

**WALDPOR CITY COUNCIL  
OCTOBER 8, 2020 MEETING  
NOTICE AND AGENDA**

The Waldport City Council will meet at 2:00 p.m. on Thursday, October 8th, 2020 in the City Council Meeting Room, 125 Alsea Highway to take up the following agenda:

1. CALL TO ORDER & ROLL CALL
2. MINUTES: *August 13<sup>th</sup> City Council Meeting* p. 3
3. PROCLAMATIONS: *National Recovery Month* p. 8
3. PUBLIC COMMENTS (*limit 3 minutes please*)
4. PRESENTATIONS – *County Harm Reduction*
5. DISCUSSION/ACTION ITEMS:
  - A) *COVID-19 – Phase 2 Discussion (recurring)* p. 9
  - B) *Short Term Rentals Code Amendment Suggestions* p. 10
  - C) *Utility Billing Adjustment Program - Ordinance & Resolution* p. 12
  - D) *Council Rules Amendments* p. 17
  - E) *Trash Can Placement Plan* p. 43
6. COMMITTEE REPORTS: *Parks and Trails, SWAC* p. 45
7. CITY MANAGER'S REPORT p. 55
8. ADDITIONAL PUBLIC COMMENTS
9. COUNCIL COMMENTS AND CONCERNS
10. EXECUTIVE SESSION: *None at this time.*
11. ACTIONS, IF ANY, FROM EXECUTIVE SESSION
12. GOOD OF THE ORDER
13. 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 prior to the meeting and from the viewing audience may be emailed to: [reda.eckerman@waldport.org](mailto:reda.eckerman@waldport.org) prior to and during the course of this meeting. 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 2nd day of October, 2020  
Reda Q. Eckerman, City Recorder

Note: The agenda has been changed to reflect the meeting date of October 8, 2020. The September 10th meeting was canceled, so this packet contains the materials and reports originally intended for that meeting. Additional materials are attached to the electronic version of the packet and will be manually distributed at the October 8th meeting.





1 Cutter added that he was also examining potential revenue sources to maintain the Center.

2 B. Short-term Rentals:

3 1) Code Amendment Suggestions: City Manager Cutter indicated that staff would  
4 be working on a proposed ordinance to implement some suggested best practices changes  
5 to the transient rental code. This will be presented to the Council at the next meeting for  
6 review and discussion.

7 2) Granicus Agreement: Mr. Cutter reported that he, the Mayor Pro Tem and the  
8 Council President had attended a seminar provided by Granicus, a short-term rental  
9 assessment and monitoring company. The company had provided statistical information  
10 and some suggested best practices, and Mr. Cutter had successfully negotiated a  
11 reduction in the initial fee for services. The cost of the service was anticipated to be  
12 covered by additional room tax fees generated by the company's sophisticated compliance  
13 monitoring, and Mr. Cutter added that it may also be possible to utilize some COVID  
14 funding for the first year. The contract also includes a money back guarantee if the City  
15 finds that the value of the service does not meet expectations. Acting Mayor Woodruff  
16 noted that proper management may avert potential problems, and Councilor Holland added  
17 that he had been following the company for several years with the idea that this may be  
18 suitable for the City, so he wholeheartedly endorsed the proposal. Following further  
19 discussion, Councilor Virtue moved to authorize City Manager Cutter to proceed, and to  
20 review the contract in six months to determine its efficacy. Councilor Holland seconded.  
21 Jamie Michel from Sweet Homes Rentals suggested the Council might also wish to review  
22 LodgingRevs, which is the company engaged by the City of Newport. Mr. Cutter responded  
23 that he had researched several options before making the recommendation for Granicus,  
24 and noted that the company specialized in citizen engagement technology, so there may  
25 be other modules that could prove useful to the City. The motion carried unanimously.

26 3) Leak Detection and System Proposal: Mr. Cutter clarified that the warranty on the  
27 leak detection system reviewed in his staff memo was actually 10 years, not 20, which had  
28 an effect on the cost estimates. The City had recently engaged a leak detection company  
29 to assist in tracking down what proved to be three major leaks in our system. However,  
30 overall, the company indicated that the City's system is fairly tight. Installation of a

1 permanent leak detection system as part of the meter replacement project is an option, and  
2 would allow the City to be proactive in maintenance, but Mr. Cutter noted that the cost may  
3 outweigh the benefit, given the reduction in the warranted age of the system. Discussion  
4 ensued regarding the benefits of a permanent system vs an annual leak detection service.  
5 Further information will be provided at the next Council meeting.

6 4) Safe Routes to Schools: Mr. Cutter reported that the grant application was due  
7 in the next few weeks. The proposal was to put the sidewalk on the east side of Crestline  
8 Drive from Range Drive to the school, along with some additional traffic control near the  
9 school to allow for safe crossing. Staff was asking for a Council vote of affirmation for the  
10 application, and support to move forward with the process. Councilor Holland made the  
11 motion to proceed. Councilor Campbell seconded, and the motion carried unanimously.

12 5) Water Shutoffs and Support Program: Mr. Cutter explained that there were  
13 currently about fifty accounts that were in arrears, and though the City wished to be  
14 respectful of the financial hardship presented by the current health crisis, the concern was  
15 that these bills continue to accrue. Following discussion, Councilor Campbell moved to  
16 notify customers that they had until January 1 to either pay in full or arrange a satisfactory  
17 payment plan. Councilor Dunn seconded, and the motion carried unanimously. Water  
18 shutoffs will not occur until after that date. Consensus of the Council was to continue  
19 deferring late charges as well.

20 With regard to water leaks and the financial impact that a large leak can have on a  
21 household, staff suggested that the Council consider a program that would allow for one  
22 annual water adjustment to be made for an account that experiences high usage due to  
23 a leak. The repair would need to be verified by Public Works, and the adjustment would  
24 not be applicable to situations where the excessive usage was due to circumstances such  
25 as leaving a hose on, or filling a pool, though payment options will still be available. Mr.  
26 Cutter noted that an annual accounting of the forgiveness would be provided to the  
27 Council, and may help to inform the eventual decision regarding implementation of the  
28 AMI capabilities of the new meter system. Following discussion, consensus was to have  
29 staff provide a resolution for consideration at the next Council meeting.

30

1 6. COMMITTEE REPORTS - Parks and Trails: The report was included in the packet  
2 materials. No action was necessary.  
3

4 7. CITY MANAGER'S REPORT: Mr. Cutter reviewed his written report, noting that ODOT  
5 has finally completed the process for the transfer of the Interpretive Center. Councilor  
6 Holland moved to accept the building, Acting Mayor Woodruff seconded, and the motion  
7 carried unanimously. Mr. Cutter indicated that the building will be inspected, and mentioned  
8 that Urban Renewal #1 funds could be used to help pay for any necessary repairs. Under  
9 item #8 of the report, Mr. Cutter explained his suggestion for the Council to consider a  
10 foundation program for the City, which could provide a long-term fund for programs and  
11 facilities through the use of citizen bequeathments. He noted that similar programs are in  
12 place in many communities. Following a brief discussion, Councilor Campbell moved to  
13 initiate the program. Councilor Holland seconded, and the motion carried unanimously.  
14 Oregon Coast Community College has asked that the City consider sponsoring Leadership  
15 Lincoln applicants from the area, similar to the small business sponsorship program that  
16 has been funded by Urban Renewal. Following discussion, consensus of the Council was  
17 to wait on any action. With regard to code compliance, Mr. Cutter noted that he was still  
18 working with the property owner on Virginia Place regarding removal of a downed tree. He  
19 suggested the Council consider opening the Community Center parking lot for food trucks  
20 to rent space, as it could be a source of revenue for the Center. No action was taken.  
21 Councilor Holland noted that there had been a request for an additional trash can in the  
22 area of the Post Office. He moved to have the City install a can at the location. The motion  
23 died for lack of a second. Mr. Cutter indicated that he will review the current trash can  
24 locations and draft a more comprehensive plan for consideration.  
25

26 8. ADDITIONAL PUBLIC COMMENTS: Representing the Beachcomber Days Committee,  
27 Erich and Wendy Knudson provided an update on the Wednesday Market, noting that they  
28 had started with 11 vendors the first week, and were now up to 17 vendors in the third  
29 week. People were following the social distancing requirements and the vendors seem  
30 pleased with the customer traffic.

1 9. COUNCIL COMMENTS AND CONCERNS: Councilor Virtue mentioned an interest in  
2 developing a civic participation course with either the School District or Oregon Coast  
3 Community College to encourage students to become involved with local government.  
4

5 10. EXECUTIVE SESSION: At 4:26 p.m., the Council adjourned to Executive Session  
6 pursuant to ORS 192.660(2)(e) and (h). The topics of discussion were potential land  
7 acquisition and an update on the water tank litigation.

8 The Council reconvened in Open Session at 5:01 p.m.  
9

10 11. ACTIONS, IF ANY, FROM EXECUTIVE SESSION: None.  
11

12 12. ADJOURNMENT: At 5:02 p.m., there being no further business to come before the  
13 Council, the meeting was adjourned.  
14

15 Respectfully submitted,

16 

17 Reda Q Eckerman, City Recorder  
18

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

20 SIGNED by the Mayor Pro Tem this \_\_\_ day of \_\_\_\_\_, 2020.  
21

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



# City of Waldport

P.O. Box 1120  
Waldport, Oregon  
Phone: (541) 264-7417 Fax: (541) 264-7418  
TTY: (800)735-2900

## PROCLAMATION

\*\*\*\*\*HEAR YE\*\*\*\*\*HEAR YE\*\*\*\*\*HEAR YE\*\*\*\*\*

*WHEREAS*, mental and/or substance use disorders affect all communities nationwide, but with commitment and support, people with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery. By seeking help, people who experience mental and/or substance use disorders can embark on a new path toward improved health and overall wellness. The focus of **National Recovery Month** this September is to celebrate their journey with the theme *Join the Voices for Recovery: Celebrating Connections*. **Recovery Month** spreads the message that behavioral health is essential to health and one's overall wellness, and that prevention works, treatment is effective, and people recover; and

*WHEREAS*, the impact of mental and/or substance use disorders is apparent in our local community. Nationally, someone diagnosed with a mental illness has an average life expectancy 25 years shorter than those without mental illness. 60% of those deaths are due to medical conditions such as cardiovascular disease, diabetes, respiratory diseases and infectious illnesses; 40% are due to suicide and injury. Through **Recovery Month**, people become more aware and able to recognize the signs of mental and/or substance use disorders, which can lead more people into needed treatment. Managing the effects of these conditions can help people achieve healthy lifestyles, both physically and emotionally.

