITY COUNCIL**

2 **MAY 28, 2020**

3 **MEETING MINUTES**

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

7 2. DISCUSSION/ACTION ITEMS:

8 A. Deliberation & Findings on Remand Appeal - Tidewater Development LLC:  
9 Contract Planner Peterson reviewed the packet materials, including the draft findings and  
10 conclusion. He suggested that the Council review the packet and, if the findings were  
11 satisfactory, to approve them for signature at the June 11, 2020 meeting. Councilor  
12 Campbell indicated he had read the engineer's report and felt that if the project was  
13 overseen by both DEQ and the City's engineer, he would be satisfied that the conditions  
14 have been met. Councilor Virtue agreed, noting that the guidelines have been established.  
15 Councilor Campbell moved to approve the findings. Councilor Dunn seconded and the  
16 motion carried unanimously.

17 B. Meter Project Discussion: City Manager Cutter noted that one of the objectives  
18 in the Water Master Plan was the need to replace the existing water meters in the system.  
19 The USDA loan package was originally intended to fund that project, but the water meter  
20 project has now been included in the proposed budget for FY 2020/2021. However, other  
21 conditions and concerns include a major overhaul of the water treatment plant, repairs to  
22 existing infrastructure and a leak detection program. He suggested the Council consider  
23 allowing him to pursue the idea of working with staff, the City's engineer, Dig Deep and  
24 USDA to craft a loan package that would address some of those additional projects. Mr.  
25 Cutter noted that low interest rates, increased debt capacity and forgiveness of a portion  
26 of the loan could help reduce the percentage of rate increase for customers. Following  
27 discussion, consensus of the Council was to have Mr. Cutter proceed with the process.

28 C. Letter of Resignation and Announcement of Council Vacancy: The Council  
29 considered the letter of resignation from Councilor Dennis. Councilor Holland moved to  
30 accept the letter of resignation and announce the Council vacancy. Councilor Virtue  
31 seconded, and the motion carried unanimously. Following discussion, consensus of the

1 Council was to advertise the vacancies, asking for letters of interest by July 3, 2020. The  
2 letters from Ms. Lambert and Mr. Booth will be included with any additional letters for  
3 consideration at the July 9, 2020 meeting.

4 D. Wednesday Market Proposal: Erich Knudson, President of the Beachcomber  
5 Days Committee, outlined the committee's proposal to take over the operation of the  
6 market. Councilor Holland noted for the record that he was Vice-President of the  
7 committee, but felt he had no conflict in the discussion. Mr. Knudson noted that the  
8 committee was looking at this as an opportunity to provide ongoing revenue to the  
9 organization, which provided local scholarships. He reviewed the proposal, noting that the  
10 market would be operated with appropriate measures being taken to address Covid-19  
11 health concerns. The market would not open until Phase 2, and sanitation and distancing  
12 requirements would be implemented. Discussion ensued, following which consensus of the  
13 Council was for City Manager Cutter to work with the committee on an agreement. Staff  
14 will also draft an event proclamation for Council approval.

15 E. Assignment for Representatives - COG & EDALC: City Manager Cutter  
16 mentioned that with the resignation of Councilor Dennis, an additional representative would  
17 also be needed for the Solid Waste Committee. Following discussion, Councilor Holland  
18 volunteered to be the representative for the Economic Development Alliance, Councilor  
19 Virtue volunteered to be the representative for the Council of Governments, and Mayor  
20 Woodruff, who had been the second representative on the Solid Waste Committee,  
21 volunteered to become the primary representative.

22 F. COVID Funding Discussion: City Manager Cutter noted that the State has a  
23 significant amount of money to distribute, and he has already turned in a request for about  
24 \$5000 for qualifying expenses incurred to-date in the first round of funding. Additional  
25 funding may be available in the second round, and there are projects that are could qualify  
26 for the funding, but there would be no guarantee of reimbursement. These projects  
27 included PPE supplies and sanitation equipment, upgrading sound and video equipment  
28 for broadcasting meetings and providing avenues for remote citizen participation, and  
29 remodeling the front part of City Hall for the protection of employees and customers as well  
30 as addressing security concerns. Following discussion, Councilor Holland moved to allow

1 an expenditure of up to \$30,000 from General Fund Contingency. Councilor Dunn  
2 seconded, and the motion carried unanimously.

3 G. Other Issues: Councilor Holland noted that yard sales were permitted, as long  
4 as there were no more than 25 people and hand sanitizer was provided. Mayor Woodruff  
5 reported that the Parks Committee has completed the planter project and will now be  
6 moving on to other projects.

7 3. PUBLIC COMMENTS: Hollis Lundeen addressed the Council, expressing her  
8 disappointment in the brevity of discussion and the Council's apparent disregard for the  
9 public comments that had been submitted for the remand. Councilor Campbell assured her  
10 that the documentation had been reviewed, Mayor Woodruff added that the Council had  
11 considered everything appropriate to the issue at hand.

12 4. COUNCIL COMMENTS: Councilor Campbell noted that, despite the difficulties imposed  
13 by Covid-19 restrictions, the golf course had successfully held a recent fundraiser in  
14 support of the Pastega House, They are scheduling another fundraiser at the end of June,  
15 this time to support the local Moose Lodge, which has been providing thousands of free  
16 meals during the health crisis. Councilor Dunn announced that, with the permission of  
17 ODOT, photographic banners will be installed on the downtown light posts to celebrate the  
18 2020 graduating class.

19 5. ADJOURNMENT: At 3:27 p.m., there being no further business to come before the  
20 Council, the meeting was adjourned.

21 Respectfully submitted,

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23 Reda Q Eckerman, City Recorder

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25 APPROVED by the Waldport City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

26 SIGNED by the Mayor Pro Tem this \_\_\_\_ day of \_\_\_\_\_, 2020.

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29 Susan Woodruff, Mayor Pro Tem

# ECONOMIC DEVELOPMENT ALLIANCE OF LINCOLN COUNTY

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*Strengthening Lincoln County's economy. Attracting and supporting primary jobs.*

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May 12, 2020

Dear Economic Development Alliance Members:

Greetings!

First of all, allow me to send out my best wishes that you, your family and your employees are all safe and well during this unprecedented COVID-19 outbreak.

I wanted to send out a quick letter of introduction. My name is Paul Schuytema, and I'm honored to have been selected by the Economic Development Alliance of Lincoln County's Board of Directors as the new Executive Director of the organization. I am humbled to be stepping into this role for such a long-standing and respected organization in Lincoln County, and I look forward to serving the regional business community in the years to come.

As you may or may not know, my wife Susan and I are not yet on the west coast. I am currently wrapping up my tenure as Executive Director of the Iron County Economic Chamber Alliance in Iron County Michigan, in the western Upper Peninsula. Literally the day after we had a signed employment agreement with the EDALC, the Governor of Michigan ordered a state-wide lockdown and shelter-in-place order. Currently, I'm still assisting local businesses here as we prepare our house for sale and make the plans to head west as soon as it's safe and prudent to do so (which looks to be heading west after Memorial Day).

Just a little background on me... I've been a rurally-focused full-time economic developer for the last eleven years. During that time, I've worked on entrepreneurship development, downtown development, tourism development, tax incentive planning, strategic planning and a host of other projects and initiatives both in West Central Illinois and in Michigan's Upper Peninsula.

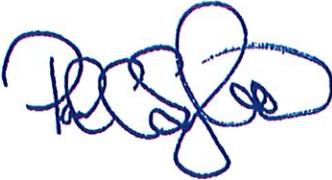
Prior to working full time in economic development, I worked in software development for over a dozen years, working as a producer, designer and project leader of numerous PC-based computer game projects (including the official Survivor games for CBS and a Rainbow Six title for Tom Clancy's company). I also had the privilege to start and run the Center for Creative Software Development for the University of Illinois Extension. In that role, I worked to develop Going Solo, and online entrepreneurial training simulation and MarketMaker, a portal for value-added farmers to connect to new food markets.

I came to economic development when I was running my own business, Magic Lantern Playware, in a small rural town. I needed to forge public-private partnerships with local and state leaders to bring in the broadband connectivity we needed to operate. Through those efforts, I came to understand the value of high-touch local economic development - and the essential need for organizations like the Economic Development Alliance of Lincoln County within the economic ecosystem of a region.

Over the past weeks, I've started a learning plan of research and understanding on the potential paths forward out of this crisis and the long road to a new normal in our economy. The local SBDC has been kind enough to invite me to the weekly meetings with regional and statewide leaders and officials as they plan the next steps forward. Through those calls, I've been able to learn of the Governor's plan to reopen Oregon based on science, data and the needs of the business community. I've also heard from regional and state elected officials who are working tirelessly on behalf of their constituents. I've also made a number of key business and government connections, and we've begun correspondence. My goal is to be as prepared as possible when we arrive to jump in, grab an oar and begin rowing together towards an open and flowing economy.

