



# CITY OF CANNON BEACH

## AGENDA

Meeting: City Council Work Session and Special Meeting  
Date: Tuesday, March 12, 2024  
Time: 6:00 p.m.  
Location: Council Chambers, City Hall

### CALL TO ORDER AND APPROVAL OF AGENDA

### PUBLIC COMMENT

*The Presiding Officer will call for statements from citizens regarding issues relating to the City.  
The Presiding Officer may limit the time permitted for presentations and may request that a spokesperson be selected for a group of persons wishing to speak.*

### INTRODUCTION

- (1) **Introduction and Swear in of Keaton Walde**

### PUBLIC HEARING

- (2) **Public Hearing for Landscape Review of the Rejuvenation of the Cannon Beach Elementary School Project and Ne'Cus Park**  
*Council will hold a hearing to consider the revised landscaping plan*

### ACTION ITEMS

- (3) **Consideration of the Minutes of the**
- |                    |   |
|--------------------|---|
| <b>February 6</b>  | <b>Council Meeting</b>                        |
| <b>February 7</b>  | <b>Council Work Session TSP &amp; Parking</b> |
| <b>February 13</b> | <b>Council Work Session/Special Meeting</b>   |
| <b>February 20</b> | <b>Council Work Session/Special Meeting</b>   |
| <b>February 28</b> | <b>Work Session CH/PD</b>                     |
| <b>February 29</b> | <b>Work Session Code Rewrite</b>              |

### **CLOSE SPECIAL MEETING AND OPEN WORK SESSION**

### DISCUSSIONS

- (4) **Annual Review of SDC's as Recommended by Adopted Methodology**
- (5) **Good of the Order**

### ADJOURNMENT

To join from your computer, tablet or smartphone  
Join Zoom Meeting

<https://zoom.us/j/99261084699?pwd=TkpjbGcxS0pCOGIMOCtSbSsxVWFMZz09>

Meeting ID: 992 6108 4699

Password: 365593

To join from your phone:

Phone: 1.669.900.6833

Meeting ID: 992 6108 4699

Password: 365593

**View Our Live Stream:** View our [Live Stream](#) on YouTube!

**Public Comment:** If you wish to provide public comment via Zoom for this meeting please use the raise your hand Zoom feature. Except for a public hearing agenda item, all Public to be Heard comments will be taken at the beginning of the meeting for both Agenda and Non-Agenda items. If you are requesting to speak during a public hearing agenda item, please indicate the specific agenda item number as your comments will be considered during the public hearing portion of the meeting when the public hearing item is considered by the Council. All written comments received by 3:00 pm the day before the meeting will be distributed to the City Council and the appropriate staff prior to the start of the meeting. These written comments will be included in the record copy of the meeting. Written comments received at the deadline will be forwarded to Council and included in the record but may not be read prior to the meeting or appear on the city's website.

*Please note that agenda items may not be considered in the exact order listed. For questions about the agenda, please contact the City of Cannon Beach at (503) 436.8052. The meeting is accessible to the disabled. If you need special accommodations to attend or participate in the meeting per the Americans with Disabilities Act (ADA), please contact the City Manager at (503) 436.8050. TTY (503) 436-8097. This information can be made in alternative format as needed for persons with disabilities.*

Posted: 2024.03.06



# CANNON BEACH CITY COUNCIL

## STAFF REPORT

### INTRODUCTION OF KEATON WALDE

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**Agenda Date:** March 12, 2024

**Prepared by:** Jason Schermerhorn, Police Chief

We are happy to introduce you to our new police officer Keaton Walde.

Officer Walde joins us from Clatsop County Sheriff's Office where he worked as an Animal Control Officer for the last 7 years. He also has been a volunteer for the Cannon Beach Fire Department since 2014. Prior to that he was honorably discharged from the U.S. Marine Corp

Officer Walde will be starting the Police academy in late April of 2024.

Officer Walde will be sworn in by Mayor Knop.

Please join me in welcoming our newest officer.



# CANNON BEACH CITY COUNCIL

## STAFF REPORT

### PUBLIC HEARING FOR LANDSCAPE REVIEW OF THE REJUVENATION OF THE CANNON BEACH ELEMENTARY SCHOOL PROJECT AND NE'CUS PARK

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**Agenda Date:** March 12, 2024

**Prepared by:** Bruce St. Denis, City Manager

## BACKGROUND

At the January 2, 2024 meeting the Council adopted Findings of Fact and Conclusion of Law for APP 23-07. The findings included the following conditions:

1. The applicant shall submit a revised landscaping plan that includes a continuous path connecting the welcoming courtyard, the heritage garden and the story circle in an obvious loop along the riverbank celebrating the overall site heritage. The Council shall approve these modifications, after a public hearing coupled with notice to owners within 100 feet of subject property, prior to building permit issuance.
2. The applicant shall submit a revised landscaping plan showing a simplification of the garden plantings to reflect a more natural arrangement. The Council acknowledges that this may require relocating the Thunderbird to allow for the trail to loop to the creek and on into the Story Circle area. The Council shall approve these modifications, after a public hearing coupled with notice to owners within 100 feet of subject property, prior to building permit issuance.

## ANALYSIS/INFORMATION

March 12<sup>th</sup> will be a public hearing on the revised landscape plans.

## RECOMMENDATION

Hold a public hearing to receive community input on the landscaping plan.