*WHEREAS*, the **Recovery Month** observance continues to work to improve the lives of those affected by mental and/or substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available;

*NOW THEREFORE*, I, Susan Woodruff, Honorable Mayor, do hereby *PROCLAIM THE FOLLOWING*:

*THAT*, the month of September, 2020 be declared as *NATIONAL RECOVERY MONTH* in Waldport, and call upon our community to observe this month with compelling programs and events that support this year's observance.

*SIGNED* this 10<sup>th</sup> day of September, 2020.

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





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

**TITLE OF ISSUE:** COVID Response - Phase 2 discussion

**FOR MEETING DATE:** Sept 10<sup>th</sup>, 2020

**SUMMARY OF ISSUE:**

At the August 31<sup>st</sup>, 2020 County Commissioner Meeting, the date of the Phase 2 was postponed due to concerns til September 29<sup>th</sup>, 2020.

As such, we have adjusted our plans for the Library opening until Oct 12<sup>th</sup>. No other major changes are anticipated, as unlike most cities, City Hall is operating normally. The Community Center is and will still be closed until a later date at which point we feel that we can staff/support the necessary measures.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

No action is requested. This agenda item will remain each month to give an opportunity for the Council to discuss and provide any guidance they would wish towards City operations.



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

**TITLE OF ISSUE:** STR Code amendment suggestions

**FOR MEETING DATE:** Sept 10<sup>th</sup>, 2020

**SUMMARY OF ISSUE:**

Per the previous discussion, staff has provided a list of desirable code amendments which will allow and dovetail into our new efforts in enforcement with Granicus.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Staff requests that the Council discuss, and move to direct us to come back with the ordinance changes at the October meeting adopting these changes decided upon today.

## **Best practices for Short Term Rental adoption**

In consideration of the short term rental administration, here are some commonly used restrictions and requirements for discussion. Upon selection, we will bring back the necessary ordinances and resolutions to the next Council Meeting.

1. Adopt a business license specific to rental properties of ~ \$150/yr.
2. Require that they provide for trash service while they have a license and that service be adequate to handle trash generated (i.e. violation for excess trash in bins overflowing)
3. Require that they have listed on file a contact number for a 24/7 local coverage person who could respond within 2 hours to issue or complaint.
4. Require adequate off street parking for each bedroom, or additional user fee for parking in right of way. Require vehicles to be registered and tracked by vacation rental owner. (pass through charge to renters)
5. Require submittal of a yearly affidavit of rental history (Frequency, duration, nightly rate)
6. Require set 'Quiet hours' to be posted, and fines for non-compliance.
7. Adopt language on the number of guests per bedroom of the facility
8. Adopt a series of strikes or fines for violations of the code, and processes for enforcement, assessments and collection. And potentially, the revocation of the license and ability to rent the property.
9. Prohibit fireworks or other disruptive activities from the property.
10. Require all rentals to provide a written guidance on the local rules, and a confirmation of receipt from their renters.

Finally, we will include a couple of minor fixes to the current code which will bring it in line with this guidance and allow for consideration of the online administration system being put into place.

Not all of these need to be implemented. These represent common industry best practices guidance for the Council to review and recommend more formal language be developed for the next meeting.



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

**TITLE OF ISSUE:** Utility Billing Adjustment Program

**FOR MEETING DATE:** Sept 10<sup>th</sup>, 2020

**SUMMARY OF ISSUE:**

At the last Council meeting, staff was directed to present a resolution to the Council for adoption of leak adjustment policy changes at this meeting. To accomplish this goal, it was necessary to draft an ordinance to amend existing code language, and then a resolution to implement the program. This program will allow a once per year reduction to average usage on the authority of the CM upon the recommendation of staff for users experiencing an unexpected water leak event. It also provides latitude for the CM to make further adjustments to a user's water and sewer billings downward for the good of the City under extenuating circumstances. Finally, it directs the recording and reporting of these actions yearly to the Council.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Staff recommends the approval of both the ordinance and the resolution provided, after discussion and/or modification.

## UTILITY BILLING ADJUSTMENTS

*Policy.* The City of Waldport recognizes that there are certain circumstances under which adjustments need to be made to user charges, due to leaks, meter malfunction, misreading, data entry or program errors, natural occurrences, and similar situations. Adjustments made to an account will appear on the next regularly scheduled billing. If the adjustment is not deemed to be satisfactory, the customer may appeal the adjustment to the City Council at its next regularly scheduled meeting. **The City Manager may modify the prescribed adjustments as needed on a case by case basis for the good of the City. All adjustments under this policy will be tracked and reported to the Council at least yearly.**

*Water Leak Adjustment.* Adjustments on account of underground leaks may be made pursuant to Section ~~13.04.300(B)(5)~~ of the Waldport Municipal Code **once a year upon verification of a leak or hazard outside of the homeowner's control, and confirmation of repair. The adjustment will be to a rolling three-month average of the previous usage. For additional issues within a year or for issues not covered by the previous description, the amount may be brought to the City Manager for potential reduction consideration.** The customer may apply for a payment agreement to pay off the remaining amount. This payment agreement needs to be signed by the customer and the property owner or duly appointed representative. The payment agreement will allow the excess water charges to be paid in up to twelve installments.

*Wastewater Leak Adjustment.* Adjustments on account of underground water leaks or in circumstances where a leak has allowed excessive water to enter the sanitary wastewater system may be made pursuant to Section ~~13.12.020(L)~~ of the Waldport Municipal Code **once a year upon verification of a leak or hazard outside of the homeowner's control, and confirmation of repair. The adjustment will be to a rolling three-month average of the previous usage. For additional issues within a year or for issues not covered by the previous description, the amount may be brought to the City Manager for potential reduction consideration.** The customer may apply for a payment agreement to pay off the remaining amount. This payment agreement needs to be signed by the customer and the property owner or duly appointed representative. The payment agreement will allow the excess wastewater charges to be paid in up to twelve installments.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING WALDPOROT MUNICIPAL CODE SECTIONS 13.04.300(B)(5) AND 13.12.020 (L) REGARDING LEAK ADJUSTMENTS AND DECLARING AN EMERGENCY**

WHEREAS, the language in Sections 13.04.300(B)(5) and 13.12.020(L) refer to adjustments on account of leaks; and

WHEREAS, the Council has determined that it would be more appropriate to include the procedure for leak adjustments in the City's Financial Management Policies as adopted and revised by resolution of the Council,

NOW, THEREFORE, be it ordained by the Waldport City Council that:

Section 1. The wording in both Section 13.04.300(B)(5) and 13.12.020(L) shall be amended to read as follows: "Adjustments. Adjustments to utility accounts that have experienced excessive usage due to leaks will be made according to policies adopted by resolution of the Council."

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

FIRST read to the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

AYES \_\_\_\_\_ NAYS \_\_\_\_\_ ABSENT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

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

EFFECTIVE this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

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

**A RESOLUTION AMENDING THE CITY OF WALDPORF FINANCIAL MANAGEMENT POLICIES**

WHEREAS, the City has modified the Municipal Code by ordinance to reference the City's Financial Management Policies with regard to utility billing leak adjustments; and

WHEREAS, the Financial Management Policies currently contains language which references the Municipal Code and therefore needs to be modified to reflect the change and to clarify the adjustment process;

NOW, THEREFORE, be it resolved by the Common Council of the City of Waldport that the section entitled "Utility Billing Adjustments" in the City's Financial Management Policies as attached hereto as Exhibit "A" and incorporated herein by reference is hereby adopted to replace the current section so entitled in the Financial Management Policies.

APPROVED 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

## Exhibit "A"

### UTILITY BILLING ADJUSTMENTS

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Water Leak Adjustment. Adjustments on account of underground leaks may be made once a year upon verification of a leak or hazard outside of the homeowner's control, and confirmation of repair. The adjustment will be to a rolling three-month average of the previous usage. For additional issues within a year or for issues not covered by the previous description, the amount may be brought to the City Manager for potential reduction consideration. The customer may apply for a payment agreement to pay off the remaining amount. This payment agreement needs to be signed by the customer and the property owner or duly appointed representative. The payment agreement will allow the excess water charges to be paid in up to twelve installments.

Wastewater Leak Adjustment. Adjustments on account of underground water leaks or in circumstances where a leak has allowed excessive water to enter the sanitary wastewater system may be made once a year upon verification of a leak or hazard outside of the homeowner's control, and confirmation of repair. The adjustment will be to a rolling three-month average of the previous usage. For additional issues within a year or for issues not covered by the previous description, the amount may be brought to the City Manager for potential reduction consideration. The customer may apply for a payment agreement to pay off the remaining amount. This payment agreement needs to be signed by the customer and the property owner or duly appointed representative. The payment agreement will allow the excess wastewater charges to be paid in up to twelve installments.



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

**TITLE OF ISSUE:** Council Rules discussion

**FOR MEETING DATE:** Sept 10<sup>th</sup>, 2020

**SUMMARY OF ISSUE:**

In the last year, the Council has suggested amending the rules used to conduct Council business to reflect desires by Council and staff to better organize and run meetings in a timely fashion and ensure projects are accounted for in terms of overall City progress.

Staff has provided a starting point for these discussions by including the current Council Rules along with suggested changes based on the thinking and best practices of other organizations.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Staff encourages discussion, modification and, if acceptable, a Motion for direction to provide an amended Council Rules document for adoption at the next meeting.

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# **Rules of Procedure for Council Meetings**

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**City of Waldport  
September 2020**

# Rules of Procedure for Council Meetings

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## CHAPTER 1 – General Governance

### I. Rules of Procedure.

- A. Unless otherwise provided by charter, ordinance or these rules, the procedure for council meetings, and any subcommittee of a city council, shall be guided by Robert’s Rules of Order, most recent edition.
- B. Members of the council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert’s Rules of Order when such points will obscure the issues before the council and confuse members of the public.
- C. Whenever these rules and Robert’s Rules of Order conflict, these rules shall govern.