I look forward to meeting you all and discussing the exciting future of the Alliance and some of our plans for the future. Stay safe and we'll see you soon!

Cordially,



Paul Schuytema  
(incoming) Executive Director  
The Economic Development Alliance of Lincoln County

## NOTICE OF BUDGET HEARING

A public meeting of the **City of Waldport** will be held on June 11th, 2020, at 2:00 pm at 125 Alsea Highway, Waldport, Oregon. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2020, as approved by the City of Waldport Budget Committee and to receive comment from the public on the budget, including comments on the possible use of State Revenue Sharing Funds. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at City Hall, 125 Alsea Highway, Waldport, between the hours of 8:00 am and 5:00 pm or online at [www.waldport.org](http://www.waldport.org). This budget is for an annual budget period. This budget was prepared on a basis of accounting that is the same as the preceding year.

Contact: Daniel D Cutter, City Manager/Budget Officer Telephone: (541) 563-3561 x16 Email: [dann.cutter@waldport.org](mailto:dann.cutter@waldport.org)

| FINANCIAL SUMMARY - RESOURCES                          |                               |                                |                                 |
|--|-------------------------------|--------------------------------|---------------------------------|
| TOTAL OF ALL FUNDS                                     | Actual Amount<br>FY 2018-2019 | Adopted Budget<br>FY 2019-2020 | Approved Budget<br>FY 2020-2021 |
| Beginning Fund Balance/Net Working Capital             | 1,575,708                     | 1,473,480                      | 2,056,952                       |
| Fees, Permits, Fines & Charges for Services            | 1,642,671                     | 1,751,575                      | 1,838,833                       |
| Federal, State Allocations, Grants and Donations       | 902,711                       | 592,697                        | 343,540                         |
| Interfund Transfers, Internal Service Reimbursements   | 1,459,409                     | 1,258,319                      | 839,012                         |
| Revenue from Bonds and Other Debt                      | 127,671                       | 31,200                         | 201,378                         |
| All Other Resources Except Current Year Property Taxes | 31,200                        | 44,714                         | 38,100                          |
| Current Year Property Taxes Estimated to be Received   | 570,246                       | 592,890                        | 603,869                         |
| <b>Total Resources</b>                                 | <b>6,309,616</b>              | <b>5,744,875</b>               | <b>5,921,684</b>                |

| FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION |                  |                  |                  |
|---|------------------|------------------|------------------|
| Personnel Services  | 1,490,292        | 1,506,267        | 1,567,483        |
| Materials and Services                                    | 2,038,729        | 2,184,098        | 2,136,014        |
| Capital Outlay  | 1,070,582        | 691,400          | 887,500          |
| Debt Service  | 211,961          | 270,685          | 255,855          |
| Interfund Transfers                                       | 348,571          | 142,785          | 190,074          |
| Contingencies   | 298,058          | 103,427          | 105,141          |
| Unappropriated Ending Balance and Reserved                | 851,423          | 846,213          | 779,616          |
| <b>Total Requirements</b>                                 | <b>6,309,616</b> | <b>5,744,875</b> | <b>5,921,684</b> |

| FINANCIAL SUMMARY - REQUIREMENTS BY ORGANIZATIONAL UNIT OR PROGRAM                        |                  |                  |                  |
|---|------------------|------------------|------------------|
| Name of Organizational Unit or Program<br>Full-Time Equivalent Employees (FTE) by program |                  |                  |                  |
| Administration  | 459,281          | 487,740          | 337,211          |
| FTE   | 3.5              | 3.8              | 3.0              |
| Land Use Planning   | 235,711          | 151,587          | 59,300           |
| FTE   | 0.4              | 0.4              | 0.0              |
| Public Safety, Court Services   | 382,716          | 379,100          | 344,013          |
| General Obligation Bond   | 86,053           | 86,053           | 86,053           |
| Library Services  | 280,922          | 302,958          | 118,738          |
| FTE   | 3.5              | 3.5              | 3.6              |
| Parks & Recreation  | 102,700          | 53,100           | 72,821           |
| FTE   |                  |                  | 0.5              |
| Parks System Development  | 30,700           | 30,700           | 0                |
| Community Center  | 36,361           | 47,120           | 24,465           |
| Community Development   | 29,600           | 79,240           | 8,570            |
| Non-Departmental / Non-Program  | 4,665,572        | 4,127,277        | 4,870,497        |
| FTE   | 8.5              | 8.0              | 9.5              |
| <b>Total Requirements</b>   | <b>6,309,616</b> | <b>5,744,875</b> | <b>5,921,684</b> |
| <b>Total FTE</b>  | <b>15.9</b>      | <b>15.7</b>      | <b>16.1</b>      |

**STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING**

Reallocated FTE to water and wastewater; added parks FTE, contracted for planning and accounting.

**PROPERTY TAX LEVIES**

|   | Rate or Amount Approved | Rate or Amount Approved | Rate or Amount Approved |
|---|-------------------------|-------------------------|-------------------------|
| Permanent Rate Levy (rate limit \$2.3328 per \$1,000) | \$2.3328                | \$2.3328                | \$2.3328                |
| Levy For General Obligation Bonds                     | \$80,049                | \$86,053                | \$86,053                |

**STATEMENT OF INDEBTEDNESS**

| <b>LONG TERM DEBT</b>    | Estimated Debt Outstanding<br>July 1, 2020 | Estimated Debt Authorized, But<br>Not Incurred on July 1 |
|--------------------------|--|--|
| General Obligation Bonds | \$881,570                                  |  |
| Other Bonds              | \$613,976                                  |  |
| Other Borrowings         | \$416,329                                  |  |
| <b>Total</b>             | <b>\$1,911,875</b>                         | <b>\$0</b>   |



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

**TITLE OF ISSUE:** DAHL Rate Adjustment Request

**REQUESTED BY:** DAHL Disposal Service, INC. Via Joseph Cook  
**FOR MEETING DATE:** June 11<sup>th</sup>, 2020

**SUMMARY OF ISSUE:** (see enclosed Letter)

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Two options are given by Dahl. The Council may choose one, or consider a variation as they please – remembering that state statute provides for regulation of solid waste rates.

May 20, 2020

City of Waldport  
Attn: Dann Cutter, City Manager  
PO Box 1120  
Waldport Or 97394

### 2020 Rate Review Report

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 12/31/2019 (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).

Based on this data, our Operating Ratio is projected to be slightly outside of the range of 85% to 91% at 91.30%. This would necessitate a rate adjustment of 3.30% in order to bring the ratio to 88%. Based on the current conditions, we are proposing to only implement the 1-year CPI adjustment as a sign of good faith. The Operating Ratio that we project, without a rate adjustment, is 92.65%. City code allows for a rate adjustment to reconcile to the CPI every other year in even numbered years. Last year, we agreed to implement a 1-year CPI adjustment and agreed to request only a 1-year adjustment this year. Although we are outside of the range, we would like to do our part during the COVID crisis and request an adjustment of 1.275% (after taking into account the 1-year rate adjustment dictated by code and agreed to in 2019). Based on this, we are proposing the following two options for adjusting rate this year:

Option A - Implementation of the CPI Adjustment called for by ordinance in even numbered years and amended by agreement last year. While the code calls for allowing an adjustment every other year in the amount of 85% of the two-year change in the CPI-U, West B/C, we were allowed to take one year of that change last year and reserved the right to take the second year this year. Under the ordinance this rate would be effective July 1, 2020. 85% of the one-year change in the CPI-U, West B/C is 1.275%.

Option B - We are both aware of and sensitive to the vast economic impact of COVID-19 on both commercial and residential customers. We know that many residential customers have suffered loss of work and associated financial difficulties. Many commercial accounts are suffering closures and varying degrees of financial loss as well. We want to be sensitive to the residents of this county and provide the same level of service without imposing an additional financial burden at this crisis. With this in mind, we have discussed the possibility of postponing the rate increase in order to ease the financial burden on the community.

The code indicates that the rates are to be adjusted every other year (even numbered years) by 85% of the two-year change in the CPI-U, West B/C index to account for COLA impacts. In order

to be sensitive to current economic conditions, we would propose the following: We would forego the rate increase for this year at this time, but reserve the right to implement it later this year as the economy moves back toward stabilization, with 30 days advanced notice.

This arrangement would allow the company to shoulder some financial burden of the response to the crisis while providing the same level of essential service to the community in this time of need.

We have included a proposed rate schedule (option A and Option B) for your review (Exhibit D).