## List of Attachments

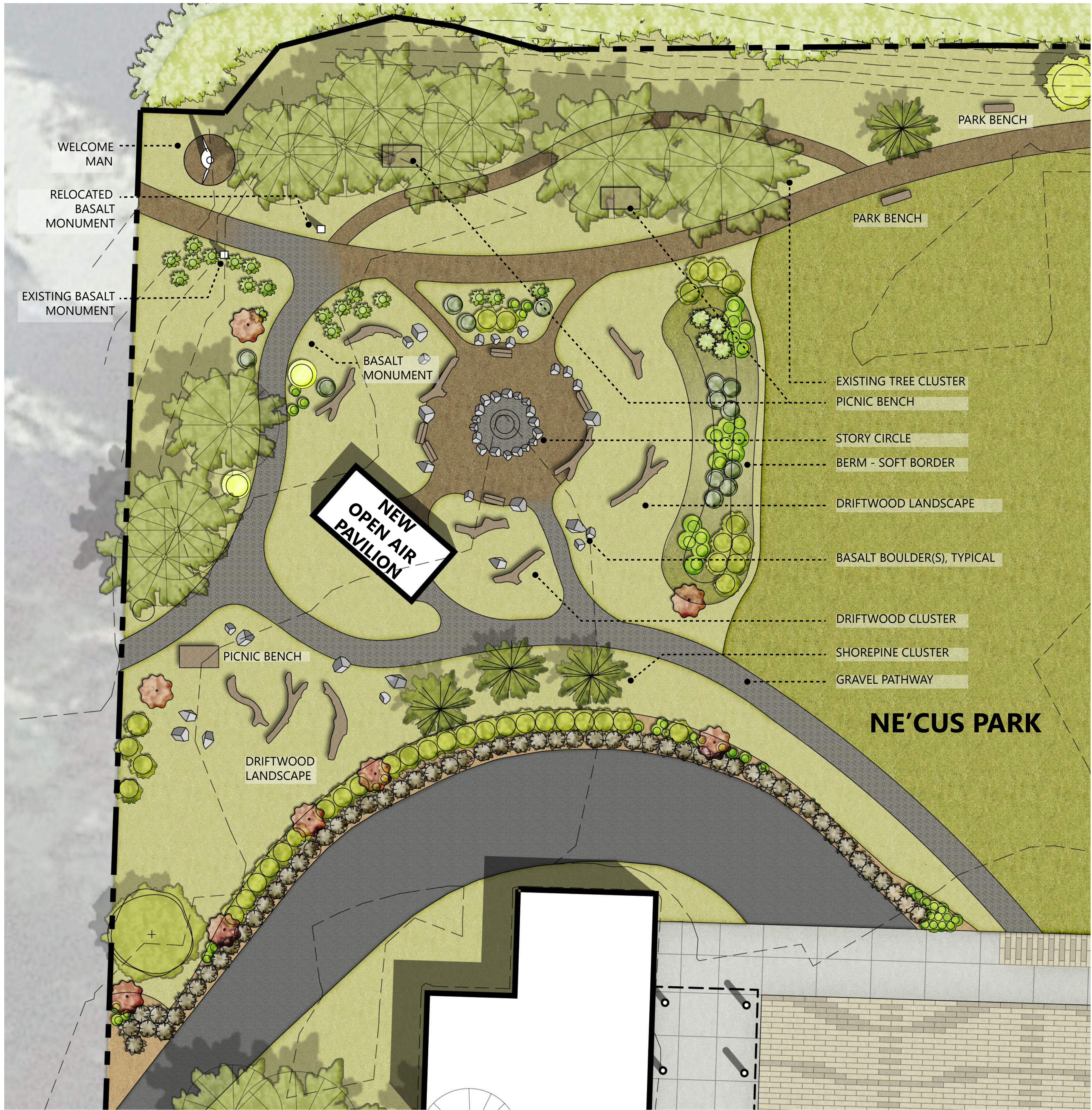
### A. Revised Landscape Plans





CAMPUS SITE PLAN
























ENLARGED SITE PLAN - STORY CIRCLE









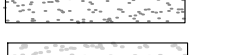
ENLARGED SITE PLAN - SE ENTRY PLAZA







LANDSCAPE LEGEND AND INFORMATION

TOTAL		SYMBOL	QUAN	BOTANICAL NAME	COMMON NAME	SIZE
			4	ALNUS RUBRA	RED ALDER (NATIVE)	2" CAL B&B
			4	PICEA SITCHENSIS	SITKA SPRUCE (NATIVE)	6' HT B&B
			16	PINUS CONTORTA VAR. CONTORTA	SHORE PINE (NATIVE)	6' HT B&B
			1	CHAMAECYPARIS NOOTKATENSIS 'PENDULA'	WEeping ALASKAN CEDAR	6' HT B&B
			6	ACER CIRCINATUM	VINE MAPLE (NATIVE)	2" CAL B&B
SHRUBS						
			34	BUXUS MICROPHYLLA VAR. JAPONICA	GREEN BEAUTY JAP. BOXWOOD	2 GAL
			19	CISTUS DANSEREAU 'DECUMBENS'	DECUMBENS ROCKROSE	2 GAL
			16	ECALLONIA X COMPACTA	COMPACT EXCALLONIA	2 GAL
			82	GAULTHERIA SHALLON	SALAL	2 GAL
			9	HOLODISCUS DISCOLOR	OCEAN SPRAY	3 GAL
			35	LONICERA INVOLUCRATA	BLACK TWINBERRY	3 GAL
			105	MAHONIA AQUIFOLIUM	OREGON GRAPE	2 GAL
			73	MAHONIA NERVOSA	DULL OREGON GRAPE	2 GAL
			12	PHYSOCARPUS CAPITALUS	PACIFIC NINEBARK	3 GAL
			34	ROSA NOOTKANA	NUTKANA ROSE	2 GAL
			14	RUBUS PARVIFLORUS	THIMBLEBERRY	1 GAL
			4	SALIX HOOKERIANA	HOOKER WILLOW	½"-1½' 2'-3' C
			12	SAMBUCUS RACEMOSA	RED ELDERBERRY	3 GAL
			66	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	3 GAL









GROUNDCOVER, GRASSES AND PERENNIALS

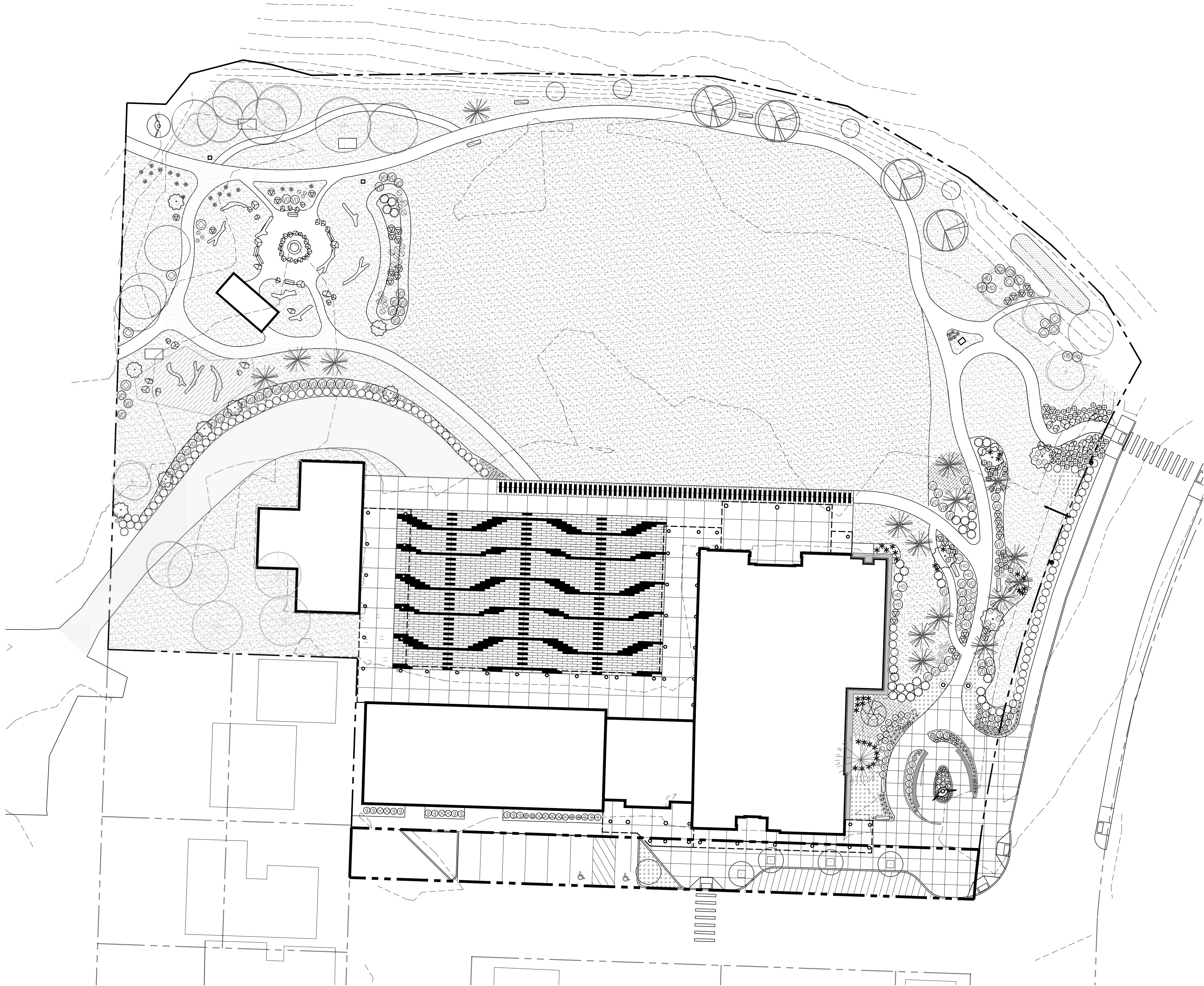
	270	ARCTOSTAPHYLOS UVA-URSI	KINNIKINICK	1 GAL 2' 0" C
	190	FRAGARIA CHLOENSIS	BEACH STRAWBERRY	4" POTS 18" O.
	31	ARMENIA MARITIMA	THRIFT, SEA PINK	1 GAL 18" 0" C
	24	ELYMUS MOLLIS	DUNE GRASS	2" PLUGS 3' C
	65	HELIOTRICHON SEMPERVIRENS	BLUEOAT GRASS	1 GAL 70
	33	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL
	28,663 SF	SUNMARK NORTHWEST SUPREME LAWN MIX		9 LBS/1000 S
	21,004 SF	SUNMARK NATIVE SALT TOLERANT MIX		2 LBS/1000 S

RIVER BANK PLANTS

	XX	ARGENTINA ANSERINA	SILVERWEED	2" PLUGS
	XX	CAREX LONGBYEI	LYNGBYE'S SEDGE	4" POTS
	XX	DESCHAMPSIA CESPITOSA	TURFED HAIRGRASS	4" POTS
	XX	SCIRPUS MARITIMUS	SEACOAST BULLRUSH	4" POTS
	xx	TRIFOLIUM WORMSKIOLDII	SPRINGBANK CLOVER	4" POTS

LEGEND

	9" OF ENGINEERED WOOD CHIPS ON PREPARED BASE
	BASALT MONUMENT STONES
	BOULDERS
	EXISTING TREE
	DRIFTWOOD SEATING AND PLAY LOGS
	BENCH
	PICNIC TABLE
	ADA ACCESSIBLE PATH



PLANTING PLAN-

CBE REJUVENATION

268 BEAVER ST, CANNON BEACH, OR 97110

Minutes of the  
**CANNON BEACH CITY COUNCIL**  
Tuesday, February 6, 2024  
Council Chambers

Present: Mayor Barb Knop, Council President Nancy McCarthy, Councilors Brandon Ogilvie, Gary Hayes and Lisa Kerr

Excused:

Staff: City Manager Bruce St. Denis, IT Director Rusty Barrett, Recorder Jennifer Barrett, Chief of Police Jason Schermerhorn, Assistant Finance Director Ron Logan, Farmers Market Manager Tracy Abel, Public Works Director Karen La Bonte

Other:

**CALL TO ORDER AND APPROVAL OF AGENDA**

Mayor Knop called the meeting to order at 6:00 p.m.