### II. Quorum. A quorum is required to conduct official city business.

- A. The members of the council are the city councilors and mayor. Fifty-percent plus one of the seated members of the council shall constitute a quorum.
- B. In the event a quorum is not present, the members of council present shall adjourn the meeting.

### III. Presiding Officer.

- A. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.
- B. In the mayor’s absence the president of the council shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity
- C. If both the mayor and the president of the council are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:
  - 1. The city recorder shall call the council to order and call the roll of the members.
  - 2. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
  - 3. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

4. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.

**IV. Other Elected and Appointed Officers.**

- A. City Recorder. The city recorder shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.
- B. City Manager. The city manager is required to attend all meetings of the council and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote in any decision rendered by the council.
- C. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion, either written or oral, on legal questions.

**V. Agendas.** The city manager shall prepare an agenda for every regular meeting, and for every special meeting.

- A. Agendas and informational material for meetings shall be distributed to the council at least three (3) days preceding the meeting. Ideally on the Friday prior to the Council meeting week.
- B. No council approval shall be required for an agenda of any meeting, however the city manager will send the council a list of potential agenda items for their review at least 3 days before the publishing of the agenda, and will endeavor to ensure items they wish to discuss are included. Any council member may ask for an item's inclusion, and all such items will be included.
- C. The city manager may place routine items and items referred by staff on the agenda without council approval or action.
- D. The city manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.
- E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager at least one day prior to the agenda publish date above.
- F. Included issues will remain under old business until satisfactorily addressed in future agendas. If an item has no actions for discussion, it will still be listed as such, to ensure it is kept present on the council's topic of concern.

**VI. Order of Business.** The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote:

1. Call to order.
2. Roll call.
3. Minutes from previous session for approval
4. Announcements/proclamations.
5. Public comment on items (other than public hearings).
6. Presentations (if applicable)
7. Public hearings (if applicable)
8. Action Items/Discussion Items.
  - a. Old Business.
  - b. New Business.
9. Reports of boards, commissions, committees.
10. Council Comments and Concerns.
11. City Manager's Report
12. Additional Public Comment.
13. Executive Session (if applicable)
  - a. Actions from Exec session
14. Consent Agenda
15. Good of the Order
16. Adjournment.

- A. Call to Order. The presiding chair shall call all meetings of the council to order. The call to order shall note the date, time and location of the meeting so that it may accurately be reflected in the minutes.
- B. Roll Call. The city recorder shall conduct a roll call to determine which members of the council are present and which are absent.
  1. The attendance shall be properly reflected in the minutes.
  2. If roll call determines that a quorum is not present, the meeting shall be adjourned.
- C. Announcements/Proclamations. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Proclamations are awards or recognition of individuals by the council.

D. Public Comment

1. Two periods for public comment will be reserved for every regular meeting of the council. Each period shall not exceed a maximum of 15 minutes, unless a majority of councilors present vote to extend the time.
2. Members of the public may speak about any topic during the last period for public comment.
3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three minutes. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their mailing address.
5. Should there be more speakers than can be heard for three minutes each during either of the 15-minute periods provided for public comment, the presiding officer may ask the council to extend the period of discussion.
6. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

E. Consent Agenda. In order to expedite the council's business, the receipt of other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be considered received and reviewed by Council with no action needing be taken, unless an item is pulled for further consideration.
2. Any item on the consent agenda may be removed for separate consideration by any member of the council.
3. The date of the next meeting with be stated in the Consent Agenda.

F. Discussion and Action Items – See [Chapter 3](#)

G. Public Hearings Generally

1. A public hearing may be held on any matter upon majority vote of the council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
2. Persons wishing to speak shall sign the "hearing roster" with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
3. The presiding officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the city, and may give their address. All remarks shall be addressed to the council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:
  - a. Staff presentation (15 minutes total).
  - b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
  - c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
  - d. Other interested persons (3 minutes per person).
  - e. Questions of staff (No time limit).
  - f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).
6. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by city

councilors should be to provide clarification or additional information on testimony provided.

8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the approval of the council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the city recorder to note the numbers in the minutes.
9. At the end of public testimony and questions of staff, the council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the council shall have the opportunity to comment on or discuss testimony given during the public hearing.
10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the city recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.
11. Documents submitted to the city as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the city recorder pursuant to ORS 192.368(1).

H. Conduct of Hearings on Land Use Matters – See [Chapter 4](#)

I. Reports of Boards, Commissions, Committees When necessary, reports can be given to the council by boards, commissions committees.

1. When appropriate, reports to the council should include written materials which are provided to the council at least three days in advance of the meeting.
2. Oral reports to the council should generally not exceed 5 minutes in length.
3. The council may ask questions of the presenter upon conclusion of the report being given.

J. Written Communications to Council.

1. Unsolicited communications to the mayor and/or council concerning matters on the agenda shall be forwarded to the council in the agenda packet, but shall not be individually itemized on the agenda.
2. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.
3. The city manager may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the council, and making a recommendation for council action.

## CHAPTER 2 – Meeting Time, Location and Frequency

- I. **Regular meetings.** The council shall meet every 2<sup>nd</sup> Thursday of the month, with the exception of designated holidays and/or council recesses.
  - A. Meetings shall begin at 2 p.m.
  - B. Meetings shall adjourn at the conclusion of the agenda. The city manager is encouraged to limit agenda items to keep meetings under three hours.
  
- II. **Special meetings.** Special meetings may be called by the presiding officer, by request of two members of the council, or by the city manager.
  - A. Notice of the special meeting shall be given to each member of the council, the city manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.
  - B. Notice of the special meeting shall be given to all members of the council and the city manager via text message and email.
  - C. Special meetings shall be noticed in accordance with Oregon’s public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.
  
- III. **Emergency meetings.** Emergency meetings may be called by the presiding officer, by the request of two members of council, or by the city manager.
  - A. Notice of the emergency meeting shall be given to each member of the council, the city manager and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.
  - B. Notice of the emergency meeting shall be given to all members of council and the city manager via text message and email.
  - C. Emergency meetings are those meetings called with less than 24 hours’ notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
  - D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.
  
- IV. **Executive Sessions.** Executive sessions may be called by the presiding officer, by the request of two members of council, by the city manager or by the city attorney.
  - A. Only members of the council, the city manager and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions.

- B. Representatives of recognized news media may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.
- V. **Work Sessions.** Work sessions are permitted to present information to the council so that the council is prepared for regular or special meetings.
- A. All work sessions are subject to Oregon’s public meetings law and must be noticed accordingly.
  - B. Work sessions are intended to allow for preliminary discussions, and the council is not permitted to take formal or final action on any matter at a work session.
  - C. Work sessions are to be scheduled by the city manager.
  - D. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.
- VI. **Holidays.** In the event a regular meeting falls on a holiday recognized by the city, the regular meeting for that week shall be cancelled.
- VII. **Council Recess.** The council shall be in recess, at a minimum, during the following dates each calendar year:
- A. August 15 – August 31;
  - B. The Monday before Thanksgiving through the Friday after Thanksgiving; and
  - C. December 15 to January 1.
- VIII. **Location.** Council meetings shall be held at city hall.
- A. In the event city hall is not available for a meeting, the council shall meet at a venue open to the public which is located within the jurisdictional limits of the city.
  - B. Training sessions may be held outside of the city’s jurisdictional limits, provided no deliberations toward a decision are made.
  - C. Interjurisdictional meetings may be held outside of the city’s jurisdictional limits, but should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.
  - D. No council meeting shall be held at any place where discrimination on the basis of an individuals’ race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.
- IX. **Notice.** The city recorder shall provide notice of all meetings in accordance with Oregon’s public meeting law.

- X. Attendance.** Members of the council shall advise the city manager if they will be unable to attend any meetings. Under the charter, a council position becomes vacant if the member of council is absent from the city for more than 30 days without council permission or absent from all meetings of the council within a 60-day period.

## CHAPTER 3 – Land Use Hearings

### I. General Conduct of Hearings.

- A. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.
- B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the city recorder, it shall not be included in the record for the proceeding.
- C. No person may speak more than once without obtaining permission from the presiding officer.
- D. Upon being recognized by the presiding officer, any member of the council, the city manager, planning director or the city attorney may question any person who testifies.
- E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.
- F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder shall note the numbers of such persons for the record in the minutes.

### II. Quasi-Judicial Land Use Matters.

- A. Scope of Review. All appeals and council-initiated review in quasi-judicial land use proceedings shall be new (de novo) and shall be held on the record.
- B. Conflicts of Interest.
  1. A member of the council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:
    - a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the city charter.
    - b. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.
  2. Members of the council shall reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding.

If such contact impairs the member's impartiality, the member shall state this fact and abstain from participation in the matter.