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,

*Joe Cook*

Joseph Cook, Interim General Manager

**BEFORE THE CITY COUNCIL  
OF  
WALDPORT, OREGON**

**Appeal of Planning Commission Preliminary Plan Approval  
Vista View Planned Development**

**Case File #1-PD-PC-17**

**Applicant: Tidewater Development LLC**

**Agent: Dennis L. Bartoldus, Attorney**

**FINDINGS AND CONCLUSIONS**

**NATURE OF THE APPLICATION**

The proposed Vista View Planned Development is a planned 34 single family lot development on 7.75 acres. Lot sizes are proposed to range between 4,810 and 9,041 square feet.

Access to the development is proposed at the south end of Norwood Drive. This is the only current legal access to the site. A future second access is planned at the south end of the site. Within the property, a circular street system is proposed to access the lots/homes.

A tract of land along the north and east side of the property is proposed as open space. The applicant proposes the establishment of an easement and construction of a public nature trail through the open space and along the south edge of Lots 11-13.

**HISTORY OF VISTA VIEW PLANNED DEVELOPMENT APPROVALS AND APPEALS**

- A. On December 18, 2017, the Planning Commission granted preliminary plan approval of a 34-lot planned development (Vista View PD). The preliminary plan approval was appealed to the City Council.
- B. On February 22, 2018, the City Council upheld the decision of the Planning Commission decision of approval with one modification to a condition of approval. The Findings and Conclusions were issued on March 8, 2018. The City Council's decision was appealed to the Oregon Land Use Board of Appeals (LUBA).
- C. On August 20, 2018, LUBA issued a Final Opinion and Order. In its decision LUBA generally upheld the decision of the City but remanded the case back to the City on one issue, that being to further address the issue of storm drainage.
- D. On January 28, 2019, the Planning Commission held a hearing on the remanded issue of storm drainage. Based upon the testimony and information presented, the Planning Commission concluded that the development will not create a drainage or pollution problem outside the planned area and reapproved the Vista View Planned Development. The Planning Commission approval was appealed to the City Council.
- E. On March 14, 2019, the City Council upheld the decision of the Planning Commission decision of re-approval. The City Council's decision was appealed to LUBA.

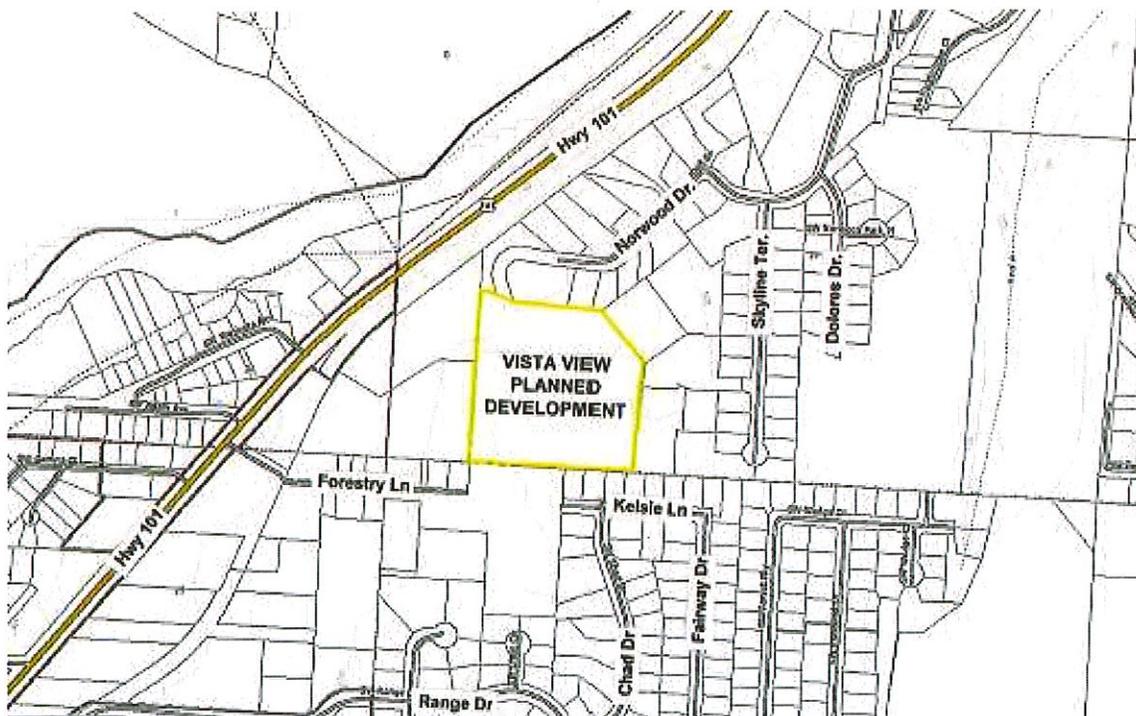
**#1-PD-PC-17 Vista View Planned Development  
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- F. On October 24, 2019, LUBA issued a Final Opinion and Order. In its decision LUBA generally upheld the decision of the City but remanded the case back to the City on one issue, that being to determine whether construction activities would create a drainage or pollution problem outside the planned area.
- G. On May 14, 2020, the City Council held a public hearing on the remanded issue of whether construction activities would create a drainage or pollution problem outside the planned area. In person attendance at the public hearing was limited to the appellant and the applicant's legal counsel due to COVID-19 restrictions and the public hearing was livestreamed. The record was left open for seven days until May 21, 2020 at 5:00 PM. On May 28, 2020, the City Council deliberated on the remand. Based upon the testimony and information presented, the City Council concluded that the development would not create a drainage or pollution problem outside the planned area. The findings and conclusions were prepared for review and signature at the June 11, 2020 City Council meeting.

**RELEVANT FACTS**

The following is a summary of the facts and testimony found to be relevant to this decision.

- A. **Property Location:** The subject property is located at the south end of Norwood Drive; and further described on Lincoln County Tax Assessor's Map 13-11-19CC as tax lot 120.
- B. **Zoning:** Residential Zone R-1
- C. **Plan Designation:** Residential Single
- D. **Lot Size:** 7.75 acres
- E. **Existing Structures:** None



**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

- F. **Topography:** The majority of the property is gently sloped to the west. The highest point on the property is in the southeasterly portion of the property. The steepest slopes are on the north end and the northeasterly portion of the property. Most of the property that has steeper slopes is proposed for open space.
- G. **Surrounding Land Use:** Single family residential development is generally located to the north and east (Norwood Heights Subdivision) with some undeveloped residential zoned property. Undeveloped residential zoned land and single family residential development (Forest Hills Subdivision) are south of the site. The U.S Forest Service Station and limited single family development is west of the site.
- H. **Utilities:** The following utilities currently serve or are available to the subject property:
- a. Water: City of Waldport
  - b. Sewer: City of Waldport
  - c. Electricity: Central Lincoln P.U.D.
- I. **Development Constraints:** There is a steep ravine and drainage way along the north and a portion of the east boundaries.

**J. Submittals**

All material submitted by the applicant and the appellant prior to the March 14, 2019 City Council meeting are herein incorporated into the record as is the record that was previously submitted to LUBA.

The FINAL OPINION AND ORDER for LUBA No. 2019-046 Hollis Lundeen, Petitioner v. City of Waldport, Respondent and Tidewater Development, LLC, Intervenor-Respondent, is herein incorporated into the record.

In response to LUBA No. 2019-046, the Applicant submitted a 4-page *Applicant's Submittal After Second LUBA Remand, Case File #1-PD-PC-17*.

Appellant email and letter requesting that the hearing be sent to the Planning Commission.

For the May 14, 2020 City Council appeal hearing, the Appellant submitted a 13-Page response.

While the record was left open the appellant submitted an additional 4-Page response.

While the record was left open the Applicant submitted a 9-Page response that included a 2 page letter signed by Brant Thissell and stamped with his registered professional engineer stamp.

In addition, a number of email and written comments from neighboring property owners and concerned citizens were received which are all included in the record.

All material submitted by the Appellant and the Applicant are herein incorporated into the record.

- K. **Public Testimony.** Public testimony provided at the two Planning Commission hearings and the March 2018 and March 2019 City Council hearings are herein incorporated into the record.

For the May 14, 2020 City Council appeal hearing, the Appellant provided the above mentioned 13-Page written testimony and provided oral testimony, that are herein incorporated into the record.

At the May 14, 2020 City Council appeal hearing, the Applicant's legal counsel provided oral testimony.

All material submitted by the Appellant and the Applicant as well as all staff reports and notices

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

prepared by the City are herein incorporated into the record.

**RELEVANT CRITERIA**

Relevant Waldport Development Code criteria is identified below by title only. Full descriptions of relevant criteria were included as an attachment to the Planning Commission staff report and are herein incorporated into the record.

Chapter 16.12 Residential Zone R-1

Chapter 16.60 Planned Development Zone P-D (relevant sections)

Chapter 16.72.020 Off-street Parking and Off-Street Loading Requirements

Chapter 16.96 Development Guidelines

Chapter 16.100 Land Division

Waldport Comprehensive Plan – Yaquina John Point Land Use & Transportation Plan

**PUBLIC AGENCY COMMENT**

The Waldport Public Works Department and the Central Oregon Coast Fire & Rescue District (COCFRD) provided the following comments related to water service and the proposed private street.