Knop said we are moving item number 7 up to before the Resolutions.

Motion: Hayes moved to approve the agenda as amended; Ogilvie seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

**Minutes will be considered at the February 13<sup>th</sup> meeting.**

**PUBLIC COMMENT**

Knop called for public comment, adding remember to be kind and respectful and under 3 minutes.

- Ed Johnson Chair Sea Turtles 929 Tropser Road SW Tumwater WA 98512; spoke in favor of microplastic removal.
- Marc Ward 36286 Hwy 26; spoke in favor of funding microplastic removal.
- Larry Sellers 148 E Chisana; submitted information for council, spoke about concerns with an approved building permit that impacted a tree.
- Steven Amber Voorhies PO Box 101; spoke of concerns with tree removal and microplastics.
- Sharon Amber: spoke about trees and microplastics.
- Karen La Bonte Public Works Director; spoke about Microplastic Oregon Sea Grant study which looks at the source level, giving an overview of the program.
- Jim Kingwell 320 Chinook Way: spoke in favor of the microplastic removal program.

Took a break at 6:25 pm. Reconvened at 6:33 pm



Knop called for public comment on zoom, reminding there is a 3 minute limit and to be kind, respectful and identify with name and mailing address

- Paul Dueber PO Box 549 spoke about concerns with the CBE project.
- Derek Shogin; shared his opinion on world issues

Knop moved public comment to the end of the meeting.

#### COMMENDATION

##### **( 1 ) Presentation of Lifesaving Commendation to Officers Dietel, Salinas and Gipson**

Schermerhorn presented lifesaving letters of commendation to Dietel Salinas and Gipson. Gipson was unable to attend the meeting.

##### **( 7 ) City Manager Evaluation**

Driscoll summarized the process and the staff report, noting the process is more of an interaction between Bruce and the council. Driscoll added the criteria in packet was the same as used in the past, and she has not gathered salary samples from other city managers but will if requested. Council requested the information and Hayes requested incentives received as well.

Driscoll noted tonight Council will schedule the executive sessions and the for action council would be to adopt evaluation form with a motion. Driscoll reviewed the timeline.

Executive Session scheduled for February 7<sup>th</sup> at 5pm and Tuesday March 5<sup>th</sup> at 4:30 pm with St. Denis attending.

Motion: Ogilvie moved to adopt the City Manager evaluation form as presented with advice given by Driscoll and meeting times; Kerr seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

#### RESOLUTIONS

##### **( 2 ) Resolution 24-01 For the Purpose of Repealing Resolution 20-07 and authorizing signatories for financial institutions approved by the City Council of Cannon Beach**

Logan read the staff report. Logan noted whereas clause should say 20-07 and not 22-07.

Motion: Hayes moved to adopt Resolution No. 24-01 as amended, For the Purpose of Repealing Resolution 20-07 and authorizing signatories for financial institutions approved by the City Council of Cannon Beach; Ogilvie seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

##### **( 3 ) Resolution 24-02 For the Purpose of establishing a Farmer's Market Fee Resolution**

Abel read the staff report. In response to McCarthy's question what the current fee is, Abel replied it was \$400 for a full year, but due to construction concerns they are shortening the market season.



Motion: Ogilvie moved to approve Resolution 24-02 for the purpose of establishing a Farmer's Market Fee Resolution; Hayes seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

**( 4) Resolution 24-03 a Resolution Declaring the Need to Acquire Certain Property for Water Utility Improvements for a New Water Reservoir**

La Bonte read the staff report. In response to Kerr's question none of the other alternatives worked out, La Bonte replied at this stage no. St. Denis added this was impacting three phases of the project.

Motion: Kerr moved to approve Resolution 24-03 a Resolution Declaring the Need to Acquire Certain Property for Water Utility Improvements for a New Water Reservoir; Ogilvie seconded the motion.

St. Denis noted they are using the term water tank which is sometimes called reservoirs.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

**ACTION ITEMS**

**( 5) Appointment of City Committee/Board/Commission**

**DESIGN REVIEW BOARD: one (1) vacancy** to fill a four-year terms beginning immediately.

Applicants: Tim Ramey, Lisa Nofield and Jenée Pearce-Mushen

Knop asked if any candidate wished to make a statement?

Tim Ramey PO Box 429; Ramey said he came here for natural beauty, beach and Haystack Rock and somewhere along the way cannot beach was coined. Ramey feels cannot beach has a lot to do with DRB and why Cannon Beach is the place the we love. Ramey noted that DRB had the courage and good sense to sit down and say that's not what we want our town to look like. He added DRB has a tremendously important task in the town and he'd take it very seriously to help continue the proud tradition this town has by doing the right thing for the improvements being made. Ramey added he is excited about Ne'Cus, the police station and city hall and hopes to play a role in the housing with regional task force.

Lisa Nofield; Nofield said she has lived in Cannon Beach for 30 years, loves our community and appreciated Rainmars visions and the many other mentors to herself and husband. Nofield added Cannon Beach is a beautiful special place and being on the DRB would be a great opportunity to continue to have Cannon Beach be a beautiful place. Nofield has built 3 houses in Cannon Beach and has been part of hotel designs. Nofield thanked the Council for considering her application.

Jenée Pearce-Mushen; Pearce-Mushen thanked Council for their volunteer work adding they are amazing, deal with a lot and thanked them for reviewing her application.



Kerr asked Pearce-Mushen for clarification on her answer to question four. Pearce-Mushen said she wants to make sure we are using everything we have to ensure the beauty we have and maintain property values, build houses with respect to our environment and everything be coherent.

In response to Kerr's question do you think it is the DRB job to protect values, Pearce-Mushen replied she would not be making decisions to protect property values, adding she could have used a different word.

Kerr noted the Council received letter from a DRB member that indicated that they were concerned about Ramey having been disparaging to DRB and not being respectful enough. Kerr noted she didn't feel Ramey's writings were abusive but highly critical. Kerr noted she has been on the receiving end wouldn't call it abuse or a threat, but was highly critical of process used.

Council voted by roll call.

Councilor McCarthy and Mayor Knop voted for Pearce-Mushen. Councilors Hayes, Kerr and Ogilvie voted for Ramey.

Motion: Hayes moved to appoint Ramey to the Design Review Board beginning immediately; Ogilvie seconded the motion.

Vote: Ogilvie, Kerr, Hayes and Knop voted AYE, McCarthy voted NAY: the vote was 4:1 and the motion carried.

Knop thanked Pearce-Mushen and Nofield for submitting applications.

**TOURISM AND ARTS COMMISSION (TAC):** two (2) vacancies to fill a four-year terms beginning immediately.

Applicants: Julie Walker\*

\*Julie Walker is eligible to serve on the Tourism and Arts Commission beginning May 1st

Walker asked if anyone had questions, adding she was on for 8 years and is willing to come back.

In response to Ogilvie's question that council is looking at a review of the TAC organization and are you onboard with that, Walker replied if there was going to be a third committee to look at development for city she would prefer to be on that one. Walker added she doesn't see why TAC can't be that committee. In response to Knop's question are you willing to look at whole process, Walker replied absolutely adding while we looked at bandstand and give money for restrooms.