- C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
1. The decision of the council shall be based on the applicable standards and criteria as set forth in the city's municipal code, the city's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
  2. The proponent, any opponents, and/or city staff may submit to the council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.
- D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:
1. Land Use Hearing Disclosure Statement. The city recorder shall read the land use hearing disclosure statement, which shall include:
    - a. A list of the applicable criteria;
    - b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
    - c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
    - d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
  2. Call for ex parte contacts. The presiding officer shall inquire whether any member of the council has had ex parte contacts. Any member of the council announcing an ex parte contact shall state for the record the nature and content of the contact.
  3. Call for abstentions. The presiding officer shall inquire whether any member of the council must abstain from participating in the hearing due to a conflict of interest. Any member of the council announcing a conflict of interest shall state the nature of the conflict, and shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum

number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

4. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.
5. Presentation of the Case.
  - a. Proponent's case. Twenty minutes total.
  - b. Persons in favor. Five minutes per person.
  - c. Persons opposed. Five minutes per person.
  - d. Other interested persons. Five minutes per person.
  - e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
6. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.
7. Deliberations. Deliberations shall immediately follow the hearing. The council may delay deliberations to a subsequent time certain.
8. Findings and Order. The council may approve or reject the proposal.
  - a. The council shall adopt findings to support its decision.
  - b. The council may incorporate findings proposed by the proponent, the opponent or staff in its decision.
- E. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

### **III. Legislative Land Use Matters.**

- A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:
  1. Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
3. Presentation of the Case.
  - a. Proponent's case. Twenty minutes total.
  - b. Persons in favor. Five minutes per person.
  - c. Persons opposed. Five minutes per person.
  - d. Other interested persons. Five minutes per person.
4. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

## CHAPTER 4 – Motions, Debate, Public Comment and Voting

- I. Motions.** All motions shall be distinctly worded.
- A. The following rules shall apply to motions:
1. If a motion does not receive a second, it dies.
  2. The council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
  3. Any motion shall be reduced to writing if requested by a member of the council.
  4. A motion to amend can be made to a motion that is on the floor and has been seconded.
  5. No motion shall be received when a question is under debate except for the following:
    - a. To lay the matter on the table;
    - b. To call for the previous question;
    - c. To postpone;
    - d. To refer; or
    - e. To amend.
  6. A motion may be withdrawn by the mover at any time without the consent of the council.
  7. Amendments are voted on first, then the main motion is voted on as amended.
  8. A member of the council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
  9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
    - a. A call for the question fails without a majority vote.
    - b. Debate on the main subject resumes if the motion fails.
  10. A motion that receives a tie vote fails.
  11. The presiding officer shall repeat the motion prior to a vote.
  12. A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

1. No motion shall be made more than once.

2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the council.

**II. Debate.** The following rules shall govern the debate of any item being discussed by the council:

A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.

B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

C. The member of the council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

**III. Public Comment.** The public shall be entitled to comment on all matters before the council that require a vote.

A. Public comment shall occur after the matter up for vote has been presented by city staff and before the council takes any formal action on the matter.

B. Each member of the public is entitled to comment on the matter before the council for three minutes.

C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receives answers from the council or city staff.

D. Each person desiring to give public comments shall provide the council with his or her name and address prior to giving comment. This information shall be used to ensure the minutes of the meeting properly reflect those persons who provided public comment.

**IV. Voting.** The following rules shall apply to voting on matters before the council.

A. Reports. A majority of a quorum shall be required to approve or accept a report. However, no vote is required if the report is only for informational purposes.

B. Consent Agenda. No vote is required to acknowledge acceptance of the consent agenda. However, items should be considered from the agenda prior to adjournment.

C. Resolutions. A majority of quorum shall be required to pass a resolution.

- D. An Ordinance Involving a Fee or Fine. An ordinance involving a fee or fine shall require a majority of the council to pass.
- E. An Ordinance Not Involving a Fee. An ordinance which does not involve a fee or a fine shall require a majority of a quorum to pass.
- F. Emergency Ordinance. An emergency ordinance shall require the unanimous vote of all members present.
- G. Budget. The budget shall require a majority of a quorum to pass.
- H. Franchise. A majority of a quorum shall be required to pass an ordinance granting a franchise.
- I. Suspension of Rules. A unanimous vote of all members of the council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the city's charter shall not be suspended or rescinded.
- J. All votes shall be recorded in the minutes.
- K. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.
- L. Effective date.
  - 1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.
  - 2. The following shall take effect immediately upon its passage:
    - a. Ordinances making appropriations and the annual tax levy;
    - b. Ordinances relative to local improvements and assessments; and
    - c. Emergency ordinances.
  - 3. All other ordinances shall take effect 30 days after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.
  - 4. The filing of a referendum petition shall suspend the effective date of an ordinance.

## CHAPTER 5 – Minutes

### **I. Generally.**

- A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the city recorder in accordance with the appropriate record retention schedule.
- B. The minutes shall contain the following information:
  - 1. The date, time and place of the meeting;
  - 2. The members present;
  - 3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
  - 4. The results of all votes and the vote of each member by name;
  - 5. The substance of any discussion on any matter; and
  - 6. A reference to any document discussed at the meeting

### **II. Approval.** The council shall approve all minutes of any meeting.

- A. All minutes shall be approved within ninety days of the meeting having occurred.
- B. The draft minutes shall be submitted to the council as part of the council's packet prior to the meeting where they will be discussed.
- C. Any member of the council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

## CHAPTER 6 – Appointments

- I. **Appointments of City Staff.** The council appoints and can remove those positions identified in the city’s charter. All appointments require a majority vote of the entire council.
  - A. Reviews. Any person appointed by the council shall be subject to an annual review by the council.
  - B. Removals. All appointed persons may be removed by a majority vote of the entire council, upon review prior to the action by the City Attorney, with the exception of the appointment of the City Attorney.
  - C. Interference. If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge’s exercise of judicial authority or discretion.
- II. **Appointments of Members to Boards, Commissions and/or Committees.**
  - A. Unless otherwise mandated by state law, the mayor shall appoint the members of any board, commission or committee authorized by the council, with the exception that the Planning Commission appointments must be accepted by the majority of a quorum of the council.
  - B. Unless otherwise prohibited by the council, the mayor shall have the authority to create and appoint subcommittees of committees authorized by the council.
  - C. Removals. All appointed persons may be removed by the mayor.

## CHAPTER 7 – Ethics, Decorum, Outside Statements

- I. **Ethics.** All members of the council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:
  - A. Disclosing confidential information.
  - B. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
  - C. Expressing an opinion contrary to the official position of the council without so saying.
  - D. Conducting themselves in a manner so as to bring discredit upon the government of the city.
- II. **Decorum.**
  - A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council.
  - B. Members of the council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
  - C. Members of the city staff and all other persons attending meetings shall observe the council's rules of proceedings and adhere to the same standards of decorum as members of council.
- III. **Statements to the Media and Other Organizations**
  - A. Representing City. If a member of the council, to include the mayor, appears as a representative of the city before another governmental agency, the media or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council.
  - B. Personal Opinions. If a member of the council, to include the mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

## CHAPTER 8 – Interactions with Staff & City Attorney

- I. Staff.** All members of the council shall respect the separation between the council's role and the city's manager's responsibility by:
- A. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.
  - B. Refraining from actions that would undermine the authority of the city manager or a department head.
  - C. The city manager will provide a written weekly report by email to the council of activities deemed to be of interest to the council; these emails will not be public record per ORS 192.502 (communication between public body and senior administrative staff of a confidential nature). The city manager will exercise discretion on what constitutes 'activities deemed to be of interest'.
  - D. The mayor or any member of council may meet with the city manager weekly at their choosing; meetings with other staff are at the approval of the city manager.
  - E. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager.
    - 1. Questions from individual members of the council requiring significant time or resources (two hours or more) shall normally require approval of the council.
    - 2. Members of the council shall normally share any information obtained from staff with the entire council. This section is not intended to apply to questions by members of the council acting in their individual capacities rather than as members of the council, nor to questions regarding conflict of interest or similar issues particular to a member of the council.
- II. City Attorney.** Council members may make requests through the city manager to the city attorney for advice no more than once a month, so long as the request does not require more than two hours of the attorney's time. A councilor may make additional requests within a month or make a request that exceeds two hours with the concurrence of the majority of the council.

## CHAPTER 9 – Censure

- I. The council may enforce these rules and ensure compliance with city ordinances, charter and state laws applicable to governing bodies. If a member of council violates these rules, city ordinances, the city charter or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member with a public reprimand.
- II. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

## CHAPTER 10 – Amendment and Repeal

- I. **Amendment.** These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.
  - A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
  - B. All amendments to these rules requires a majority vote.
  - C. Amended rules shall not go into effect until the meeting after the rule was approved.
- II. **Repeal.** These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.
  - A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.
  - B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
  - C. Any repeal and replacement of these rules requires a majority vote.
  - D. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.



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

**TITLE OF ISSUE:** Trash Plan

**FOR MEETING DATE:** Sept 10<sup>th</sup>, 2020

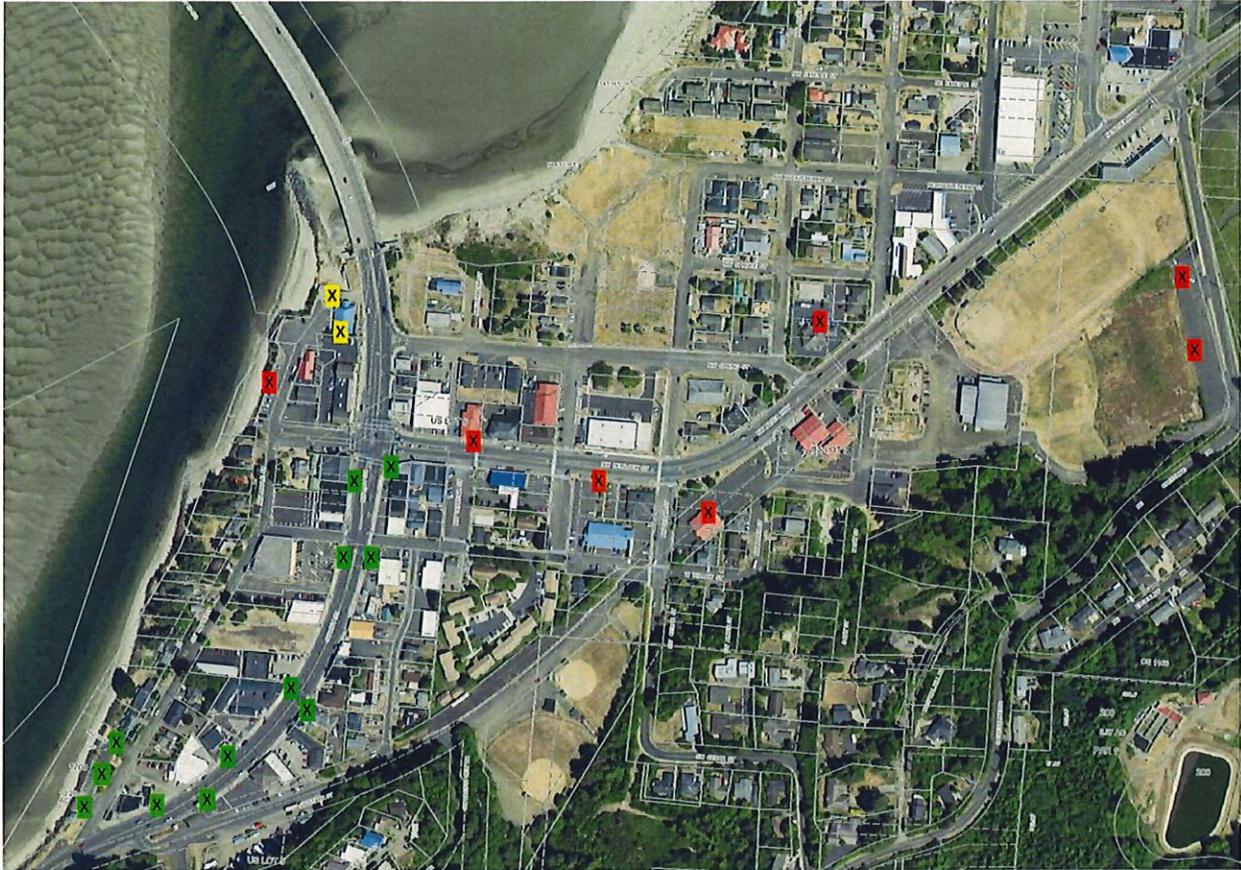
**SUMMARY OF ISSUE:**

At the prior Council meeting, Staff was directed to create a map where City owned trash receptacles were located and information on where cans might be desired based on citizen complaints and needs.

