

Minutes of the
CANNON BEACH CITY COUNCIL
Tuesday, September 5, 2023
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, Public Works Director Karen La Bonte, Community Development Director Steve Sokolowski

Other: City Attorney Ashley Driscoll

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; Hayes seconded the motion.

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

CONSENT AGENDA

- (1) **Consideration of the Minutes of the**
- | | |
|------------------|---|
| August 1 | Regular Meeting |
| August 8 | Work Session/Special Meeting |
| August 9 | Special Meeting LUBA Remand |
| August 15 | Special Meeting LUBA Remand |
| August 23 | Work Session (COE)/Special Meeting |

Motion: Hayes moved to approve the minutes of August 1, 8 as amended, 9, 15 and 23; Kerr seconded the motion.

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

PUBLIC COMMENT

Knop thanked the lifeguards, police department and fire for the successful water rescue on Saturday. On Saturday city staff, cert involved with a missing person and it was successful.

Knop said please be respectful and kind and keep it under 3 minutes.

- o Jan Siebert-Wahrmund, PO Box 778, On Resolution 23-17 for the removal of purple loosestrife will you add that it will be manually removed only.
- o Deb Atiyeh, PO Box 1426, gave an update on the research she's completed for the Cannon Beach Elementary School Advisory Committee. Atiyeh added I am an independent contractor for the Cannon Beach Gazette giving an overview of her recent article.

RESOLUTIONS

(2) Resolution 23-16 for the Purpose of Establishing a Process for Removing Board and Committee Members for Non-Approved Absences

Driscoll summarized the staff report and read Exhibit A of the Resolution. Ogilvie asked it's not part of the Resolution but want to make sure information is given to applicants and the board/committees that are being joined. Driscoll replied it's a great idea. St. Denis said we will do that. Knop said we can do an update on the application. J Barrett will work with Driscoll to revise the applications and bring it back to Council.

Motion: Hayes moved to adopt Resolution 23-16 for the Purpose of Establishing a Process for Removing Board and Committee Members for Non-Approved Absences; Ogilvie seconded the motion.

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

(3) Resolution 23-17 for the Purpose of Adopting Increases to the FY 2023-2024 Budget by Increasing Appropriations for Unanticipated Revenues to Remove Purple Loosestrife from Little Pompey

St. Denis summarized the staff report, adding to address Jan's concern we can amend the first whereas to include hand removal.

Motion: Kerr moved to adopt Resolution 23-17 with the additional of the manual removal language; Ogilvie seconded the motion.

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

PROCLAMATION

(4) Proclamation No. 23-10, Declaring September 15 – October 15 as National Hispanic Heritage Month in Cannon Beach

Schermerhorn read the staff report. two representatives from El Centro NW said thank you for supporting the community and El Centro NW, and we invite everyone to music and food on September 27th.

Motion: Kerr moved to adopt Proclamation 23-10, Declaring September 15 – October 15 as National Hispanic Heritage Month in Cannon Beach; Ogilvie seconded the motion.

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

Ogilvie read the Proclamation. The council thanked El Centro NW for coming.

ACTION ITEMS

(5) Appointment of City Committee/Board/Commission

Knop said Jackie Brown was unable to attend the meeting but sent a letter. Hayes asked where are we at in that process, are they done, J Barrett gave an update on the TAC schedule and their October meeting. Hayes asked about TLT process, St. Denis replied we'll be discussing at the work session. Hayes asked about the joint work session with TAC, J Barrett replied we are hoping to do that when there are more members. The council discussed the background and understanding of TLT that they would like to see potential candidates have. Hayes noted I am not sure if everyone has their heads wrapped around the state law of the tourism position. J Barrett read the requirements listed in 2.32.040 D. Hayes said I feel that destination management missing, and that's part of the larger conversation we are going to have.

Motion: Ogilvie moved to appoint Jackie Brown to the Tourism and Arts Commission beginning

immediately; Ker seconded the motion.

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

Knop said I do not see that Peggy is on. Does anyone have any questions? Kerr replied I don't have enough information; Hayes added my thoughts too. Kerr said I reached out to Stacy, and she said she knows her and worked with her setting up the Farmers Market and she's asked a lot of questions about the Parks Committee and things she would be a good member. Knop added she's been in the community for a long time. Kerr said I need more information and feel an application should be taken seriously.

Council requested Peggy redo the application with more specific information and to attend the meeting where she is considered. Ogilvie added I know her well and can vouch for her but understand.