Motion: Hayes moved to appoint Julie to the Tourism and Arts Commission beginning May 1st McCarthy seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

## **( 6) Sea Turtles Forever**

St. Denis read the staff report.

Motion: Kerr moved award \$10,000 to Sea Turtles Forever from the FY 23-24 for the beach plastic remediation work; Hayes seconded the motion.



Knop added when Marc Ward came to an earlier meeting the council talked about him getting back on community grant program cycle and he assured Council that would not be a problem. Knop added they have a lot of nonprofits that would also like to be a line item in the budget, and they did have that discussion where that is where you'd go first for asking for funds. Knop added this was just a reminder of the previous discussion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

St. Denis noted with the discussion that the mayor was referring about having Ward apply through the grant program the discussion will be at the budget meeting and will be whether or not they put in funds for plastic remediation and whether or not there is a designer for that. St. Denis added it would behoove Ward to apply for grant instead of finding out there were complications from the budget. In response to Ward's question are we involved in comment on how you made a decision, Knop replied the budget committee is an public meeting.

Knop noted this is for the fiscal year 24-25.

#### INFORMATIONAL/OTHER DISCUSSION ITEMS

##### **( 8) Monthly Status Report**

In response to McCarthy's question station activity says 2022 and 2023, is that correct, Schermerhorn replied yes, it is comparing to December 2023. Schermerhorn noted the added locations in station activity.

Hayes asked about affordable housing fund, J Barrett replied this is the total that can be used on incentives.

In response to Kerr's question when will the SDC discussion happen, J Barrett replied it is on the March work session.

##### **( 9) Mayor Communications**

Knop had a letter from citizen that asked why we didn't do the pledge of allegiance. This was added to a future work session. Knop had a letter from a person asking committees to meet in person whenever possible and only using zoom only when necessary. Knop added to encourage people to attend in person rather than zoom.

##### **(10) Councilor Communications**

none

##### **(11) Good of the Order**

J Barrett noted the Chamber of Commerce requested a proclamation for Sandcastle. This will be at a future meeting.

Knop opened up Zoom for public comments.

Patrick Nofield: shared thoughts on first amendment issues and the Federal Constitution.

End of public comment.

Kerr asked what the next steps with the Larry Sellers issue would be, a discussion ensued. St. Denis will send Council an update.



ADJORNMENT

The meeting was adjourned at 7:40 p.m.

ATTEST:

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Jennifer Barrett, Recorder

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Barb Knop, Mayor

DRAFT



Minutes of the  
**CANNON BEACH CITY COUNCIL WORK SESSION**  
Wednesday, February 7, 2024  
Council Chambers

Present: Mayor Barb Knop, Council President Nancy McCarthy, Councilors Brandon Ogilvie, Gary Hayes and Lisa Kerr

Excused:

Staff: City Manager Bruce St. Denis, IT Director Rusty Barrett, Recorder Jennifer Barrett, Police Lieutenant Chris Wilbur, Community Development Director Steve Sokoloski

Other:

**CALL TO ORDER AND APPROVAL OF AGENDA**

Mayor Knop called the meeting to order at 6:00 p.m.

Motion: Hayes moved to approve the agenda; Ogilvie seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

**PUBLIC COMMENT**

Knop called for public comment. There was none.

**DISCUSSION**

**(1) Transportation System Plan and Parking**

During the December retreat, the Council requested a special work session to discuss the Transportation System Plan and Parking. The following items were designated as priorities:

- 4-way stop at Hemlock and First
- 3-way stop at Hemlock and Sunset
- Traffic flow in downtown
- Striping downtown parking

St. Denis introduced the item.

4-way stop at Hemlock and First:

Kerr feels a three way stop at Sunset is more important. McCarthy agreed. Hayes noted it's really a problem crossing Hemlock east or west at 1<sup>st</sup>. Council discussed the concerns of the location. Wilbur noted it's a congested area in the summer with the traffic. Discussed the steps to take to put in a stop sign, such as a traffic study. In response to Knop's question do we have fundings for traffic study or do we budget for it, St. Denis replied we would have to budget for it, a discussion ensued.

Knop noted Council picked these priorities but she feel 2<sup>nd</sup> and Hemlock is just as dangerous, suggested signs that say cross traffic doesn't stop, a discussion ensued. Hayes suggested adding that to the list. Sokolowski noted concerns with major traffic revisions, giving an overview of the TSP guidance on the easier projects in the report. Sokolowski went over the data collected for the TSP plan. La Bonte noted there is plenty of data in order to make a move but wouldn't mind reaching out the consultant on the traffic study to weigh in on it. La Bonte added the



studies run from \$15-25K depending on location. Knop replied she feels that's the direction they want to head. La Bonte will organize a call. Hayes suggested talking about Hemlock and 1<sup>st</sup>, Hemlock and 2<sup>nd</sup> and Hemlock and Sunset.

Sokolowski added the map of Hemlock and Gower is listed as a high collision area and with the new city hall it's an important location to consider. Hayes noted those should be on the list, adding to see what documentation we have and then move forward. Discussed the costs of installing stop signs. La Bonte noted the parameters required on the Warren Way project. Discussed grant funding.

#### Traffic flow in downtown

Kerr noted the traffic flow options in downtown has 3 dollar signs. Hayes noted people stopping at 3rd and Spruce coming into town a lot turn right at Duane Johnson and it says RV parking continue on Spruce. Hayes added he is not sure why it doesn't include public parking, as it would move more people to the parking lot and keep them on spruce. In response to Knop's question what do we do to get a sign, La Bonte if adding more signs to a post there are regulations so someone walking buy so they can't smack their head. La Bonte added the pole may need to be taller if adding more signs. La Bonte will have Mount look into this.

Discussed RV's in downtown and the route they take. Wilbur noted there are 18 RV spaces downtown, a discussion ensued. Discussed the number of cars in town and the impact they create. Discussed options of reducing cars in town, such as parking system. Discussed Multnomah parking program. Discussed paid parking options. Discussed the economic impact of people who want to come to a free beach. Discussed timed parking. Wilbur noted electronic parking systems they looked into and how it is enforced.

McCarthy suggested an ad hoc committee to research recommendations. In response to Hayes's question what would it take for us to look at options, Sokoloski replied a consultant to look at parking, and an ad hoc committee would discuss what they think the issues are.

Ogilvie noted the study recommended not doing paid parking since the city had not done timed parking yet. Discuss time frame and people who should be involved such as the chamber. St. Denis will work with La Bonte to put together plan to move forward, working with the consultant.

Sokolowski noted the information doesn't indicate things will get less but will increase. Knop suggested a sign would be an immediate help. McCarthy replied that if it didn't help it can be removed.

Hayes noted northbound across bridge 5<sup>th</sup> and Fir people cannot see the stop sign, suggesting a stop ahead sign, a discussion ensued regarding the area. La Bonte will put a sign up in the next couple of weeks.

Knop noted she always wanted striping in downtown, but maybe suggested waiting. Hayes added it would be part of the solution and may help.

#### Trails

Hayes noted part of the solution is to get people out of their cars and he sees Cannon Beach as a pedestrian destination. Hayes would like to see as a better bike destination and feel trails need to be in the conversation. Kerr added once people get here in their cars, they won't need to drive which won't solve the number of cars in town but would solve getting around in town. Kerr would like to have an S-Curves bike path, noting the potential trail in the TSP plan. R Barrett pulled up the plan. Council discussed working with ODOT. Discussed Ocean Ave and S-Curves.

Hayes suggested a trail to connect Les Shirley to Fir St bridge, adding it is very dangerous because the way the horse have created ruts and hasn't been maintained.



Jan Siebert-Wahrmund expressed noise concerns with having a trail along the highway and the potential loss of trees.

Hayes noted the bike plan is to continue on the ODOT ROW, adding there is trail now that goes up to Haystack Hill, a discussion ensued regarding the parameters. Council discussed the Les Shirley to the Fir St bridge area, and the walking experience Cannon Beach has to offer. Kerr noted she would like to see the parks master plan to see if there is a good map and would like to keep trails on the agenda. Knop added when Council meets with TAC this can be discussed further. A discussion ensued regarding TLT funding.

McCarthy requested an update on Forest Lawn, Sokolowski gave an overview of the duplex type dwelling that needed a footpath, adding Planning Commission approved the footpath and now it's at DRB, a discussion ensued.