A map and brief outline of this is provided as requested.

**STAFF RECOMMENDATION or ACTION REQUESTED:**

Staff asks the Council to either approve the plan, or make modifications, and direct staff to implement the modified plan.



X = Rough Existing can Locations    X = New can locations proposed    X = Coming Soon

Currently we have 9 cans in the core off 101. And 3 at the Keady Wayside Park.



Each can runs about \$800, and has some incidental costs in installation. We are reaching out to Dahl to discuss can selection to move pickup to Dahl as it takes our staff a fair bit of time weekly (about \$3k in staff time/yr).

We need a can over by the beach entrance by the IC. We will inherit the cans at the IC. And we should have cans at the two primary bus stops by the library and the Post office. It would help to have one at the CC, and the Umpqua building. Finally, we will need to have cans at the new open space park (as well as at the skate park and Crestline park).

All of these don't need to happen this budget cycle, but I estimate we need 9 additional cans. Roughly \$8k after all is said and done. And figure budgeting \$500 in maintenance, and approximately .06 FTE in overall staff time to service them three times a week during peak.

## **City of Waldport Parks Committee Minutes of August 17, 2020, Meeting @ City Hall**

**Present:** Alanna, Pattie, Jan, Diana, Sandy and Sue. **Absent:** Laura.  
A quorum was present, so the meeting began at 10:05 a.m.

**Minutes:** Alanna moved, Jan seconded, and with a unanimous vote the minutes of July 14's meeting were accepted as written.

**Treasurer's Report:** Alanna sent out the financials on August 3. She noted that there had been no change except Miklics' donation of about \$40 of supplies for the planter box at Keady Wayside.

### **Keady Wayside Project:**

- Alanna reported that we had a good, hard-working crew. Julie Eagleson, Greg Holland, and Dave Miklic joined committee members to weed, trim, remove a volunteer myrtle, pick up cigarette butts, and generally do deferred maintenance on the park area. Unfortunately, when removing the myrtle, the crew found broken glass and discarded needles, obviously a safety issue.
- Trash is often overflowing the receptacles, and the committee requested that they be emptied more times/week, at least during the months when many visitors are present.

### **Suggested Improvements to Keady Wayside:**

- One or two cigarette receptacles. The one at city hall was cited.
- Alanna will approach Copeland Lumber to see what deal we can get for the automobile bumpers.
- The committee wants to do more weeding and cleaning of the north end to further eliminate fire danger. We planned another work day, Tuesday, September 8 from 9 – noon.
- Use industrial vinegar to eliminate weeds in the drainage area next to Maple Street. Those who have some, bring it on September 8.
- Reconsider use of mugs in the dirt strip around the pavilion. Jan suggested that dense planting there would encourage more sleeping and unwanted activities. After further discussion, we agreed to using less mugs with spacing and river rock between them so while enhancing the now bare space, vision would not be eliminated.

- Repairing the water spigot water system. (After speaking to CM Cutter, learned that it is not repairable and PW does not plan to make the spigot usable as Jimmy has a water source.)

**Other Comments/Questions:**

- Continuing with our decision to rotate project managers, Sandy, Alanna, and Jan will manage the planter cleaning and refurbishing project.
- When the Interpretive Center (IC) is the city's, Sue, Diana, and Laura will manage its cleanup and plantings.
- On Tuesday, September 15, we will meet at Keady Wayside at 10 a.m. with two agenda items: 1) walk the 101/34 planters to note what plants did well and will be saved for replanting, and 2) do a first assessment of the IC's landscaping project.
- Members expressed continued concern about those businesses who are not maintaining their own plantings and look to the city for action.

The meeting adjourned at 11:15.

Respectfully submitted,  
Sue Woodruff  
7.16.2020

## **Meeting Minutes: Wednesday September 1, 2020**

### **Lincoln County Waste Shed**

### **Regional Solid Waste Advisory Committee**

(R- SWAC)

*Attendees: Judy Casper, David Allen, Betty Kamikawa, Sue Woodruff, Kenny Riley, Aimee Thompson, Robert Thompson, Chuck Lerwick, and guests Jon Schmidt with SOLVE and Jenny Demaris with Lincoln County Emergency Management*

AOR – No takers to ride coattails of District's membership (maybe next year).

#### Forest Enforcement Program Update

- Sheriff signing and sending contract with Association of Concerned Landowners to the Board
- Committee discussed having Officer Vaille coming quarterly to RSWAC meetings

#### SOLVE – (Guest Speaker) Jon Schmidt

- Brief background and 50-year history of SOLVE and beach clean ups.
- COVID19 has impacted 'organized events' - changed their beach/river clean up model.
  - No longer hosting the 2 major events (per year), but rather sponsoring more frequent and smaller cleanup efforts. For example, SOLVE hosted 30+ cleanup programs this summer. There is also a significant increase in DIY groups requesting a cleanup be organized within a 30-day window.
  - State Parks are not able to provide the logistical support during the pandemic and changes how SOLVE bags need to be disposed
  - Overall, the smaller events have seen less material removed from the beaches to this point.
  - SOLVE has launched an Adopt-A-Beach program and the committee requested a link to interactive map. See below: [https://www.google.com/maps/d/edit?mid=1JVXa3qcTPuW\\_WcvfzzYiaCFNLYwg7Z5a&usp=sharing](https://www.google.com/maps/d/edit?mid=1JVXa3qcTPuW_WcvfzzYiaCFNLYwg7Z5a&usp=sharing)
  - Next River/Beach Campaign runs September 19<sup>th</sup> – October 4<sup>th</sup>. (again, many smaller events being coordinated)
  - Haulers and SOLVE brainstormed several ideas for collection disposal options. (The consensus was that a plan for a few vehicles loaded with SOLVE bags is preferable to multiple

vehicles coming and going from transfer stations with one or two bags.) **Haulers to meet separately and will get back to SOLVE directly with a plan for disposal options.**

*Follow up - Jon emailed after the meeting to mention an idea not discussed at the meeting – potential of the hauler providing a dumpster at a dedicated location (dedicated just for SOLVE debris).*

- SOLVE contact information.

Jon Schmidt

Program and Education Manager

SOLVE

2000 SW 1st Ave, Suite 400 | Portland, Oregon 97201

Office: (971) 346-2703 | solveoregon.org

HHW August Event – a little more follow up:

- The cost of this year's event was around \$30K. Two factors contributed to this: The State increased HHW rates by 20% and the event received a considerable load of materials such as flammable liquids (old gas) and herbicide/pesticides (more than in previous events).
- District to pursue an increased focus on HHW in our REDUCE campaigns ~ buying in HHS stuff bulk is not always the smartest .... Do I really want that HHW product sitting in my cupboard?... and Toxic Safari. More to come
- Working with Clean Harbors on a new contract with district. It will cover our annual HHW events; non-emergency roadside identification/collection of toxic materials, AND consideration of establishing routine route through Lincoln County – so that about every 3 months a truck is available for commercial collection in our area (it really is just a date on the calendar where jurisdictions, haulers, and businesses know a truck will be coming through town. This way they can request Clean Harbors to pick up truly hazardous materials from their business).
- Marine Flares (the kind that shoot up into the air) –
  - There is lots of misinformation about marine flare disposal
  - They are cheap to purchase \$5 each (sold in packs of 4) but prohibitively expensive to dispose of ~ \$45 per flare at collection event
  - There is an effort with DEQ, Fire, Port, and Coast Guard to address issue. More to come at future meetings.

Social Media

- It will be a month or two before District is able to pursue

Juno Project

- Chuck reported he is working with the Juno leadership to get more information. Nothing to report at this time.

## Education and Outreach

- Excellent meeting with all three haulers related to outreach and education
  - Will be working closely with North Lincoln Sanitary on Compost/Organics materials for Spring 2021 launch of program (District to focus on several levels including home composting – why compost is important – as well as supporting hauler education of rollout. This rollout effort will affect all hauler areas - and may impact what people put into their “yard debris” rollcarts in all program areas.
  - School materials – Sub-group forming with Thompson’s Sanitary to prepare Fall 2021 materials
  - Shared new ideas
    - Proposal coming in future meetings
      - Commercial Organics Pilot Promotion – capitalizing on eco-tourism
      - Video project. Casey Miller as potential host for District wide videos. Support materials for haulers such as well as general waste reduction videos.
      - Interpretive/ standalone community displays
- County SW District Web Page has been updated with some very basic information. It is a work in progress.