(6) Beach Plastic Remediation

St. Denis read the staff report. St. Denis said OPRD and Fish and Wildlife declined to take a particular position as they do not have any data saying this is good or not good. Kelli talked to Neal Maine and he said the same, however he said if he was to take a position we say he not to remove the most recent or 2 rack lines, however we do not have any data on this. Hayes asked if the screening process used is that the most effective way to address ocean plastics. Are there other alternatives for plastic removal? Kerr replied I can you think of others. There is a machine, but people felt it was not successful or good for the beach. Hayes said we are missing education and awareness of this process. It doesn't feel like we are doing much of the big issues. Kerr added we need to discontinue the manufacturing of plastic in general. Hayes said the only solution is manufactured and we can enforce the issue by using less plastic. Kerr added we are not talking about a local problem, it's a global problem. Not sure of any other method and perhaps we should all research. Knop added when they are doing it, there is a lot of people who stop and ask questions so there is some education. St. Denis added there is another part, the removal microplastics and I looked up the definition and it says it's less than 5mm in size so we are talking about really small pieces and if their screens catch that. Kerr said we should ask how big their mesh is. Hayes added I am a big fan of Washed Ashore based out of Bandon where they are taking plastic and making art out of them, a discussion ensued about the art program.

Hayes said I want to hear if we are making a difference or are we doing something to make us feel good. McCarthy added do we want to continue them as a line item. St. Denis replied I think we need to have a thoroughly defined of what we expect from them in terms of reporting and using the funds. Not sure if we need a memo of understanding or something so there are very clear reporting dates, even if we do the allocation quarterly to see the results before we pay their next portion. Kerr said I agree we need more communication, there seems to be a big void. McCarthy added when I initially interviewed Marc Ward he said this was the only system available to do this work. Kerr asked can we let him know we need his reports as we need it asap. I would like to know from other agencies state agencies or some of the coastal management agencies if this is the only or best way to do it. Ogilvie asked are you asking Marc, Kerr replied no he will promote what he is using. Kerr added I want to know how many people are hired, are you paying them, how many hours a day, how many pounds of material, what size plastics

is he retrieving I just don't know any of those things and he's the only one who can answer. Ogilvie asked are we going to wait until we get that info and the other info you asked for? Kerr replied for this year, probably not if he already has people working. Hayes added I am with you on hearing from other ocean management organizations. McCarthy said it would be nice to understand those options before the next budget meeting. Knop said and I thought he should be a Community Grant and not a budget line item, that would be one of my goals to have them go through the grant process that other nonprofits use for future years. Ogilvie replied and that has been the council discussion. My opinion has been different, not saying I could be convinced otherwise. I don't have a problem asking for documentation, I do have an issue with trying to get more information from state agencies that don't have an opinion when they've stated they don't have one. Kerr replied we haven't asked them specifically if there is value in the sifting process, a discussion ensued. McCarthy said we don't need to ask state agencies, there are independent nonprofits, like Surfrider and other ocean organizations that probably know more about it. Kerre

said we should ask Cameron from ORCA. Hayes added I would like more education and public awareness on this, or at least more recognition. Kerr replied the people who want to pay attention about this are, and the rest are going to keep throwing out plastic. Knop asked do you have direction, St. Denis replied I'll get to some answers to what the other coastal agencies that are also doing removal, the size of the grain or the sift size, is anyone else get providing them with funds, is anyone else are they working for any other agencies. We'll contact agencies like Surfrider or ORCA and we're seemed to be divided on the line item issue. Knop replied we will discuss this at budget time if it should be line item or not.

(7) Tourism and Arts Commission FY 23-24 Tourism and Arts Funding Grant Award Clarification

St. Denis read the staff report. Kerr said we should honor her request and not go over it. Hayes said when we do that, we are fully funding all arts programs except coaster and comedy fest. Kerr replied that discussion is over we already decided on the others.

Motion: Kerr moved to award Get Lit at the beach \$40,000 for the FY 23-24 Tourism and arts fund grant cycle; Ogilvie seconded the motion.

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

(8) City Voting Delegates for LOC Annual Membership Meeting

Kerr said our mayor should represent us to be the voting delegate and Ogilvie be the alternate. The council agreed.

INFORMATIONAL/OTHER DISCUSSION ITEMS

(9) Monthly Status Report

Ogilvie noted the building permits the affordable housing year-to-date is missing, J Barrett will follow up with Community Development.