**( 2) Good of the Order**

**ADJORNMENT**

The meeting was adjourned at 8:13 p.m.

ATTEST:

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Jennifer Barrett, Recorder

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Barb Knop, Mayor



Minutes of the  
**CANNON BEACH CITY COUNCIL**  
**SPECIAL MEETING AND WORK SESSION**  
Tuesday, February 13, 2024  
Council Chambers

Present: Mayor Barb Knop, Council President Nancy McCarthy, Councilors Brandon Ogilvie, Gary Hayes and Lisa Kerr

Excused:

Staff: City Manager Bruce St. Denis, IT Director Rusty Barrett, Recorder Jennifer Barrett, Assistant Finance Director Ron Logan, Public Works Director Karen La Bonte, Corporal Joe Bowman

Other:

**CALL TO ORDER AND APPROVAL OF AGENDA**

Mayor Knop called the meeting to order at 6:00 p.m.

Knop noted we will amend the agenda to include an action item to amend the standards of public comment, to be held prior to public comment.

Motion: McCarthy moved to amend the standards of public comment to include the following for tonight's meeting: Public comment during City Council meetings is not an absolute right. Rather, the City Council permits public comment only for the limited purposes of hearing from the public about matters directly related to the business of the City that is within the Council's jurisdiction. The public comment period is a limited public forum and comments are therefore appropriately limited to matters of concern, official action, or deliberation which are or may come before City Council. The City Council is not creating an opportunity for and will not accept public comment on matters that fall outside the scope of the Council's jurisdiction, such as employment issues related to employees and officers who are not appointed or supervised by Council. During public hearings, all public comment must relate to the specific matter under discussion. All public comments must be addressed to the City Council as a body.

Public comment must not unduly interfere with the City Council's ability to conduct business or otherwise disrupt City Council meetings. Comments that substantially interrupt, delay, or disturb the peace and good order of the proceedings of the City Council are not permitted. Examples of such types of comments include shouting, use of profanity or vulgarity, or speaking outside of allotted time. In addition, public comment may not be used for belligerent or abusive behavior including true threats, fighting words, or incitements to imminent lawless action. Abusive and harassing comments that could lead to the creation of a hostile work environment for City employees required to attend City Council meetings likewise unduly interferes with the Council's ability to conduct its business and are therefore prohibited. The City Council requests that all public comment is provided in a manner that is respectful to those in attendance at the meeting; Kerr seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried



Motion: Hayes moved to approve the agenda as amended; Ogilvie seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried.  
The agenda was approved.

### PUBLIC COMMENT

Knop called for public comment, adding we are following our new policy and rules, remember to be kind and respectful and under 3 minutes.

- Andrew Tonry PO Box 664 spoke about the number of meetings and their length. Tonry added he is a member of CBE Research Advisory Group and shared his reasons for abstaining on the recommendation to Council. Tonry shared his thoughts on short term rentals (STR) and potential ways to help.
- Richard Kosa PO Box 656 spoke against limiting the STRs, adding limiting only helps hotels, noting their benefits. Kosa added he is opposed to the previous public comment given and his preference would be to remove STR restrictions.

### INTRODUCTION

#### **( 1) Introduce New City Staff**

St. Denis introduced our new Community Development Administrative Assistant Tessa Pfund the new Public Works Administrative Assistant Sheri Skotland.

### PUBLIC HEARING

#### **( 2) Public hearing for ZO 23-03, CIDA Inc, Applicant, on Behalf of the City of Cannon Beach, Request for a Comprehensive Plan Amendment & Zone Change for Taxlot 41006B000200, a Partially Developed Property Adjacent to the Intersection of U.S. Highway 101 and Tolovana Mainline Road. The Property is Currently Zoned Institutional Reserve (IR) and the Request is to Change the Zoning Classification to Institutional (IN) and Consideration of Ordinance 24-01**

Knop stated this is a hearing for ZO 23-03, CIDA Inc, Applicant, on Behalf of the City of Cannon Beach, Request for a Comprehensive Plan Amendment & Zone Change for Taxlot 41006B000200, a Partially Developed Property Adjacent to the Intersection of U.S. Highway 101 and Tolovana Mainline Road. The Property is Currently Zoned Institutional Reserve (IR) and the Request is to Change the Zoning Classification to Institutional (IN)

Knop asked does anyone object to the jurisdiction of the City Council to hear this application at this time? There were none. Does any Councilor believe he or she has a personal bias to declare? There were none. Does any Councilor believe he or she has a conflict of interest? There were none. Has any Councilor had any ex parte contacts or made a site visit? Site visits were declared.

Knop asked is there any additional correspondence?  
Sokolowski replied there has been none.

Knop asked for the staff report.  
Sokolowski summarized the staff report.

Knop called for public testimony and stated the request will be reviewed against the criteria of the Municipal Code, Section 17.86.070.A, Amendments, Criteria. The pertinent criteria to be considered are noted in the staff reports; Testimony, arguments and evidence must be directed toward those criteria or other criteria in the



Comprehensive Plan or Municipal Code which the person testifying believes to apply to the decision; Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal based on that issue; Persons who testify shall first receive recognition from the Mayor, state their full name and mailing address, and if appearing in a representative capacity, identify whom they represent.

Knop asked is there a presentation by the applicant?

Leslie Jones, CIDA noted the decision to move the police department to the site in question was based on community outreach process where it was determined to separate City Hall (CH) and the police department (PD) and put the PD in an area outside inundation zone.

Knop asked re there presentations by proponents.  
There was none.

Knop asked are there presentations by opponents?  
There was none.

Knop asked is there a staff response?

Sokolowski noted a new Oregon house bill requires newly constructed essential facilities are required to be outside the inundation zone which is another reason for the request.

Knop asked does the applicant or proponents wish to make additional statements?  
There was none.

Knop closed the public hearing and moved to consideration.

Motion: Hayes moved to approve the first reading of Ordinance 24-01; Kerr seconded.

Knop read "Ordinance 24-01: ZO 23-03, City of Cannon Beach Request for a Comprehensive Plan Map Amendment and Zone Change for Tax Lot 41006B000200, a Partially Developed Property Adjacent to the Intersection of U.S. Highway 101 and Tolovana Mainline Road from Institutional Reserve (IR) to Institutional (IN)"

Vote: Hayes, McCarthy, Ogilvie, Kerr and Knop voted AYE: the vote was 5:0 and the motion passed unanimously.

Motion: Hayes moved to approve the second reading and adopt Ordinance 24-01; Ogilvie seconded.

Knop read "Ordinance 24-01: ZO 23-03, City of Cannon Beach Request for a Comprehensive Plan Map Amendment and Zone Change for Tax Lot 41006B000200, a Partially Developed Property Adjacent to the Intersection of U.S. Highway 101 and Tolovana Mainline Road from Institutional Reserve (IR) to Institutional (IN)"

Vote: Hayes, McCarthy, Ogilvie, Kerr and Knop voted AYE: the vote was 5:0 and the motion passed unanimously.

Knop announced Ordinance No. 24-01 has been adopted and will become effective 30 days from adoption.



## ACTION ITEMS

### **( 3) Lifeguard Intergovernmental Agreement for Services**

St. Denis read the staff report. In response to Kerr's question when you say report, is that a full account, St. Denis replied yes. Fire Chief Marc Reckmann added there will be two reports, and at the end of each season a report on the full program and where it is heading.

Council discussed the times lifeguards would be available. Reckmann noted the general start of the season where they are guaranteed to start is Memorial Day, but their goal is to start having a presence on the beach starting early April and ending a little later in the season on nice days. Discussed the timeframe of the Season. Chief of Ops Jason Smith noted the difficulty trying to lay down a specific date as it is weather dependent. Smith added if there is a nice day they'll staff the beach. McCarthy suggested adding a phrase to 5.1 including lifeguard services on the beach is weather permitting, a discussion ensued regarding potential language. Reckmann noted he would make the revision. Knop requested a revision to section 3.8. Language agreed to add reads – Personnel weather dependent, the district will provide staff beginning of April and will last through October. Discussed how this time frame utilizes the full-time employee.

Hayes noted the terms of the agreement asking if it will extend multiple years, Reckmann replied no, adding it will take three years to really get their arms around the program and the true costs, which is why it is listed for three years. Reckmann added at the end of the first year there will be a discussion on the program but will not know the full extent but will by the end of the three year.