## Debris Management Plan – (Guest Speaker) Jenny Demaris

- Encouraged group to pursue “pre-contracts” for debris removal.
  - FEMA recognizes 3% more of the costs if there is a pre-contract in place
  - FEMA requires precontracts
- Committee discussed need to update debris sites and Jenny recommended gaining DEQ approval for the sites
- Jenny presented the County has a fuel plan with designation/prioritization of fuel for debris removal
- Committee discussed “lessons learned” from previous events outside our area which included plans for servicing tent cities
- Jenny invited involvement in Regional Debris Management plan (covering multiple Counties)
- Emergency Management Contact information
  - Virginia "Jenny" Demaris
  - Lincoln County Sheriff's Office
  - Emergency Management Division
  - Emergency Manager
  - Phone 541-265-4199 | Cell 541-270-0702
  - vdemaris@co.lincoln.or.us
  - www.lincolncountysheriff.net
  - 225 W. Olive St., Suite 103, Newport, OR 97365

## General

- Paul reported on attending the Lincoln City Sustainability Group meeting. Wonderful group with excellent ideas – such as Beach Bingo (folks take a bingo card marked with differing items of trash and once collected (and disposed) can have a chance for prizes.
- Next meeting is Tuesday October 6<sup>th</sup> at 10:00 am

## ***Agenda: Lincoln County Waste Shed***

### ***Regional Solid Waste Advisory Committee***

*Attendees: Judy Casper, Lon French, Betty Kamikawa, Kenny Riley, Aimee Thompson, Robert Thompson, Sue Woodruff, and guests Deputy Nick Vaille from Forest Protection Program and Rick from City of Toledo's Water treatment program*

Regularly Scheduled 1<sup>st</sup> Tuesday of each Month

**\*\*\* August 2020 Meeting will be held on a Wednesday the 5th**

10:00 am – Noon

HHW August Event was a success.

- Between 75 – 100 participants attended the event – a steady stream of cars. 1 every 5 minutes. General feeling is that the event could easily support doubling the number of participants without negative consequences.
- Advertising this year was not the same as previous years, due to the pandemic. Future events will receive a touch more effort to increase participation.
- The largest quantity of materials: flammable/toxic liquids, paints, and aerosols; followed by lead acid batteries and toxic organic solids
- The event identified 2 items that Solid Waste District will follow up on:
  - Locations people can self-haul hazardous waste during remainder of the year (outside of County)
  - How to dispose of expired marine flares
- Summer 2021 HHW Event Lincoln City (set date at next meeting)
- 2 Side Notes
  - Almost all of the participants wore Covid19 face masks without being required or asked
  - Not HHW, but the County is going to use the same contractor to deal with collection unknown

hazardous material containers that may be abandoned along County roads.

- Paul summarized his Meet & Greet Tour
  - Thus far, he has met with Waldport, Toledo, Lincoln City, North Lincoln Sanitary, Dahls Disposal Service, and Thompson's Sanitary. Wonderful experience!
  - What he heard:
    - Strong desire for "Cooperative"/ working together/ coordinated programs
    - Desire for Green Swap/Clean Swap (social media plat forms such as "Next Door" or "Facebook")
    - Learned about Project Juno
    - Learned about organics program starting in spring (Lincoln City)
    - Strong desire to address the waste stream from tourism
    - Desire for the Solid Waste District to become well organized and cohesive
    - Learned about local interest in biosolids
    - Observed a strong interest in sustainable issues
    - Observed a strong interest in school education (noted my contact with School District and the Superintendent's desire to hold off while they wrestle with Covid19)
  
- Forest Patrol Program Update
  - Revised Forest Enforcement Agreement went out last week and already have half of the signatures back and finishing up on collecting unpaid FY 19-20 invoices.
  - Deputy Nick Vaille 11:00 call in. Deputy reported
    - Illegal dumping is actually seeing a slight downturn this year, but homelessness, and trespassing have all increased.
    - Committee requested deputy to provide a quick one line report with calls for service and cases generated each month related to Forest Enforcement program.

- Deputy provided numbers after the meeting and will provide by the 15th of each month for the next agenda. (Note: R-SWAC needs to decide how often we would to have Deputy Vaille attend in person – perhaps quarterly?)

	Calls for Service	Reports Generated
January	48	13
February	35	9
March	51	7
April	59	15
May	86	18
June	68	12
July	55	18

- Provided R-SWAC copy of County Solid Budget

#### Discussion

- Committee had first discussion on make a Top Ten List of Priorities. (not listed in any particular order here or ranked at this time):
  - Organics education
    - New materials/outreach for all programs
    - Review of materials/efforts across all programs
    - Paul to meet with Tina and Aimee (Dahl?) to discuss and report back
  - A more centralized and proactive role for the District – a prominent cooperative display of collaborative efforts. (however, it is noted: without diminishing or competing with the local role provided by haulers).
  - Sustainability outreach and education even in areas that might include energy
  - Local business sustainability outreach, education, and assistance
  - Develop social media opportunities (such as Facebook) to offer SWAC/Exchange services
  - Produce education/outreach or at least provide central resource guide for where to take 'stuff' – perhaps

expand Waste Wizard plug in/ and web-based find my hauler program by address.

- Disaster Preparedness

- Paul will be working on updating all pages on the Lincoln County Solid Waste District website. Changes will be reported/provided to R-SWAC and R-SWAC is welcome to suggest edits/ideas for things they would the District to post on their pages.
- SOLVE is changing their clean up model away from 2 large annual events to multiple smaller, but still organized events. R-SWAC would like to invite Jon Schmidt – the Program and Education Manager from Solve to the next meeting so haulers may work out some details with SOLVE to ensure the new program efforts run smoothly.

#### Reminders/Updates

- Wasteshed Education and Tonnage Reporting Requirements (due in winter)
- New HHW Event Requirements coming in Spring
- Offer is open ended to continue meet and greet
- Next meeting will return to Tuesday schedule and be held on Tuesday September 1<sup>st</sup> from 10:00 – 12:00

#### *Item discussed as potential topics at next meeting:*

- *Debris Management Plan Update*
  - *Jenny Demaris would like to present Regional Debris Management Plan Update (11:00)*
  - *We will send Lincoln County Debris Management Plan update to folks prior to the meeting*
- *Would like to see a Project Juno update*
- *Schools/education Ideas and update*
- *Displays / interpretive standalone pieces*
- *Graphics*
- *AOR – Able to have 3 others added as ‘contacts’*
- *Decide how often we would to have Deputy Vaille attend R-SWAC in person – perhaps quarterly?)*

## City Manager's Report

### 1. **Safe Routes to Schools**

The grant application has been submitted with the support of the school district and county. A quick analysis of scoring puts our score at 441 which is slightly higher than my original estimate of 425, providing the scoring agency agrees with our submissions. Last year, this score would have put us in the award area for consideration. I expect it will be very competitive, as in Region two, of the 107 total applications statewide it appears 41 were submitted. \$26 million total was allocated statewide, and easily \$100+ million was requested. (we requested \$1.6 million)

### 2. **Interpretive Center**

We have signed two formal documents requesting the transfer of the Interpretive Center. We should get official transfer of the Building roughly in the October timeframe. The building will remain closed until that time, and no efforts can be made in the interior until then. I would like direction on whether I should now meet with the Chamber and Museum Boards as previously discussed?

### 3. **Charter Franchise**

There was some question as to whether the Charter Franchise is still in existence. Communicated with Charter and will bring an update to you as we close out this issue. We are also planning a comprehensive review of all of our current franchises in the near future.

### 4. **Leak detection update**

We are looking into a couple different options here, which is why I don't have a more formal breakdown of the system, costs etc this month for you. I will bring it back as soon as we are ready to go with full numbers etc.

### 5. **Healthcare**

I got the PEBB 2021 rate numbers a bit late this month, so there was not time to fully prepare a healthcare analysis as previously requested. I will do so and will make it available for discussion at the next meeting, pending agenda timeliness. The costs are in line with estimates.

### 6. **Web Site overhaul**

Met with a couple vendors and I would like permission to pursue COVID funding for a rehab of our website geared towards better ability to conduct business remotely.

### 7. **Code Enforcement**

We sent warning letters to 16 of our current complaints this last month and will be following up in the next couple weeks with some 'before and after' reports. We are exploring software automation and a citizen engagement portal for this process.

### 8. **City Foundation program**

Meeting with City Attorney on the format of the program. Will update as this progresses.

**9. Izaak Walton League Donation**

Arranging a Zoom call to confirm documents and timeline.

**10. Dump Station**

The Waldport RV Dump station is closed temporarily, and perhaps permanently. It costs us far more in chemicals and treatment to account for the RV tank chemicals used (which damage our system) than we receive in revenue, even after the charge increase a while back. Combined with permit issues with DEQ, and with support of the Public Works Director, it just doesn't make sense for the City to operate this facility at this time given the alternatives available regionally.

**11. Gravel Epic**

The Gravel Epic took place on the last weekend of August. It was very well attended and managed very well in response to the social distancing requirements. Have gotten some very positive comments back from riders. Look forward to seeing them again next year!

**12. Food Cart Pod**

Some interest in a food cart pod... very preliminary. I am working with the planner on what that might look like at the end of the Community Center/Hemlock street area. Might be a small revenue source for the CC, which is definitely needed. Should we continue to explore?

**13. Planters**

We will be moving a planter from down by Flounder to the Museum Parking area. We have interest by a couple groups to do some work on the planters and there is concern over the longevity of the applications, so we are using this planter as an 'example', to see how it holds up. This will allow us to make informed decisions before modifying the very expensive planters.

**14. Wave**

Wave has started construction in the Ridgewood Acres subdivision off Crestline, and will be looking for a 'first customer' to do some video promotion, and process documentation.

**15. FEMA COVID proposal**

I will (or will have by this point) submit a FEMA proposal for funding for a number of projects related to our COVID response expenses. These are different than the CARES funding. I will keep you updated on the progress of this as it works through the system.

**16. CARES expenses**

I will be providing an accounting of the CARES funds expenditures shortly to you, as they get approved by the state. Waldport was allocated \$62k, and we have spent roughly that after all is said and done.

**17. Limitations in Council Chambers**

We are limiting the attendance in the Council chamber to 15 TOTAL people. Many cities are still holding virtual meetings, and while we are still meeting in person, especially once we have more councilors, we do need to think of safety as we are in the room for a long period of exposure.