- The 20' street width within a 30' right-of-way is good as long as "No Parking" signs are posted. If the street width is a minimum 26' then parking would be allowed on one side of the street.
- The City recommends construction of sidewalks at the time the street is constructed versus the request for sidewalks to be installed as each house is built.
- The Public Works Department and COCFRD request review and approval of engineering plans prior to construction. The developer shall be responsible for all costs the City incurs for review and approval of plans.

Following the December 4, 2017 Planning Commission meeting, COCFRD confirmed that a 26 foot pavement is adequate to allow for two travel lanes and parking on one side of the street.

**FINDINGS**

The Findings provided below are divided into the following four sections:

- March 8, 2018 Waldport City Council Findings
- January 29, 2019 Waldport Planning Commission Findings
- March 18, 2019 Waldport City Council Findings
- June 11, 2020 Waldport City Council Findings

**March 8, 2018 Waldport City Council Findings**

Following public testimony presented at the February 22, 2018 City Council meeting, the City Council deliberated and addressed each of the seven appellant allegations. The seven allegations are identified in *italics* below and followed by the City Council findings. (Please note the full descriptions of the appellant's allegations and the applicant's responses are available for review as part of the record.)

*Appeal Item #1. The Findings and Conclusion of the Planning Commission were signed prior to the Planning Commission's approval.*

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

**City Council Findings:** This appeal item is irrelevant because the land use decision for this application is now before the City Council. The Findings and Conclusions of the City Council will be the final document of which the decision is based on.

Additionally, the City Council finds the Planning Commission Findings & Conclusions could not have been signed prior to the Planning Commission's decision because the Findings & Conclusions include deliberation and findings that occurred at the December 18, 2017 Planning Commission meeting.

*Appeal Item #2. Relevant Waldport Development Code criteria in Section 16.60.030 C3 & C4 were not addressed. Subsection C3 states that the proposed development will provide amenities or protections at a higher level than would otherwise be provided under conventional land development procedures. Subsection C4 states that the Planning Commission shall seek to determine that the development will not overload streets outside the planned development area, nor will the proposed development create drainage or pollution problems outside the planned area.*

**City Council Findings:** The Planned Development ordinance allows exceptions and the Planning Commission followed procedures in hearing and making a decision on this application. The Planned Development ordinance allows a design that is tailored to the property. Exceptions to residential and land division standards are allowed in exchange for tradeoffs, which are typically the establishment of open spaces, natural resources and public benefits, e.g. dedication of open space, preservation of natural drainage ways, public pedestrian facilities such as trail connections.

The drainage way located along the northern portion of the subject property is not subject to restrictions and setbacks stated by the appellant because those cited restrictions and setbacks apply to properties along the Pacific Ocean and Alsea River. The drainage way on the subject property is not designated as a wetland or riparian area.

The alleged bald eagle habitat disturbance is not a relevant criteria in making a decision on this case.

*Appeal Item #3. The Preliminary Plan approval was made without relative, current, and accurate traffic data.*

**City Council Findings:** Traffic data used in the evaluation of the application included reliable and substantiated data. For example, the Institute of Traffic Engineers (ITE) Trip Generation Report, 8<sup>th</sup> Edition was researched to obtain average daily traffic data, i.e. a single family house generates approximately 10 trips per day. The City Council finds the proposed extension of Norwood Drive for the development of the Vista View PD is well within the development rights of the property owner. The City Council affirmed that the future extension of Norwood Drive was in place at the time Norwood Drive residence purchased and developed lots along Norwood Drive.

*Appeal Item #4. The Preliminary Plan approval is in conflict with the Waldport Yaquina John Point Land Use & Transportation Plan because the Preliminary Plan will result in inadequate utility facilities.*

**City Council Findings:** The City Council finds the Waldport Development Code and Planning Commission Findings & Conclusions have measures in place to ensure that adequate utilities facilities will be design, approved, and constructed. The Planning Commission's condition of approval #8 requires the applicant to submit final engineering plans for water, sewer, storm drainage, and streets to the City of Waldport and other applicable agencies for review and approval prior to construction.

*Appeal Item #5. Requirements regarding lot size, lot width, road right-of-way and road width were not observed and required, nor was a site plan provided reflecting the Preliminary Plan approval.*

**City Council Findings:** Section 16.60 Planned Development Zone P-D of the Waldport Development Code allows modifications to standards when it is determined there are benefits to both the city and the

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

property owner, e.g. dedication of open space, preservation of natural drainage ways, and public pedestrian facilities such as trail connections as proposed in the Vista View PD.

*Appeal Item #6. The Preliminary Plan was approved without verification of ownership regarding the plat that borders the applicant's property.*

**City Council Findings:** The City Council finds the developer has the right to develop a street and associated infrastructure within public right-of-way. City review and approval of final engineering plans include verification that proposed new streets are being constructed within a public way or on private property with property owner consent.

*Appeal Item #7. Except for the October 23, 2017 meeting, no additional verbal testimony was allowed.*

**City Council Findings:** This appeal item is irrelevant because the land use decision for this application is now before the City Council. The Findings and Conclusions of the City Council will be the final document of which the decision is based on. The February 22, 2018 public hearing before the City Council allowed for public testimony from any resident or citizen.

**Public Trail.** The City Council raised questions about when the public trail would be constructed. There was discussion and confirmation from the applicant's agent that the public trail would be constructed in Phase 1. The City Council passed a motion to include the condition of approval that the trail be constructed in Phase 1. This requirement is added to Condition of Approval #7 Public Nature Trail.

**FINDINGS MADE AFTER REMAND**

**January 29, 2019 Waldport Planning Commission Findings**

1. This case previously was heard by the Waldport Planning Commission. The Planning Commission approved the application with conditions on December 18, 2017.
2. The decision of the Planning Commission was appealed to the Waldport City Council by Hollis Lundeen. The City Council held a hearing on the appeal on February 22, 2018.  
  
The City Council essentially upheld the decision of the Planning Commission, slightly modifying one of the conditions to provide the easement trail would be constructed as part of Phase 1 of the project. The Final Order of Findings and Conclusions was issued on March 8, 2018.
3. Hollis Lundeen appealed the decision of the City Council to the Oregon Land Use Board of Appeals (LUBA). In its decision LUBA generally upheld the decision of the City but remanded the case back to the City on one issue, that being to further address the issue of storm drainage.
4. The Waldport Planning Commission held a hearing on the remanded issue of storm drainage on January 28, 2019. The hearing was duly noticed as required by the ordinance. All interested parties were given the opportunity to provide written testimony or to testify in person.
5. Those providing written testimony and testifying at the January 28, 2019 Planning Commission hearing were Dennis L. Bartoldus, Attorney and Agent for the applicant, Tidewater Development LLC; and Hollis Lundeen, Appellant. Additionally, the Oregon Department of Transportation (ODOT) provided written testimony.
6. After considering the testimony and submittals of the parties, the Planning Commission determined that storm water can be adequately managed without an adverse impact on other properties and the current off-site system in place is adequate to handle the runoff.
7. The engineer for the applicant has completed and submitted a Storm Water Drainage and Downstream Analysis.

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

8. The analysis describes how storm water collected from the site via roof drains and catch basins in the street into the existing storm drainage on the east and north sides of the property. From there the storm water will follow the same path as it historically has, down the vegetated channel and out to Alsea Bay. The drainage way on the applicant's property will remain vegetated.
9. The engineer did a Hydro CAD analysis which shows the existing 30 inch in diameter culvert running beneath Highway 101 is sufficiently sized to accommodate the storm water runoff of the past developed condition of the entire contributing storm water basis during a 10 year 24 hour rain event which is 5 inches of rainfall in 24 hours per the NOAA isoplurvial maps. In the event the culvert ever became blocked, the storm water would flow north and be channeled by one of several other ditch inlets and culverts beneath Highway 101 that drain to the bay.
10. By a visual inspection of the property downstream the engineer concluded there were no downstream structures or property at risk of being impacted by storm water quality due to the proposed development. All existing structures sit well above the existing drainage channel.
11. All storm water discharge outlet pipes will have, at a minimum, rip rap rock pads to prevent erosion and prevent sediment from washing downstream.
12. All site catch basins will have sumps, to help prevent sediment and debris from migrating downstream. The existing on-site drainage way will remain vegetated which will also help control sediment migration, erosion, and filter potential pollutants from discharged storm water. Much of the existing drainage on-site has a gentle gradient, which is favorable for settling out any sediment and particulates in the discharged storm water. The drainage way downstream is also heavily vegetated.
13. As shown on the preliminary plan, Vista View has set aside the area shown as a "storm water facility area" as an area reserved for meeting any additional storm water quality and/or retention requirements or criteria. The area would allow an appropriately engineered storm water detention area to control off site drainage.
14. The applicant's engineer advised that the calculations were made using very conservative estimations meaning that he erred on the side of caution in making the calculations.
15. ODOT stated that the proposed development should not increase drainage to ODOT highway right-of-way. If it will propose to increase drainage to the ODOT highway right-of-way, the applicant should contact ODOT to seek ODOT's review and approval.