In response to Haye's question the agreement calls for city to sign over vehicles and existing equipment, what's the value, Reckmann replied nothing, it's all older, giving a brief overview of the status of equipment noting there is not much value. Hayes noted part of this is the capital expenditure program each year, asking if Reckmann will actually have a fund to replace experiment. Reckmann replied yes adding the board met last night and already built it into their future.

In response to Ogilvie's question where does the tower fit into that, Reckmann replied they will end up taking repairs to it and maintain it, a discussion ensued about a new tower and the cost.

Motion: Ogilvie moved to approve the Intergovernmental agreement services noted change to 3.8; Hayes seconded.

Vote: Hayes, McCarthy, Ogilvie, Kerr and Knop voted AYE: the vote was 5:0 and the motion passed unanimously.

### **( 4) Consideration of the Minutes of the**

<b>December 14</b>	<b>Council Retreat</b>
<b>December 19</b>	<b>Council Retreat</b>
<b>January 2</b>	<b>Council Meeting</b>
<b>January 9</b>	<b>Work Session to Discuss 11/28 Meeting</b>
<b>January 10</b>	<b>Work Session</b>
<b>January 16</b>	<b>Work Session/Special Meeting</b>
<b>January 30</b>	<b>Work Session City Hall Design Review</b>
<b>January 31</b>	<b>Joint Work Session Housing Meeting</b>

Hayes noted the January 9 is misleading and says Hayes added it will lessen the general fund, Hayes added the point was it's not coming from the general fund but are slowing the contributions for general fund reserve. Hayes added the January 31<sup>st</sup> has multiple references to Dunning but should be McNelly.

Kerr requested a revision on January 9 page 2, under specifics on funding of CBE project, three lines from



bottom says Kerr replied of food tax... to change to can't imagine any of us supporting increase of property tax or food tax.

Motion: Hayes moved to approve the minutes of December 14 & 19, January 2, 9 as amended, 10, 16, 30 & 31 as amended; Ogilvie seconded.

Vote: Hayes, McCarthy, Ogilvie and Knop voted AYE: the vote was 4:0 and the motion passed unanimously.

## **CLOSE SPECIAL MEETING AND OPEN WORK SESSION**

### **DISCUSSIONS**

#### **( 5 ) Utility Rate Study**

Logan read the staff report and introduced Doug Gabbard from FCS to walk through the PowerPoint in the packet. Gabbard presented the presentation, a copy is in the record. Amanda Levine presented the 5 scenarios. Levine and Gabbard answered council's questions. Discussed conservation measures.

Discussed next steps. Gabbard noted the presentation had specific scenarios, but there is almost an infinite numbers of possibilities. Kerr noted she is partial to 2A, noting it seems more conservation oriented than the others. McCarthy added she could go with 2A or 2B. Hayed noted that it seems to be the most equitable with the burden being faced with. Knop added she would like to go 2A due to the conservation aspect. In response to Ogilvie's question asked is there something with 2a or 2b that is not workable, Logan replied no, they are all workable and only require programing.

Council consensus was option 2A and discuss how to proceed. Knop noted each budget year rates are adopted. St. Denis added that is what is done based on the funds needed. Logan noted this provided direction with what to do for July 1. Gabbard noted options of passing by a resolution with a multiyear rate schedule but there can always pass another resolution interrupting that, anything you can do with a resolution you can undo with a resolution.

In response to Logan's question would council like a Resolution for year by year or multiple years included, Ogilvie replied his preference is year by due to all the projects. Kerr noted 2A doesn't have elasticity, so it is her preference as well. Discussed the process that would occur each year regarding rates.

Took break at 7:52 pm. Reconvened at 8:00 pm

#### **( 6 ) Cannon Beach City Hall Design Review**

St. Denis introduced Leslie Jones on Zoom. Jones said they are taking a look at the updated package anticipate to be submitted to DRB adding the primary submission is the arborist report and based on the report there will be an update to the submittal. Jones noted Jeff Gearhardt is online for questions. Jones reviewed the design package. Gearhardt shared his thoughts. Jones noted the landscape architect Joyce Jackson is available online as well. Jones answered council's questions. St. Denis noted he wanted to make sure you were comfortable before submitted to DRB. Ogilvie replied based on his review he is very comfortable and well presented. In response to Ogilvie's question if there is a possibility of adding more tree canopy to the site or the trees being proposed to replace will maximize the space available, Jackson replied there are a couple of spots where a few trees could added in the lower south and east corner where there were alders. A discussion ensued regarding additional trees and potential locations. Ogilvie asked if there is a consensus for DRB. Hayes replied he felt they are close, Know added when going to DRB the tree matter should be figured out. St. Denis agreed asking if they want to see it before submitting, Knop replied no, they trust it will get done.



**( 7) Presentation of Cannon Beach Elementary Research Advisory Committee Recommendations for the Ne'Cus Site**

Knop noted Hayes has been the chair and done a great job. Hayes reviewed the documents in the staff report. Hayes noted we have people on the committee who were fully in support of the project and some with reservations or specific concerns about the project and personally that allowed us to address some of the most critical issues to the community such as parking and competing with other facilities, nonprofits and community use. Hayes added he sees the committee's roll as complete and they've looked at entire scope from the resolution. Hayes added this is for councils general approval of recommendations and also moving forward.

Hayes noted that council is aware but one recommendation regarding management hit a snag, the discount rate bonding would require it be city managed until a management contract can be fully flushed out. Hayes added this will not preclude the project being turned over to a nonprofit in the future, but initially a city program is the way to make sure we get the discounted rate on the bonding. Hayes suggested an advisory committee to give the community a voice as it relates to the actual management of the facility. Knop added the advisory committee would be similar to the Farmers Market committee.

Kerr noted the calendar didn't include the Cannon Beach Arts Summer Art Camp. Kerr asked for an explanation on what Tonry's public comment was about. Hayes replied that some members wanted to draw a line of what wouldn't be allowed, such as weddings or off season corporate events to use the facility for a conference. Hayes didn't feel that was the view of the majority of the committee, adding he sees the advisory committee working on these details and other items such as free speech. Hayes answered Kerr's questions. In response to Ogilvie's question do you anticipate this committee to flush out a shuttle or overall parking plan, Hayes replied he hopes that is something the citizen/advisory committee would be able to do, and any event would have a parking plan. Ogilvie added he is happy and would like to move forward with all possible speed. Hayes noted he thinks council will be making decisions on where to go from here and it will come up on the agenda to satisfy the community input and how to get the ball rolling. Kerr noted she feel it is a good idea to have citizen/advisory committee. In response to McCarthy's question when do you see committee being organized, Hayes replied they we will want to hire a director, that committee should be there in that advisory capacity and setting the specific policies in place. Knop thanked the committee members for their work. In response to McCarthy's question how do you hire someone if this is a city program and how much input would committee have, Knop replied the advisory committee is not hiring staff, a discussion ensued.

**( 8) Short-Term Rental Discussion**

St. Denis read the staff report.

- Not allowing an ADU primary residence to be used as a short term rental

Ogilvie noted the list says rental, but should be short term rental. Hayes added that change could happen in the code audit.

- Capping the number of STRs

Kerr would like a cap at 200, adding it really resonates how STR does not help with the feeling of community and deteriorate a sense of place in a community. Kerr noted a lot of jurisdictions are outlawing them and putting a cap is a simple fix. A discussion ensued regarding the historic number of STR's and potential cap number.

Hayes suggested looking at limited STR in particular areas, adding the property management companies do a great job managing the STRs. Ogilvie noted 200 represents approx. 10% of housing stock, a discussion ensued on the origins of the 200 number. Kerr noted it's a self-regulating number, a discussion ensued.

Sokolowski asked if council wanted to update this during the code update, noting the steps needed to move forward with a code change. Sokolowski noted he'll prepare a draft with potential revisions.



- Penalties

Kerr feels penalties are not working or being enforced. Hayes suggested shortening the time on taking licenses away, there is strengthening there that could happen. Knop asked if that could be incorporated, Sokolowski replied yes it's a part of the code and would go through the same process.

- Raising fees

Discussed rates in surrounding communities. Sokolowski noted other communities can be researched and fees would be included in the zoning ordinance amendments.

- Inactivity Clause

Hayes noted concerns of people acquiring a STR license and not using it. Sokolowski noted the staff time needed to administer a policy such as that.