## OFFICE OF THE SHERIFF

**Sheriff Curtis L. Landers**

251 W. Olive Street  
Newport, Oregon 97365  
Records (541) 265-4912  
Civil (541) 265-4915  
General (541) 265-4277  
Fax (541) 265-4917

# MEMORANDUM

**DATE:** September 3, 2020  
**TO:** Waldport City Council  
**FROM:** Doug Honse, Sheriff's Deputy - Patrol  
**RE:** **WALDPOR NEWS BRIEF – August 2020**

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## SHERIFF OFFICE NEWS

K9 Bonni is retiring this month and will remain at home with her current handler, Deputy Akin. She will keep busy apprehending toys, taking walks for pleasure, and assisting from the couch. K9 Nix is still on active duty with Deputy Derick Smith.

Two weekends ago, there was a string of vehicle break-ins on Crestline and Range. We have fuzzy video surveillance of the suspect, but he has not yet been identified. Mr. Cutter has this footage if you would like to review or share it with your networks. We appreciate any help in identifying the suspect. He may be a juvenile.

We have a new deputy, James Holmes, who is managing enforcement regarding vacation and short term rentals in Lincoln County. He can often be found working out of the Waldport Office. He joins Deputy Jesse Hess, who is our code enforcement officer.

I would like to highlight a gentleman I met, while I was checking on clambers, on an early morning low tide. Byron said he takes his daily walks around Waldport, and always brings a trash bag with him, to collect trash while he gets his exercise. He said his collection tool is even able to collect cigarette butts and straws, to keep them out of our waterways. Thanks Byron!



## **CALLS FOR SERVICE**

During the month of August, the City of Waldport represented **30%** of all Sheriff's Office activity in South Lincoln County (South County including South Beach, Seal Rock, Waldport, Yachats, Tidewater, and everything in between). Sheriff's Deputies responded to or initiated **191** calls for service in the City of Waldport, which resulted in three **(3)** people being taken into physical custody and four **(4)** people receiving criminal citations and being released.

The arrests above resulted from investigations including; Assault IV, Harassment, Reckless Burning, Mental Hold by Police Officer, Disorderly Conduct II, Felon in Possession Restricted Weapon, Criminal Trespass II, and an FTA Warrant

## **TRAFFIC ENFORCEMENT**

With Lincoln County still in Phase I of re-opening, deputies are still only making priority traffic stops and contacts, however, traffic stop numbers are rising compared to past months of the pandemic, probably associated with summer tourism and more vehicles on the road.

In the City of Waldport, there were twenty-eight **(28)** traffic stops in August, resulting in ten **(10)** citations and eighteen **(18)** warnings.

The City of Waldport had **47%** of all traffic stops for South County.

Have a great September.



MEMORANDUM

DATE: September 4, 2020  
 TO: City of Waldport, OR

FROM: Holly G Hamilton  
 OCWCOG - Contract Planner for Waldport, OR

RE: Planner's Report for August 2020

Overview

The new planner, Holly Hamilton started August 3<sup>rd</sup>. Justin Pederson overlapped on-site services for two weeks and has begun scaling back his presence in Waldport, functioning primarily as a remote resource for questions, and long-term planning projects.

Building Permits and Process

Since the start of August, the City of Waldport has received/processed four (4) building permits.

A Flood Plain Development Permit was returned by Lincoln County with a request for Valuation which would accurately reflect the scope of work contracted, and potentially trigger a requirement for construction above Base Flood Elevations. Documentation was updated and resubmitted within the triggering criteria.

Administrative Change - for future Flood Plain development in the City of Waldport, Planning will coordinate with Lincoln County, complete an on-site pre-approval inspection, and request that accurate drawings, reflective of the scope of work, accompany the Permit Request.

City of Waldport Permit List											
Application Date	Application	Lincoln County Permit #	Applicant/ Business / PUD	Zoning	Tax Lot ID	Situs Address	City	State	Zip Code	Detailed Description	Building Demolished
7/2/2020	Building Permit	519.20.00.1197-STR	Glasgow LLC	D-D	13-11-19BD /2700	120 NW John Street	Waldport	OR	97394	Foundation Repair	No
7/6/2020	Floodplain Permit	519.20.00.1197-STR	Glasgow LLC	D-D	13-11-19BD /2700	120 NW John Street	Waldport	OR	97394	Foundation Repair- Floodplain Permit- Permit withdrawn. Evaluation recalculated and resubmitted.	No
8/13/2020											No
8/10/2020	Septic Repair Permit	510.20.000662.PRN	Lawrence Barker	R-3	13-11-29-AB-03100	1420 Rio Vista SE	Waldport	OR	97394	Septic System Replace	n/a
8/14/2020	Building Permit	519.20.00.1569	Dahl & Dahl	I-P	13-11-31-B0-00200	150 SW Dahl Ave	Waldport	OR	97394	Cellular Tower Replacement	n/a
8/17/2020	Building Permit	519-20-001501-MD	Crestview Golf Course	R-1	13-11-30-BD-02800	2150 SW Green Lane	Waldport	OR	97394	Manufactured Home and Attached Garge	No
8/17/2020	Building Permit	519.20.001502-STR	Crestview Golf Course	R-1	13-11-30-BD-02800	2150 SW Green Lane	Waldport	OR	97394	Manufactured Home and Attached Garge	No



### Current Planning:

- Field Planning Desk Inquiries – Walk-Ins and Phone Calls
- Ongoing building permit review
- Variance Application for Fencing on Alder Street, expired August 2020
- LUBA – Vista View Remand. Records submitted to the Land Use Board of Appeals, awaiting determination.

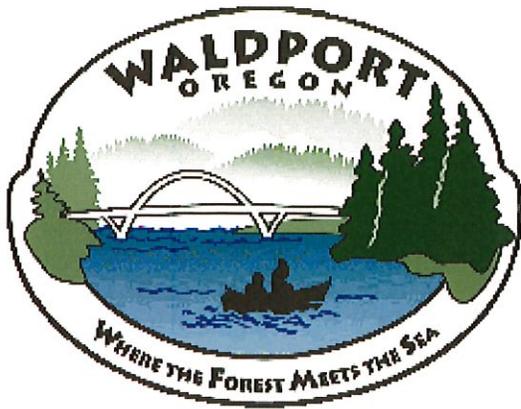
### Long Range Planning

For inclusion / discussion at the September Planning Commission meeting.

- Ordinance Development
- National Hazards Mitigation Plan (NHMP) Adoption
- Urban Growth Boundary Expansion

## SUPPLEMENTAL PACKET FOR OCTOBER 8, 2020 COUNCIL MEETING

- \* Proclamation for Domestic Violence Awareness Month
- \* Letter of Interest for Planning Commission Vacancy - Duane Snyder
- \* Existing Council Rules
- \* Updated City Manager's Report



# City of Waldport

P.O. Box 1120  
Waldport, Oregon  
Phone: (541) 264-7417 Fax: (541) 264-7418  
TTY: (800)735-2900

## PROCLAMATION

\*\*\*\*\*HEAR YE\*\*\*\*\*HEAR YE\*\*\*\*\*HEAR YE\*\*\*\*\*

*WHEREAS*, the crime of domestic violence violates an individual's privacy and dignity, security and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and

*WHEREAS*, domestic and sexual violence crosses all social groups; but people who are women, transgender, LGBTQ, poor or working class, Native, of color, immigrant, non-English speaking, disabled, young, elderly, or otherwise marginalized not only shoulder the burdens of oppression but also experience high rates of domestic violence; and

*WHEREAS*, the impact of domestic violence is wide ranging, directly affecting the health and wellness of individuals and society as a whole, here in this community, throughout the United States and the world; and

*WHEREAS*, preventing interpersonal violence is not only possible but is our collective responsibility, and prevention requires significant changes to our social norms regarding gender roles, strength, sexuality, relationships, and the normalization of violence; and

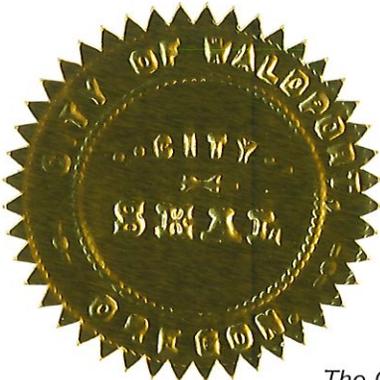
*WHEREAS*, a coalition of organizations has emerged to directly confront this crisis, including advocates, law enforcement officials, health care providers, the clergy and other concerned individuals are helping in the efforts to end domestic violence;

*NOW THEREFORE*, in recognition of the important work done by My Sisters' Place and by Siletz Tribal Violence Against Women Act Program, the Lincoln County District Attorney, Lincoln County Victims' Assistance, Crossroads Nonviolence Program and the Lincoln County Domestic Violence Council, I, Susan Woodruff, Honorable Mayor, do hereby *PROCLAIM THE FOLLOWING*:

*THAT*, the month of October, 2020 be declared as *DOMESTIC VIOLENCE AWARENESS MONTH* in Waldport, and we urge all citizens to work with these invaluable community agencies to help alleviate this problem in our community.

*SIGNED*, this 8<sup>th</sup> day of October, 2020.

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



Hello to Holly and Rhea,

This is my statement of interest and willingness for serving on the City of Waldport Planning Commission. By owning a home and having been a full time, year round resident at 745 S.W. Dolores Drive I fulfill the minimum requirements for being qualified to be on the commission.

Being a full time resident, I have an interest in the quality of life in the town I reside and the orderly function of the local government that has jurisdiction of this township. I understand the responsibility of public service and the importance of involvement, and need for thoughtful input from local residents in guiding local government to the best possible service of the community.

I understand that the decisions made by the commission affect all the citizens who live here and the importance of being impartial and fair to all the residents of this community. I also understand that whenever issues brought up by and brought to the commission affect me personally that I should be forth coming in making the other members of the commission on possible conflicts of interest, and if appropriate, recuse myself for the decision making process.

I also have a personal commitment to promoting governance through consensus whenever possible in an attempt to bring opposing factions together for mutual benefit. I also realize that when there are disagreements, that the decisions made by the commission must always strive to do what is best for the community as a whole with the understanding that there may be conflicting points of view. What is important is that all the decisions made by the commission should serve the common good of local residents.