**March 18, 2019 Waldport City Council Findings**

Following public testimony presented at the March 14, 2019 City Council meeting, the City Council deliberated and adopts the following Findings regarding pollution:

1. The land proposed for development is bare ground. It has not previously been developed or used for any residential, commercial or industrial development. Timber was previously harvested from the property. There are no known pollution hazards on the property.
2. Prior to construction of roads and other infrastructure the applicant will be required to submit engineered plans to the City showing and the City's engineers will need to review and approve of these plans.
3. During construction the applicant will need to comply with applicable construction standards that require protection of onsite and offsite property. Any special protections can be established during the engineer's review of the plans.

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

4. All water and sewer lines will need to be built to applicable state and federal standards governing their construction and function so they will function appropriately. If additional sizing of pumps or lines is necessary they will be installed as part of the process, as has been previously addressed.
5. The residential use of the property is consistent with the zoning of the property and uses on adjoining property. There is residential development on three sides of the property.

Since there is no commercial or industrial use of the property, there will be no pollution from those sources. The homes will be connected to City sewer and water as previously noted and there will be no septic systems. There is nothing in the proposal presented by the applicant that suggests there will be any activity that will cause pollution that would violate any provision of local, state or federal law.

6. The report from the applicant's engineer demonstrates that there will be adequate natural drainage to eliminate or control any sediment and if the engineer's determine that any additional filtering is necessary it can be accomplished as part of the engineering review.
7. The planned development has been designed to avoid development on steep slopes. The housing units will be situated on the gently sloping portion of the property. This reduces soil disturbance and will retain a large portion of the property in a natural state thereby reducing the possibility of pollution.
8. The traffic associated with the development will be consistent with a single family residential subdivision that was not developed as a plan development. The same is true with other aspects of the development such as street design and lighting and other infrastructure.
9. Phasing and Time Limits of a Preliminary Planned Development Approval. Upon a preliminary plan approval, the City Council finds the phasing plan with time limits shall be updated so that Phase 1 begins March 2019.
10. The applicant provided testimony that no pollution occurred on the property during logging activities and that fuel tanks would not be stored on the property during the construction of the property.
11. Storm drainage and pollution would not need to be addressed if this was a regular subdivision, even if the subdivision contained more lots than the proposed planned development. The City Council finds that off site drainage is reduced because there are less lots, less street footage and less impervious surface than in a traditional subdivision that could be developed on the property. The same is true of the pollution analysis.

**FINDINGS MADE AFTER THE SECOND REMAND**

**June 11, 2020 City Council Meeting Findings**

1. The applicants will be required to apply for permits required by any local, state or federal agency to develop the property. At a minimum they will need to apply for permits from DEQ regarding how runoff will be managed during construction. In applying for permits the applicants will need to follow the regulations of the permitting agency which are meant to address offsite pollution and drainage. The City is not listing every possible permit or regulation in granting the approval since all necessary permits must be obtained and the city cannot pick and choose what permits are required or which regulations are followed. The applicant is legally required to apply for all necessary permits and follow all applicable regulations for the agencies with jurisdiction over the project.
2. The applicant will disturb as little of the property as possible in developing the property and will preserve as much existing vegetation down gradient as possible. It will also re-seed slopes after

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

completion of grading and re-establish vegetation prior to the next rain season. The applicant will install sediment fences around the area of the property to be developed in order to protect areas not be developed and to protect off site properties. The applicant will also install sediment fences around the area of road to be developed leading to the applicant's property. In addition to sediment fences the applicant will also utilize straw waddles, bark chip bags, erosion mats and other DEQ accepted forms of erosion protection to protect the surrounding properties. The applicant will also place rock and biobag check dams in any ditch line of the new access road during construction. Sediment fences, straw waddles and bark chip bags, erosion mats and other procedures to be employed by the applicant are commonly and effectively utilized in coastal construction and will be utilized here as in the development of other coastal properties, many of which contain slopes. Additionally, the applicant has left a significant part of the property undeveloped and the vegetation on the slopes will further act as a barrier to protect surrounding properties. Development will occur during periods when there is no or little rainfall and the machinery will be operated by experienced operators who are familiar with working in coastal geography. In the event of dry weather with wind, the applicant will employ accepted methods of dust control such as dampening any area that is disturbed.

3. The development of this property as a PUD has no greater impact in off site drainage than if this project was developed as a subdivision. In fact, the PUD lessens the amount of area of the property to be disturbed during construction and avoids many steep slopes on the property. This will serve to reduce the disturbance of the property during construction and further lessen any potential impacts both onsite and offsite.
4. The City is aware that the DEQ monitors coastal development activities and has enforcement ability in the event there are violations which cause pollution off site in violation of its regulations and standards.
5. In addition, the public works department will monitor the development of the property and the street leading to the property to assure that city standards are being met. As part of this monitoring the city can troubleshoot any potential problem and require the developer to take corrective action. In the event the city staff has any questions they may utilize the resource of the city engineer or contracted engineer.
6. The city incorporates its previous findings regarding storm water drainage and pollution into these findings for the support those findings give to the findings made herein.
7. The city finds that it is appropriate that this matter on remand be heard only by the City Council and does not need to be referred to the Planning Commission. The city development code contains no requirement that this matter be referred to the planning commission after remand and LUBA imposed no such requirement. LUBA only remanded to allow the city to determine whether construction activities will create a drainage or pollution problem outside the planned area. This is a determination the City Council can make as the final decision maker of development in the city and as the city body that interprets the city's ordinances. Additionally, as a practical matter, any decision of the planning commission could be appealed to the City Council by any party who participated and it is extremely likely that any party that did not prevail at the Planning Commission on this matter would appeal to the City Council. By holding an evidentiary hearing before the City Council on the remanded issue the city provided the opportunity for the parties to submit evidence to the ultimate decision maker at the city. No party is prejudiced by that procedure and it provides due process to all the parties.
8. The Planning Commission has twice previously approved this Planned Development. It is apparent to the City Council that the Planning Commission believed that is had adequately addressed all the requirements for approval of the planned development. Additionally, planned developments can be approved by the Planning Commission unless they are appealed to the City Council. Once they are appealed to the City Council the council has jurisdiction and authority to make the decision. The Land Use Board of Appeals remanded this matter to the city to make a determination and since this decision remanded from LUBA was remanded from a decision of the City Council it is appropriate for the City Council to address the remanded issue.

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

9. In person attendance at the public hearing was limited to the appellant and the applicant's legal counsel due to COVID-19 restrictions and the public hearing was livestreamed. The record was left open for seven days until May 21, 2020 at 5:00 PM to allow for additional public testimony. All comments received before, during, and while the record remained open are included in the record. In addition, as requested, the entire record of proceedings in case file 1-PD-PC-17 are included in the record of this proceeding including any previous submittals and the records of each of the hearings before the Planning Commission and the City Council.
10. The planned development meets the drainage standards listed in WDC 16.60, planned development. 16.12.030(E) and (F) are outside the scope of this remand. 16.12.030(E) is evaluated when a building permit is submitted and at that time the applicant will be required to meet the standard for the individual lots. 16.12.030(F) is related to excavation and fill and shall apply when removal or fill greater than 50 cubic yards occurs.
11. WDC 16.70, Significant Natural Resources Overlay Zone, is outside the scope of the remand hearing.

**CONCLUSIONS**

The Vista View Planned Development (Case File #1-PD-PC-17) was remanded to the City to determine whether construction activities would create a drainage or pollution problem outside the planned area.

Based on the above facts and findings staff recommends the following conclusions:

- A. The City Council concludes that the construction activities will not create an off-site drainage or pollution problem. This conclusion applies to the construction of the planned unit development, the road leading to the planned unit development and includes the paving of the access road and the roads and lots within the planned development.
- B. This application and conceptual plan satisfy the provisions of the Waldport Municipal Code and Comprehensive Plan.