Discussed not allowing an ADU primary residence to be used as a short-term rental, and grandfathering in existing permits. Sokolowski noted this was part of a larger conversation,

In response to McCarthy's question can a cap on STR's happen with not going to the code audit, Sokolowski replied it would be their decision, adding it would be a similar discussion as wetlands. Kerr noted she'd like to do the cap before the code audit as it is a place to start.

Sokolowski noted the cap, tightening of violations and getting the main home not allowed to be a STR when you have an ADU can be drafted for review and input, prior to starting the hearing process to adopt.

Discussed how STR are not allowed in commercial zone.

Sokolowski will work with Bill Kabeiseman to draft language. Sokolowski noted it could take a month to put together. McCarthy requested if anyone had questions to contact Sokolowski.

## **(9) Good of the Order**

Knop reported trail cleaning on Saturday from 10-noon, meet at 2nd St parking.

St. Denis reported per the scheuled his evaluation was due today, however due to the number of projects going on it will be ready on Friday.

## **ADJORNMENT**

The meeting was adjourned at 9:28 p.m.

ATTEST:

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Jennifer Barrett, Recorder

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Barb Knop, Mayor



Minutes of the  
**CANNON BEACH CITY COUNCIL**  
**SPECIAL MEETING AND WORK SESSION**  
Tuesday, February 20, 2024  
Council Chambers

Present: Mayor Barb Knop, Council President Nancy McCarthy, Councilors Brandon Ogilvie, Gary Hayes and Lisa Kerr

Excused:

Staff: City Manager Bruce St. Denis, IT Director Rusty Barrett, Chief of Police Jason Schermerhorn and Administrative Assistant Sheri Skotland

Other:

**CALL TO ORDER AND APPROVAL OF AGENDA**

Mayor Knop called the meeting to order at 6:00 p.m.

Motion: Ogilvie moved to approve the agenda as amended; Hayes seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

**RESOLUTION**

**( 1) Resolution 24-04 For the Purpose of Amending the City Council Rules of Procedure Dated May 2, 2023**

St. Denis read the staff report, noting the purpose is to revise the rules of procedure.

Knop gave an overview of the recent “zoom bombing” and hopes this will help. Knop summarized the revision, adding it goes into effect immediately.

Motion: Kerr moved to adopt Resolution 24-04 for the Purpose of Amending the City Council Rules of Procedure Dated May 2, 2023; Hayes seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried.

**PUBLIC COMMENT**

Knop called for public comment, noting this falls under the new resolution and reminded everyone to be kind and respectful and keep it under three minutes.

- Jan Siebert-Wahrmund PO Box 778 spoke in favor of the CBE landscape design public hearing for feedback., spoke in favor of an ad hoc committee, asked for additional information on the bond and revisions made for the tax benefit.
- Betty Gearen PO Box 137 spoke about being on the advisory committee and spoke in favor the project.

**CLOSED SPECIAL MEETING AND OPENED THE WORK SESSION**



## DISCUSSIONS

### **( 2) Landscape Review of the Rejuvenation of the Cannon Beach Elementary School Project and Ne'Cus Park**

St. Denis introduced Dustin Johnson from CIDA Architects. Johnson reviewed the plans in the packet. Johnson answered Council's questions. Council acknowledged the loop to the creek.

Discussed the plantings and the Thunderbird. Discussed the trail, Johnson noted it will be wide for mobility issues and will be ADA accessible. Discussed native plants.

Ginger Erickson, 3625 SE Vailmont Lane, Happy Valley OR spoke in favor of Joyce's design adding it will flow well. Erickson added cedar was not this close to the ocean but was further inland.

McCarthy requested Johnson to review the thunderbird area. Johnson noted it will be a welcome pole, or gateway but not a closed gate.

Discussed the benefits of the pavilion.

This will move forward to the public hearing on March 12<sup>th</sup>.

### **( 3) Review Committee Request for CBE**

St. Denis read the staff report.

Paul Dueber PO Box 549 summarized the letter in the packet. Dueber suggested an ad hoc committee be created, a discussion ensued. Discussed how things changed over time, such as going from bringing up to code, to a full design.

St. Denis noted the drawings came from community and tribal input.

McCarthy noted the project is a year in a half behind project and costs keep rising.

Hayes added he understands bringing the community together however feels this is derailing and needs to move forward.

Kerr noted it is worthwhile having the meeting to ask questions.

Hayes noted the attorney informed staff there are IRS rules to follow for tax free municipal bonds and the requirements for non-profits.

Knop suggested having one public meeting with questions pre-submitted, so the experts have time to provide answers.

Dueber noted he would like information on how the plans got to \$12 million.

St. Denis noted if the questions are received in advance, they can be reviewed within a week, answered within approximately 10 days, then go to a public meeting for discussion. Hayes replied as long as it



doesn't delay the project.

Dueber noted the majority is in favor of this project, adding they feel it was important to them and they are behind it, but are questioning the cost. Dueber they are in favor of the buildings being connected.

Johnson gave an overview of the project, noting the first-time pen was put to paper was September 16, 2022, giving an overview. Johnson added the next meeting was with Tribe November 30<sup>th</sup>, 2022. Next meeting was February 21<sup>st</sup>, 2023 testament for the \$12,000.

Todd Lawson noted the tribe appreciated the process and will do whatever they can do to help.

Discussed the time frame moving forward. St. Denis requested to have comments and questions in advance on Monday February 26, not to reduce the scope, but what do they mean in reducing scope. Answers within the 10 days and set meeting date.

#### **( 4) Good of the Order**

McCarthy remiended Coffee with Councilors is on Monday at 10 AM, February 26th

Kerr noted regardign Larry Sellers and the concern about the trees, the legal staff is working on it, there no answer at this time.

Next week tuesday at 5 PM have executive session 2 hour.

Wednesday council meeting on the 29th for the Code audit.

Planning Commision is the 22nd and will dsicuss wetlands.

#### **ADJORNMENT**

The meeting was adjourned at 7:52 p.m.

ATTEST:

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Sheri Skotland, Administrative Assistant

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Barb Knop, Mayor



Minutes of the  
**CANNON BEACH CITY COUNCIL**  
**WORK SESSION**  
Tuesday, February 20, 2024  
Council Chambers

Present: Mayor Barb Knop, Council President Nancy McCarthy, Councilors Brandon Ogilvie, Gary Hayes and Lisa Kerr

Excused:

Staff: City Manager Bruce St. Denis, IT Director Rusty Barrett, Chief of Police Jason Schermerhorn and Recorder Jennifer Barrett

Other: CIDA Architects Leslie Jones and Mya Paluch, Emerick Construction Project Manager Will Somme

CALL TO ORDER AND APPROVAL OF AGENDA

Mayor Knop called the meeting to order at 6:00 p.m.

Motion: Hayes moved to approve the agenda as amended; Ogilvie seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

[PUBLIC COMMENT]

There was none.

DISCUSSION

**( 1) Cannon Beach City Hall and Police Station Budget Discussion and Council Review of Police Department Project Details Prior to DRB Submittal**

St. Denis summarized the staff report and introduced Leslie Jones from CIDA Architect.

Jones noted she will present the budget update for both CH and PD, and the PD preliminary plans for DRB submittal. Jones and Will Somme presented the budget numbers.

Jones and Somme answered Council's questions.

Somme noted the numbers being presented tonight are updated from what is in the packet.

Jones noted after the review a discussion will occur regarding potential revision.

Jones presented the plans.

Jan Siebert-Wahrmund PO 778 – asked question about the ODOT area ROW planting, ask about the building visibility noting she thought the plan was to enhance the corridor. Jones replied there are



limitations from ODOT and a police station needs to be able to be seen. Schermerhorn added he would like it to be welcoming. Jones noted the plantings will be smaller.

Answered Council's questions. Siebert-Wahrmund shared her thoughts on materials.

Council consensus was for option 1.

In response to St. Denis's question if Council would like to review the type of trees, Kerr replied it was not necessary as they are what they area. St. Denis added ODOT standards will be used. Kerr added she is happy to know there is screening along the chain link area and having building portion peeking out. Consensus was to not come back to a meeting, but to send information in an email.

Discussed materials and being carbon neutral. Knop would prefer all cedar.