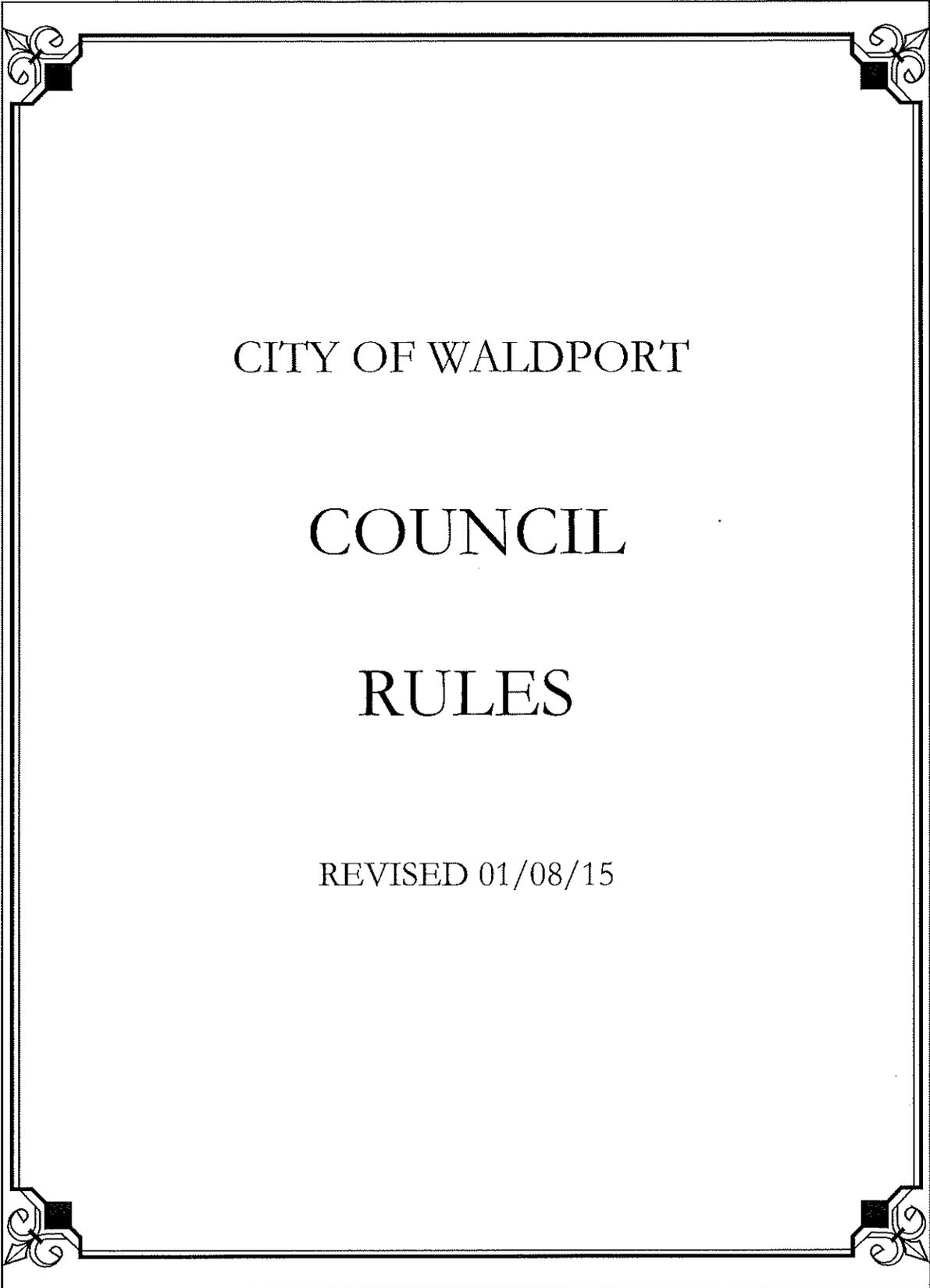
Sincerely,

Duane Snider

745 S.W. Dolores Drive/ P.O.Box 987

Waldport, Oregon 97394

[sniderdies1@msn.com](mailto:sniderdies1@msn.com) Cell# 1-503-758-1916



CITY OF WALDPORT

COUNCIL

RULES

REVISED 01/08/15

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# WALDPOR CITY COUNCIL COUNCIL RULES

## 1. AUTHORITY

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

## 2. GENERAL RULES

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

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

#### 4. CHAIR AND DUTIES

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

#### 5. ORDER OF BUSINESS AND AGENDA

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

Roll Call  
Minutes

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

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

- 6.2 FUNDING: All ordinances and resolutions authorizing any expenditure of money shall include the exact source of the funds to be expended.
- 6.3 ORDINANCES/RESOLUTIONS INTRODUCTION: All proposed ordinances and resolutions shall be prepared by the CM or City Attorney. All ordinances prepared by the CM will be reviewed by the Attorney.
- 6.4 RECORDING OF VOTES: The ayes and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council. When any vote is called, each council member shall respond "yes" or "no" or "abstain". Any council member who responds "abstain" shall state their reason for abstention, being limited to a possible conflict of interest and the abstention shall be accepted or rejected by the Council.
- 6.5 RESOLUTION: Any reading may be by title only or any council member present may request reading in full.
- 6.6 REQUESTS FOR LEGAL OPINIONS: Any member of the City Council may request a legal opinion, relating to City business from the City Attorney. These requests should be made after exhausting other sources; i.e. Committee Heads, Department Heads and should be made if possible through the CM and at the regularly scheduled Council meeting.

7. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

7.1 STANDING COMMITTEES:

- A. Committees and their membership will be reviewed and membership established by the Council at the first meeting of odd-numbered years. Members of the Council will indicate committee preference in order of priority.
- B. Chairs of committees will be determined by the committees at their first meeting.
- C. If during the two (2) year term of the committee, the committee as a whole determines a restructuring is necessary, the issue will be determined internally, and if consensus cannot be reached, the issue may be referred to full council for resolution.

7.2 CITIZENS COMMITTEES, BOARDS AND COMMISSIONS:

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

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

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

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

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

## 8. CITIZEN'S RIGHTS

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

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

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

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

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

## City Manager's Report

### 1. **Safe Routes to Schools**

The grant application has been submitted with the support of the school district and county. A quick analysis of scoring puts our score at 441 which is slightly higher than my original estimate of 425, providing the scoring agency agrees with our submissions. Last year, this score would have put us in the award area for consideration. I expect it will be very competitive, as in Region two, of the 107 total applications statewide it appears 41 were submitted. \$26 million total was allocated statewide, and easily \$100+ million was requested. (we requested \$1.6 million)

### 2. **Interpretive Center**

We have signed two formal documents requesting the transfer of the Interpretive center. And the deed. We will have received the keys just prior to this meeting. I will begin discussions with Chamber and Museum shortly.

### 3. **Charter Franchise**

There was some question as to whether the Charter Franchise is still in existence. Communicated with Charter on the issues and will bring an update to you as we close out this issue. We will also be bringing an ordinance changing all Franchises to non-auto renewing.

### 4. **Leak detection update**

We are looking into a couple different options here, which is why I don't have a more formal breakdown of the system, costs etc this month for you. I will bring it back as soon as we are ready to go with full numbers etc. (Nov due to timing)

### 5. **Healthcare**

I got the PEBB 2021 rate numbers a bit late this month, so there was not time to fully prepare a healthcare analysis as previously requested. I will do so and will make it available for discussion at the next meeting pending agenda timeliness. The cost are in-line with estimates.

### 6. **Web Site overhaul**

Met with a couple vendors and I am using COVID funding to improve the website, geared towards better remote ability to conduct business, remote payment of bills and complete online forms.

### 7. **Code Enforcement**

We sent warning letters to 16 of our worst offenders this last month and have been following up. We also have the agreement from TCB, and should see a start soon if they haven't already. Finally, our software portal is in place at [www.waldport.org/complaint](http://www.waldport.org/complaint) .

### 8. **City Foundation program**

Meeting with City Attorney on the format of the program. Will update as this progresses.

### 9. **Izaak Walton League Donation**

Arranging a Zoom call to confirm documents and timeline.

**10. Dump Station**

The Waldport RV Dump station is closed temporarily, and perhaps permanently. It costs us far more in chemicals and treatment to account for the RV tank chemicals used (which damage our system) than we receive in revenue, even after the charge increase a while back. Combined with permit issues with DEQ, and with support of the Public Works Director, it just doesn't make sense for the City to operate this facility at this time given the alternatives available regionally.

**11. Gravel Epic**

The Gravel Epic took place on the last weekend of August. It was very well attended and managed very well in response to the social distancing requirements. Have gotten some very positive comments back from riders. Look forward to seeing them again next year!

**12. Food Cart Pod**

Some interest in a food cart pod... very preliminary. I am working with the planner on what that might look like at the end of the Community Center/Hemlock street area. Might be a small revenue source for the CC, which is definitely needed. Should we continue to explore?

**13. Planters**

We have moved a planter from down by Flounder to the Museum Parking area. We have interest by a couple groups to do some work on the planters and there is concern over the longevity of the applications, so we are using this planter as an 'example', to see how it holds up. This will allow us to make informed decisions before modifying the very expensive planters.

**14. Wave**

Wave has started construction in the Ridgewood acres subdivision off Crestline, and will be looking for a 'first customer' to do a video promotion, and process documentation. I will say, its not a 'painless' process, and will be challenging for homeowners to locate their utilities.

**15. FEMA COVID proposal**

I will (or will have by this point) submit a FEMA proposal for funding for a number of projects related to our COVID response expenses. These are different than the CARES funding. I will keep you updated on the progress of this as it works through the system.

**16. CARES expenses**

I will be providing an accounting of the CARES funds expenditures shortly to you, as they get approved by the state. Waldport was allocated \$62k, and we have spent roughly that after all is said and done.

**17. Limitations in Council Chambers**

We are limiting the attendance in the Council chamber to 15 TOTAL people. Many cities are still holding virtual meetings, and while we are still meeting in person, especially once we have more councilors, we do need to think of safety as we are in the room for a long period of exposure.