**ORDER**

It is ORDERED by the Waldport City Council that the City concludes that the construction activities will not create an off-site drainage or pollution problem, and the Preliminary Plan for the Vista View Planned Development be and is hereby approved. All conditions of approval, including conditions imposed by City Council, conditions imposed by Planning Commission, and conditions modified/replaced conditions remain applicable are set out below. Said approval is subject to the following conditions:

1. **Planned Development.** Development shall occur in accordance with the approved plan including a maximum 34 single family lots on 7.75 acres. Access to the development shall be from the south end of Norwood Drive. A second access shall be provided for a future extension at the south end of the site. Within the property, a circular street system shall provide access the lots/homes. Streets shall have a minimum 26 foot pavement width within a minimum 32 foot right-of-way width. A tract of land along the north and east side of the property shall be maintained as open space. The applicant shall authorize an easement and construct a public nature trail through the open space that will connect the east edge of the property to the west edge, and continue along the south edge of Lots 11-13, and south to Kelsie Lane. Any substantial change in the plan shall require a new application to be reviewed and approved by the Planning Commission.
2. **R-1 Residential Standards and Modifications.** Development shall occur in accordance with R-1 standards and the following modifications:
  - 2a. **Lot Area.** Twenty-three (23) lots may be less than 6,000 square feet including four (4) lots under 5,000 square feet. The smallest lot shall be not less than 4,810 square feet.

2b. **Lot Width.** Lots shown on the proposed plat with an average lot width of less than 60 feet may be developed with lot widths less than 60 feet.

3. **Proposed Street and Extension of Norwood Drive.** The Vista View PD shall be accessed from Norwood Drive near the northwest corner of the property as shown on the submitted plan. Streets within the property shall be within public right-of-way. The street shall extend south into the property, then a circular street will provide access to the lots. The Vista View streets shall have a minimum 26 foot wide pavement with one travel lane in each direction and parallel parking on one side of the street, a minimum 1 foot wide standard curb and gutter on each side, and a 4 foot wide sidewalk on one side for a minimum right-of-way width of 32 feet. The sidewalk shall be constructed when the street is constructed. Two on-site parking spaces shall be provided for each lot.

Each phase of development shall include an emergency vehicle turnaround. The turnaround requires approval of dimensions and materials by the Central Oregon Coast Fire & Rescue District prior to construction.

Norwood Drive shall be improved from the property to the existing Norwood Drive pavement (approximately 330 feet) and include a minimum 26 foot wide pavement with curb and gutter, and 4 foot wide sidewalk on one side. The applicant shall work with the City to determine the best side for a sidewalk. The sidewalk shall be constructed when the street is constructed.

4. **Proposed Street Extension to South Property Line.** The street shall extend to the south property line to allow for future street extension to the south. The street extension to the south property line shall be constructed when the Vista View development exceeds 19 lots (Phase 2).
5. **Open Space and Drainage Way.** The drainage way and ravine along the northern and portion of the eastern edge of the property shall be dedicated as open space in accordance with the approved plan. The developer or homeowners association shall be responsible for maintenance of the open space.
6. **Park Assessment Fee.** A park assessment fee totaling \$16,879.50 shall be paid to the City. The park assessment fee may be paid by phase. The fee per phase shall be calculated as follows: Gross area of the phase x 5% x \$1 per square foot. The park assessment fee shall be paid prior to final approval of each phase.
7. **Public Nature Trail.** The applicant shall authorize an easement for a public nature trail through the open space that will connect the east edge of the property to the west edge, and continue along the south edge of Lots 11-13. The applicant shall coordinate with the City to determine the best trail route given topographic constraints and future trail extensions. The public nature trail shall be constructed prior to final approval of Phase 1.
8. **Water, Sewer, Storm Drainage, and Other Utilities.** The applicant shall coordinate with the City Public Works Department on the design and construction of water, sewer, and storm drain facilities. If the sewer connects to the existing pump station near Hwy 101, the applicant shall provide required upgrades to the pump station to accommodate increased flows. Utility easements shall be provided to the City as requested by the Public Works Director. All utilities shall be placed underground.
- Final engineering plans for water, sewer, storm drainage, and streets shall be reviewed and approved by the City Public Works Director. The developer shall be responsible for any costs incurred by the

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

City to have a professional registered engineer review and approve development plans. Final engineering plans for water and the street shall also be reviewed and approved by COCFRD.

9. **Geotechnical Analyses.** Prior to construction a geotechnical analyses prepared by a licensed engineering geologist shall be required where development of both roads and lots are proposed on slopes greater than twenty (20) percent and construction activities shall comply with any recommendations from the engineer.
10. **Off-Street Parking.** New single family homes are required to have a minimum of two on-site parking spaces including at least one covered parking space, i.e. garage or carport.
11. **Phasing and Time Limits of a Preliminary PD Approval.** Phase 1 shall consist of 19 lots including lot numbers 11-24 and 25, 34, 33, 32 and 31 as shown on the submitted plan. The number of lots in additional phases shall be determined by market conditions and the rate of sale of developed lots. The street extension to the south property line shall occur in Phase 2. The phasing plan shall be as follows:
  - Phase 1: June 2020 – June 2022
  - Phase 2: June 2022 – June 2024
  - Phase 3: June 2024 – June 2026
  - Phase 4: June 2026 – June 2028
12. **Final Plan Review Procedure.** When the city planner determines that all of the certifications set forth below have been met and that the plat conforms in all respects to the tentative plan as approved, consideration of the plat will be placed on the next practical scheduled meeting of the Planning Commission for determination that all requirements have been met. The Commission shall then approve, disapprove or, when further information is required, postpone a decision on the plat. Requests for final plan approval of a planned development shall be accompanied by the following certifications:
  - a. A certified copy of all covenants and restrictions;
  - b. Certified copies of legal documents required for dedication of public facilities or for the creation of a homeowner's association;
  - c. The certification, performance agreement or statement regarding the availability of water and sewerage services;
  - d. As-built certifications for all required roads and utilities unless otherwise guaranteed by a performance agreement;
  - e. A plat and one exact copy meeting the requirements of Section 16.100.060 of this chapter and ORS 92.050-92.100.
  - f. A preliminary title report, lot book report, subdivision guaranty report or equivalent documentation of the ownership of the subject property, issued not more than thirty (30) days prior to the date the final plat is submitted for final approval. Such a report shall also identify all easements of record.
13. If storm drainage will be increased to the ODOT highway right of way in an amount to require review and approval by ODOT, the applicant shall contact ODOT to seek ODOT's review and approval or the applicant may construct an appropriately engineered retention pond or facility as identified in the preliminary plan to reduce flows to levels that do not require ODOT's review and approval.
14. The applicant shall, prior to construction activity within the PD and the construction of the Norwood Drive extension, apply for and obtain a water discharge permit from DEQ and comply with the

**#1-PD-PC-17 Vista View Planned Development  
City Council Appeal #3 Findings & Conclusions**

requirements of the permit which are designed to assure that the project will not create a drainage or pollution problem outside the planned area. Also, prior to construction of the Norwood Drive extension and the infrastructure serving the PUD (including water, sewer, roads, storm drains and power) the applicant shall provide engineered plans for review and approval by the City's engineer and shall provide the city with a copy of the DEQ permit. The applicant shall also apply for any other permits required from any governmental authority that are required for construction to occur at the site.

This ORDER was presented to and approved by the Waldport City Council on June 11, 2020.

\_\_\_\_\_  
Sue Woodruff, Mayor Pro Tem

\_\_\_\_\_  
Date

Attachments: Preliminary PUD Layout



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ESTABLISHING A WATER AND WASTEWATER  
RATE INCREASE FOR FISCAL YEAR 2020/2021**

WHEREAS, Resolution 1143, adopted in 2009, established rates, fees and charges for water and wastewater services, and

WHEREAS, Section 3E of Resolution 1143 allows for an annual indexing of rates for both water and wastewater service based upon the National Construction Cost Index (CCI) contingent upon Council review and approval; and

WHEREAS, financial review and analysis in developing the budget for Fiscal Year 2020/2021 resulted in a recommendation for a 4.2% increase to adequately cover anticipated costs in both the water and wastewater funds, which is slightly above this year's CCI of 3.1%; and

WHEREAS, the Budget Committee reviewed and recommended approval of the Fiscal Year 2020/2021 Budget based on the proposed 4.2% increase;

NOW, THEREFORE, be it resolved by the Common Council of the City of Waldport that, for Fiscal Year 2020/2021, the increase in fees for both the water and wastewater service will be 4.2%, effective as of July 1, 2020.

PASSED by the Waldport City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

SIGNED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Susan Woodruff, Mayor Pro Tem

ATTEST:

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

**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 2030-2021.

PASSED by the Waldport City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

SIGNED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Susan Woodruff, Mayor Pro Tem

ATTEST:

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

I certify that a Public Hearing before the Budget Committee was held on May 26<sup>th</sup>, 2020 and a Public Hearing before the City Council was held on June 11<sup>th</sup>, 2020 giving citizens an opportunity to comment on use of State Revenue Sharing.