Jones noted they have a good path forward and will share when additional information is received regarding the ODOT ROW, the plan will be refined and sent to Council before being submitted to DRB.

## **( 2) Good of the Order**

McCarthy asked if there was infoimraiton on the questions and comments from the citizens committee for March 19th meeting. Hayes noted he was confused by communcation receieved. Disucssed the submittals received. Knop suggested dsicussion at the meeting on Thrusaday. Consensus to amened the agenda for tomorrow to incldue format for CB citizens questions.

## **ADJORNMENT**

The meeting was adjourned at 7:30 p.m.

ATTEST:

\_\_\_\_\_  
Jennifer Barrett, Recorder

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Barb Knop, Mayor



Minutes of the  
**CANNON BEACH CITY COUNCIL WORK SESSION**  
Thursday, February 29, 2024  
Council Chambers

Present: Mayor Barb Knop, Council President Nancy McCarthy, Councilors Brandon Ogilvie, Gary Hayes and Lisa Kerr

Planning Commissioners: Mike Bates, Anna Moritz and Erik Ostrander in person. Les Sinclair, Clay Newton and Aaron Matusick via Zoom.

Design Review Board: Harvey Claussen, Anita Dueber and Tim Ramey in person. Michelle Valigura and Dave Doering via Zoom.

Excused: Planning Commissioner Dorian Farrow

Staff: City Manager Bruce St. Denis, Recorder Jennifer Barrett, Community Development Director Steve Sokolowski and City Planner Robert St. Clair

Others: Urbsworks representative Marcy McInelly in person, Elissa Gertler, Housing Manager for Clatsop County via Zoom, Chet Moritz in person

**CALL TO ORDER AND APPROVAL OF AGENDA**

Mayor Knop called the meeting to order at 6:00 p.m.

Knop clarified after agenda item 1, the Planning Commission and Design Review Board will be excused and Council will discuss item 2.

Motion: Ogilvie moved to approve the agenda; Hayes seconded the motion.

Vote: McCarthy, Ogilvie, Kerr, Hayes and Knop voted AYE: the vote was 5:0 and the motion carried. The agenda was approved.

**PUBLIC COMMENT**

Keep noted to keep it under three minutes, be kind and respectful.

- Jeanie McLaughlin PO Box 623 spoke about keeping Cannon Beach diverse with housing, shared about a friend who could lose their rental to a STR, spoke about rent caps in another location adding it could be helpful here.

**DISCUSSIONS**

**(1) Code Rewrite Joint Work Session with Planning Commission and Design Review Board**

Marcy McInelly summarize what was in the packet and thanked Chet for being at the meeting. McInelly added Elissa Gertler will be on Zoom at 6:30 pm for questions and will discuss actions and next steps.

McInelly presented a PowerPoint presentation, a copy is in the record. McInelly reviewed the survey results and recommended holding a multi-day design workshop to test middle housing and trouble shoot design and compatibility issues. McInelly noted this would be continuation of the public input process. McInelly noted the benefits, and discussion ensued regarding the recommended follow up actions. Discussed having a focus group. McInelly answered questions.



Discussed ADU options. Elissa Gertler via zoom noted McNelly is on the right track saying there are options definitely worth exploring further.

C Moritz asked for best practices in assuring affordability and long term for ADU's, Gertler noted options such as deed restrictions, adding they could also add complications. Discussed the public benefits provision, a discussion ensued. Discussed building smaller units.

McNelly pulled past slides showing FAR options. McNelly framed recommendations in the larger code rewrite. Discussed options within the recommendations. Discussed focus groups. Discussed empty home tax. Discussed developable property in the area. Discussed C Moritz's model for housing. Gertler noted what other locations are doing to get in the front of the line for state funding. Discussed next steps.

Ramey noted some jurisdictions charge their building official rent to spend down some of the building departments restricted funds to use the money elsewhere.

Discussed focus group exercises. C Moritz said he'd be willing to volunteer as long as it's a real project. Discussed testimony received by the young people, housing and transportation issues they face. Discussed parking issues.

Consensus not to form focus group but work with McNelly. McNelly will bring format and agenda to the March 27<sup>th</sup> meeting for feedback, then commence with the work shop. McNelly gave an overview of the process.

Discussion form-based code and other code options.

Between now and the March meeting McNelly will work on a plan for a workshop. McNelly noted an outcome of the workshop would be an example of how a form based code would work in Cannon Beach. Knop asked who McNelly would work with between now and March 27<sup>th</sup>. The following will be a part of the process, McNelly, C Moritz, Ogilvie, Bates, Valigura and Craig the manager of the apartments, Ostrander, Kerr and staff.

Knop thanked everyone for the discussion, adding it's an important part of the future for the town.

Took a break at 8:04 pm. Reconvened at 8:10 pm

## **(2) Format for Cannon Beach Citizen's Questions**

Knop noted the purpose of the discussion was determine how they are going to format the responses for the March 19<sup>th</sup> meeting. Knop added they will not be talking about questions submitted, just how to format the responses.

In response to Kerr's question will Emerick and CIDA address some of the question in writing, St. Denis replied they will address those ones that are directly construction related. In response to Kerr's question will that be part of the packet, St. Denis replied yes. In response to Kerr's question will it be distributed ahead of the meeting, St. Denis replied yes. Kerr requested a back and forth discussion on the 19<sup>th</sup>. Knop replied she doesn't feel they need one as the questions were received and will be answered. Knop noted there will be public comment. St. Denis noted it may be hard to give a definitive answer to some questions if they are regarding a new design element that doesn't exist. Kerr added if she was a person who submitted questions she'd want to know what their thinking was.

Discussed the format and type of questions received. St. Denis noted the original 13 questions were non-responsive. Knop added they will answer Paul and Sam's list of questions.

Kerr requested that the drawings include how tall things are to address the comments that items are too grand for Cannon Beach. Kerr added when people see the heights they'll realize it's not so grand, it's just how it's drawn.



**( 3) Good of the Order**

None.

**ADJORNMENT**

The meeting was adjourned at 8:26 p.m.

ATTEST:

\_\_\_\_\_  
Jennifer Barrett, Recorder

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Barb Knop, Mayor





# CANNON BEACH CITY COUNCIL

## STAFF REPORT

### ANNUAL REVIEW OF SDCs AS RECOMMENDED BY ADOPTED METHODOLOGY

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**Agenda Date:** March 12, 2024

**Prepared by:** Bruce St. Denis, City Manager  
Karen La Bonte, Public Works Director

## BACKGROUND

Per municipal Code 3.16.040, the city manager shall report to the city council annually with respect to the inflationary calculation. Such calculations will be based upon changes in the Engineering News Records Construction Index (ENR Index).

At the February 7, 2023 meeting, the City Council adopted Resolution 22-08, For The Purpose Of Adopting A New System Development Charge Methodology and Establishing New Rates For Water, Wastewater, Stormwater, and Parks.

## ANALYSIS/INFORMATION

In compliance with Oregon statutes, the current methodology recommends that the city use the *Engineering News-Record* (ENR) Construction Cost Index (CCI) 20-City Average as the basis for adjusting SDCs annually. The percentage increase of the index from the last update on March 12, 2023 to January 2024 is 1.012%, which represents a \$107.00 total increase over last year.

Should the City Council determine upon this annual review that the City increase SDCs as recommended by the adopted methodology, staff will bring a resolution to the next meeting for Council's adoption per Cannon Beach Municipal Code (CBMC) Sections 3.16.040 and 3.16.050 and ORS chapter 223, which provide that the Council shall by resolution establish and modify SDCs methodologies and rates.

## RECOMMENDATION

After Council discussion on the proposed changes, provide staff with direction on agreed upon changes.

## List of Attachments:

A SDC Revenue To-Date



**City of Cannon Beach  
SDC Revenue To-Date**

<b>YEAR</b>	<b>PARKS</b>	<b>WATER</b>	<b>WASTEWATER</b>	<b>STORM DRAIN</b>	<b>TOTAL</b>	<b># of Permits</b>
fye 2024	1,116	2,034	4,849	424	8,423	2
fye 2023		3,262	3,356	1,889	8,507	2
fye 2022		13,047	13,426	7,555	34,028	8
fye 2021		22,833	20,138	13,221	56,192	10
fye 2020		13,047	12,167	7,188	32,402	7
fye 2019		13,047	13,426	7,555	34,028	3