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

**CITY OF WALDPOR RESOLUTION NO. \_\_\_\_\_**  
**ADOPTING THE BUDGET, MAKING APPROPRIATIONS,**  
**IMPOSING AND CATEGORIZING THE TAX**

BE IT RESOLVED the City of Waldport hereby adopts the budget for fiscal year 2020/2021 in the amount of \$5,921,684 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, 2020.

General Fund

|                       |               |
|-----------------------|---------------|
| Administration        | 578,774       |
| Land Use Planning     | 62,800        |
| Public Safety, Court  | 373,206       |
| GO Bonds              | 86,053        |
| Library Services      | 303,127       |
| Parks & Recreation    | 72,821        |
| Community Center      | 31,465        |
| Community Development | 38,850        |
| Tourism               | 32,500        |
| Contingency           | <u>87,473</u> |
| Total                 | 1,667,069     |

Street Fund

|                      |               |
|----------------------|---------------|
| Materials & Services | 360,997       |
| Capital Outlay       | 42,000        |
| Transfers            | 56,931        |
| Contingency          | <u>20,000</u> |
| Total                | 479,928       |

Public Works Fund

|                      |              |
|----------------------|--------------|
| Personnel Services   | 351,304      |
| Materials & Services | 78,577       |
| Capital Outlay       | 63,000       |
| Debt Service         | 30,370       |
| Contingency          | <u>8,611</u> |
| Total                | 531,862      |

Water Fund

|                      |                |
|----------------------|----------------|
| Personnel Services   | 344,092        |
| Materials & Services | 198,542        |
| Capital Outlay       | 508,000        |
| Debt Service         | 94,132         |
| Transfers            | 83,482         |
| Contingency          | <u>216,133</u> |
| Total                | 1,444,381      |

Wastewater Fund

|                      |               |
|----------------------|---------------|
| Personnel Services   | 278,756       |
| Materials & Services | 263,015       |
| Capital Outlay       | 215,000       |
| Debt Service         | 45,300        |
| Transfers            | 83,349        |
| Contingency          | <u>16,029</u> |
| Total                | 901,449       |

|                                   |                |
|-----------------------------------|----------------|
| Total Appropriated                | 5,024,689      |
| Total Reserved and Unappropriated | <u>896,995</u> |
| Total Adopted Budget              | 5,921,684      |

BE IT RESOLVED that the following ad valorem property taxes are hereby imposed for the tax year 2020/2021 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 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 11, 2020.

Signed by the Mayor of the City of Waldport this \_\_\_\_\_ day of June, 2020.

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

ATTEST:

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



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

**TITLE OF ISSUE:** Business License Discussion

**FOR MEETING DATE:** June 11<sup>th</sup>, 2020

**SUMMARY OF ISSUE:**

At the May meeting, Staff brought the issue of Business License renewals during the Covid-19 closure to the Council's attention. After some discussion, Staff was directed to provide a resolution for adoption which postponed the 'due date' of the License fee to Oct 1<sup>st</sup>. There was some confusion over whether to prorate or charge the full amount – upon review of the audio of the meeting, it was still not entirely clear as to the direction.

Upon review of the ordinance, there is language allowing the Council the discretion to amend or alter the license "fees" by resolution. However, the ordinance has very specific binding language regarding the due date and commensurate penalties. Changing the "due date" would therefore require an amending ordinance.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Staff does not have a recommendation at this time, deferring to the Council. However we provide this guidance:

**Fees:** If the Council wishes to cover the fee internally, there is a possibility the outlay could be considered a Covid-19 expense that may be covered by the State. The estimated revenue loss would be about \$12,000. Alternatively, covering a prorated fee would reduce the revenue by \$3,000. Both potentially covered by State CARES reimbursement.

**Due Dates:**

If the Council wishes to formalize the Oct 1<sup>st</sup> date, we will bring an Ordinance back at the July meeting. They may also wish to consider other options such as making the due date 1 year after the date of acquisition or renewal, and/or language that would amend the ordinance to allow for Council discretion in any future adjustments to the due date, fees and penalty assessments by resolution.

# May 5, 2020

## City of Waldport – Parks Committee

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In Attendance: Alanna Miklic, Jimmy Rodriguez, Kelly Otis, Pattie Deitrick, Diana Buckley, Sandy Staples, Jan Power and Sue Woodruff, Scott Andry Public Works( He will be our contact with the City) Stopped in – Quorum was established

Meeting Started 10:07 am

### **Purview:**

Concrete Planters Downtown Waldport on Highway 101 and 34.

Advise City Council on Open Space

Trails

Parks

Sue Woodruff explained the boundaries of Waldport

Sandy Staples announced she weeded the planters.

Sue Woodruff took pictures of the 30 planters

Currently the planters have: Day Lilies, Ornamental Grass, Pines and blooming flowers.

### **Vote:**

1. All Planters will have the same focal point – Center Plant –  
Unanimous

### **Discussions**

- Watering? How? When? Firetrucks City Pax Container, Jimmy will help us research options
- Budget? New budget starts July 1<sup>st</sup>
- Seal Rock Garden Club wants to donate time, plants, soil and support person. President – Carol
- Plants for the planters
- Garbage and cigarette butts thrown in the planters

- Transplant pines
- Plants that help with Auto Pollution – Improve Air Quality
- As far as individuals volunteering independently – The City will be owners of this project. Although we will gladly work with community members as we undertake this project.
- Focal Point suggested plants – New Zealand Flax – Tom Thumb Dwarf, Cordyline, Grass – Mexican Feather etc, Euonymus Japonica Green Spire or ? Nasella Mexican Feather Grass
- Focal Point Plant to be draught resistant, have movement , be easy care, and color.
- ABCA – Alsea Bay Center for the Arts – Diana Buckley shared the ideas to power wash then paint the planters first with a sealant, then a base color, then have local artist paint a sea life or ocean theme on each planter based on women artist. This discussion gave Diana ideas to take back to ABCA and come up with other possibilities. Biggest issue was the longevity of the paint. And who would do the repair or upkeep. There also needs to be an anti-graffiti sealant coat.
- Kelly Otis brought in samples of blue fused glass to attach to the rims of all the planters for a uniform look. Each planter will take 16 tiles. For a Total of 480 tiles. Kelly will donate her time and materials for this part of the project. They will be attached with special glue.
- Planters need to be moved so they are uniformly spread around.

All members were asked to send pictures of ideas for the focal center point plant by Friday to the group, so we can review and discuss at THE next meeting:

MAY 12, 2020 CITY HALL COUNCIL ROOM AT 10AM

Meeting adjourned at 12:18 pm

# May 12, 2020

## City of Waldport – Parks Committee

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In Attendance: Alanna Miklic, Kelly Otis, Pattie Deitrick, Diana Buckley, Sandy Staples, Jan Power and Sue Woodruff.– Quorum was established

Meeting Started 10:05 am

### Motions:

1. Approve minutes of May 5, 2020 meeting – Jan Power made the motion Diana Buckley seconded. No changes Motion carried.
2. 80% perennials and 20% annuals to be used in each planter.

### Discussions

- Diana Buckley explained the PROJECT CHARTER form. Could be used to keep record of our work, grant writing and tool for planning. Shows we are invested in the project. Sue Woodruff will fill it in and send out to us as it is updated. Alanna will keep a hard copy in the file.
- Timing to plant and repot and divide existing plants.
- Seal Rock Garden Club wants to donate \$800.00 and will also help in planting the new plants. (Labor)
- Plants for the planters will be divided and then replanted for continuity of focal (center) plant. And other plants will be discussed to be reused as well. Such as day lilies.
- Need to number the planters 1-30 and take complete plant inventory. Started today and Jan Power will keep the list and complete the list
- Sandy Staples shared her plant list that she gathered.

- Kelly Otis has planted a sample from Thompsons in a planter for us to review.
- Plant variety, texture, size, color and shape were also discussed. Center focal plant will be a type of grass. Mexican Feather Grass or Roemers Fescue or others.
- Kelly Otis suggested we pick a planting date. Also discussed Fuschia, Christmas Tree by the interpretive center.
- Diana Buckley discussed the Art Project and ideas. She made a call to Sherwin-Williams and will defer additional discussion to a later date.
- Kelly Otis discussed the size and color of her tiles.
- Alanna Miklic brought in various grasses, herbs, ground covers etc. She also made a template for the size of the planters . She led discussion on different plants and placement.

All members were asked to send pictures of ideas for the focal center point plant by Friday to the group, so we can review and discuss at THE next meeting:

MAY 19, 2020 CITY HALL COUNCIL ROOM AT 10AM

Meeting adjourned at 12:15 pm

We parked at Hi-School Pharmacy and walked around numbering the planters and taking inventory of plants. Jan Power will keep the list and finish the task, since we were rained out.

# May 19, 2020

## City of Waldport – Parks Committee

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In Attendance: Alanna Miklic, Kelly Otis, Pattie Deitrick, Jan Power and Sue Woodruff. – Quorum was established

Not in attendance – Sandy Staples and Diana Buckley

Meeting Started 10:10 am

### Motions:

1. Approve minutes of May 12, 2020 meeting – Jan Power made the motion Pattie Deitrick seconded. No changes Motion carried.

### Discussions

- Sue Woodruff met with Public Works Dept. She received a message from Scott in which he stated do not add soil amendments or fertilizers. We will add soil from Fred Meyer as needed. The City will fertilize as they water. He also asked us as we choose our plants we keep in mind the amount of maintenance and the plants should be disease resistant.
- Mugo Pines – Remove or not. It was decided to allow Seal Rock Garden Club to choose the one they want and we will remove it for them to use at their clubhouse. The other 11 will remain until the fall when we completely revamp the soil and planters.
- Seal Rock Garden Club wants to donate \$1,000.00 and will also help in planting the new plants. (Labor)
- Copeland Lumber will donate 5 bags of Soil
- Newport Ace Hardware donated 5 bags of compost.
- Rays will donate money.
- Moose Lodge in Waldport will donate money.

- Fred Meyer will donate potting soil as long as we bring the pots to be filled.
- Rays will donate the empty strawberry flat boxes for our plant distribution. – Pattie and Alanna to contact them and make arrangements. Quantity – 35
- Alanna will keep a set of books on donations (Income) and expenses. We will give the City a monthly report.
- In the fall the following work will be done on the planters – Power Washing, Moving to new locations and removing Mogu Pines.
- All the fall work should be done before the harsh rains.
- The tile will be installed after the power washing.
- Friday at 1:30 pm all will meet at Planter #1 for dividing extra plants. Directly following the plant dividing we will head to Alanna's house where we will take plants and place them in the correct planters corresponding box. Plants will be delivered to Alanna's house ( free of charge) by Thompson's Nursery on Friday at 11 am
- Saturday Alanna will deliver plant boxes to each planter for each group to plant.
- Kelly will roam around and take pictures as we work on the planters.

The next meeting:

MAY 26, 2020 CITY HALL COUNCIL ROOM AT 10AM

Meeting adjourned at 12:19 pm

# May 26, 2020

## City of Waldport – Parks Committee

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In Attendance: Alanna Miklic, Pattie Deitrick, Jan Power, Sandy Staples and Sue Woodruff. – Quorum was established  
Not in attendance – Kelly Otis and Diana Buckley

Meeting Started 10:05 am

### Motions:

1. Approve minutes of May 19, 2020 meeting – Jan Power made the motion Pattie Deitrick seconded. No changes Motion carried.

### Discussions

- What we did right and what can we improve on. Communication was a key discussion. The dividing of plants on Friday went well but communication broke down. The box and planter numbering went well and kept everything organized. That plants that were chosen were good for experimental reasons. We need to pay attention to the growing season and weather.
- Kelly's resignation was discussed. Sue Woodruff will write a letter to Kelly. We will all have a chance to proof read and add any comments.
- Pattie Deitrick will contact Laura Gill to see if she would like to beome our 7<sup>th</sup> member on the committee.
- Alanna will deliver the extra bags of compost to Public Works.
- Alanna and Dave had watered on Monday. And will water again on Wed. Sue Woodruff will help out. Sue has contacted Jimmie for information on when he will take over the watering of the planters.

- Alanna showed the P & L and Balance Sheet to the committee. And will continue to keep the books and submit reports to the committee and the City as required.
- Sue Woodruff asked for anyone to volunteer as the secretary so that Alanna would get help. No volunteers. So for now Alanna Miklic has agreed to continue. But truly hopes someone else will step up to help.
- Inspire business owners to clean up and keep their storefronts looking nice.

#### POSSIBLE NEXT PROJECTS/AREAS FOR CITY PARKS COMMITTEE TO IMPROVE

1. Planters in the fall. Design, and replant
2. City Hall
3. Community Center
4. Meridian Park
5. Restrooms located at the south entrance of town.
6. The 2 entrances into town
7. Possibly the IC – Interpretive Center
8. Open Space – Old High School
9. Keady wayside

The next meeting:

JUNE 23rd, 2020 CITY HALL COUNCIL ROOM AT 10AM

Others may meet and have small work parties between now and then

Meeting adjourned at 11:29 am

## City Manager's Report

### 1. **City Hall reopening...**

I have hired a local contractor to install the door, move the wall and retrofit protective glass at the entry to City Hall. It is expected under \$5k. Once this is complete, we will open City Hall to normal business. Approx. 1 month. Until then, the public still has full access, we may just ask them to make an appt if needed. We may have limited staff the days of construction.

### 2. **Interpretive Center**

We have submitted our letter of intent regarding the ODOT building in anticipation of news in July. Potential decisions point is the July Meeting.

### 3. **IT Contract**

We have signed an IT contract for the next year. While it does not reduce costs, it greatly increases service to both facilities and the library.

### 4. **Water Tank Settlement**

We have concluded legal proceedings on the Water tank, and will be receiving a settlement shortly. This capstones over 6 years of efforts by the previous City Manager, to whom credit is due for his due diligence on this project as well as to the Council for your guidance.

### 5. **Processes, Policies and Procedures**

The City is undergoing a fundamental review of policies, processes and procedures. The Goal is to reduce redundant efforts, ensure transparent and open communication, and provide excellent service to both the community and interdepartmentally. I will be bringing a list of major and minor charges for your review in July. As part of this, I will be also preparing a Council Rules review, to allow for changes to how we organize the agenda, and communicate meeting items and report follow up to better ensure things don't 'slip through the cracks' as well as allow the Council a more active voice in setting priorities.

One important piece is the citizen engagement model. I will be looking at how to bring a better way for citizens to enter concerns or inform the city of issues online. I hope to have something to present soon.

### 6. **Insurance and personal property...**

In discussions with our insurance agent, there is no effective way to insure personal property stored in any of our facilities. The Council might discuss how you'd like the City to proceed.

### 7. **Code Enforcement**

Pending Approval of the budget for public safety, I would like to proceed with contracting for Code Enforcement for the next fiscal year. Any concerns, questions?



## **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

# **M E M O R A N D U M**

**DATE:** June 4, 2020  
**TO:** Waldport City Council  
**FROM:** Brian S. Cameron, Patrol Commander  
**RE:** **WALDPORT NEWS BRIEF – May 2020**

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## **SHERIFF OFFICE NEWS**

This month will be the new look for the Waldport News Brief. It will be more condensed to really hit the highlights but continue to provide monthly statistics.

One of the topics we have discussed over the last several months is how do we ensure we are providing the best possible service to the City of Waldport while the Sheriff's Office is experiencing a staff shortage. We have always focused on providing 80 hours of enhanced law enforcement coverage by spreading it out over the entire week by all deputies working in South County. While I believe this approach has worked well, it did not give the city a personal connection with any one deputy. We discussed the option of dedicating two deputies to the city for their entire work week, which would provide excellent service while they were working (one day shift and one night shift), but the city would compete with the rest of south county for service for the remaining hours. After consulting with City Manager Cutter, we decided the best approach would be to split the difference and assign one full time deputy to the city on day shift and spread out the remaining 40 contracted hours throughout the rest of the week.

The deputy selected to the first full time Waldport City Deputy in many years is Doug Honse. Doug has been with our office for several years and is a resident of south Lincoln County. When the office swap is complete, Doug will be working Monday through Thursday (4 – 10-hour shift). We are currently working with our IT Department to upgrade most of the technology in the Waldport Sub-Station to reduce the amount of time Doug needs to spend away from Waldport to return to our main office in Newport.

This change is scheduled to take place July 1<sup>st</sup> and we are confident you will enjoy working with Doug as much as we do.

## **CALLS FOR SERVICE**

During the month of May, the City of Waldport represented **28%** of all Sheriff's Office activity in South Lincoln County, which is up from **25%** last month. Sheriff's Deputies responded to or initiated **159** calls for service in the City of Waldport, which resulted in no people being arrested or cited.

A suspect in a kidnapping case that occurred on May 16<sup>th</sup> in Waldport was located in south Lincoln County on May 28<sup>th</sup> and taken into custody. The suspect was charged with Kidnapping, Assault, Unlawful Use of a Weapon, Pointing a Firearm at Another, Coercion, Reckless Driving, Disorderly Conduct, Recklessly Endangering and Menacing. The subject was arrested outside of city limits, so it did not show on Waldport stats for the month.

## **TRAFFIC ENFORCEMENT**

With Lincoln County entering Phase 1 reopening the Sheriff's Office has loosened its restrictions on deputies making traffic stops. We recently advised deputies to resume stopping for violations known as the fatal five traffic violations (speed, seat belt, following too closely and improper lane change – DUII's were being enforced prior to phase 1).

There were **11** traffic stops, resulting in one **(1)** citation.

Have a great June.