Hayes said we addressed traffic signs and everyday see people blow through 5th and Fir. You can't see the stop sign, trees are obscuring the sign, is there something we can do on the southside of the bridge where the pedestrian crosswalk sign to add stop sign ahead. Schermerhorn replied absolutely, some of it is the trees and we do have an issue there with people stopping. Ogilvie added some communities put STOP on the pavement. Mount asked Hayes to send email with request and he'll bring it up at the Friday planning meeting.

Hayes said 100 plus fewer overnight camping warning is it less of a problem, Schermerhorn replied last year state parks allowed people to park in Tolovana as an agreement with ODOT. They hit it really hard, it's one of the biggest things on graveyard. The other night we had a child sleeping face down in the car by itself while parents were on the beach. A lot of the people we were citing or warning say we have it here and it says we can camp. Hayes said so you think there is fewer overnight campers, Schermerhorn replied yes for sure. Last year the parking lot would be packed, and the word got out that you can't. Kerr asked the state was going to put that gate, do you have anything on it, Schermerhorn replied they decided against it as it would be too much for them to come down and unlock it.

(10) Mayor Communications

Nothing to report.

(11) Councilor Communications

Took break at 7:07 pm. Reconveyed at 7:10

(12) Good of the Order

McCarthy said I have 5 updates

The code audit (when is our next joint meeting planned/ can we speed up the process/ can we conduct workshops with the community and the consultant to get more local participation. I would also like to get a layout of the work left to do and a schedule for those tasks.

St. Denis said the next meeting is the 13th and gave an overview of the process. McCarthy replied we need to figure out a way to get the community involved. Hayes asked is the Planning Commission and DRB making a list, St. Denis replied they are working on it and DRB a little less. Ogilvie added if you involve the public it will slow them down. McCarthy replied that might be, but it's a community process. If I had my choice I want the community involved and if it slows it down it does. I can see having a few workshops in a concentrated amount of time so people are involved, active talking about it then take info to develop into ordinances. We don't have to drag it out. Kerr added my concern is I feel a little discouraged with open discussions when people don't show up then complain afterwards, a discussion ensued. McCarthy gave an overview of how she would see the public process occurring. Knop said why don't we at the next Wednesday meeting add to the agenda on how to engage the community in the process.

Affordable housing status – what the county is doing and how involved CB is with the county and are we scheduled to discuss what we can do on our own with affordable housing.

St. Denis said we've not discussed it we have about I think it's just over a hundred thousand dollars in that account. McCarthy replied do we have anything scheduled to talk about affordable housing. I know Brandon's been talking about the RV using the RV park is that a possibility. Hayes added we need every kind of housing in this town. We have many housing needs. St. Denis asked do you want on agenda or separate meeting? Ogilvie replied I wanted to answer McCarthy's question regarding the county. There is a group, and we met every month, the answer is not much has been done to date other than a lot of discussion of what could be done in the county and one tangible thing has been a grant applied for to allow cities to take an inventory of their available land. On the surface it doesn't appear a lot, but the meetings have been worthwhile and been a lot of discussion of what can be done. McCarthy asked did the Arch Cape question has been put on hold, Ogilvie replied yes. Kerr added the nonprofit is still very interested in anything they can do, even buy a piece of property they are on hold on the land, a discussion ensued. McCarthy said so we are going to have a housing discussion in Cannon Beach, St. Denis replied do you want a separate meeting or agenda item? Ogilvie replied I would be happy with anything, if we can start is as a discussion that would suite me fine. Knop added I would like to wait until after the LOC meeting.

Overview and potential readjustment of TLT expenditures/oversight: Has a discussion been scheduled yet to begin this project?

St. Denis said this is on the September 12th work session

Parking solutions: Do we need to update the last study? Should we start discussing paid parking strategies?

St. Denis said the parking study from what I was told didn't go over well. Hayes added hopefully we start looking at the broad picture and can take some consensus and move forward with it. I would like it to be a bigger conversation and would like to see us do something. Ogilvie said the parking study recommended that we did not start paid parking and suggested several other steps before that. Council we should reread the study. St. Denis said we will send you the parking study. Kerr asked can we put that on for a separate work session for housing and parking. Ogilvie replied I would be happy with either one, starting the discussion with housing on work session would lead us to something more.

Financing of the city hall/police station — where do we stand on the bonding for that project? I am nervous with

cost of bonding.

St. Denis said staff recommended that staff use general fund and reimburse once we get the bonds, then looking more at financing. We can finance relatively quickly. If we were to say finance right now would be the peak of the market, not sure if it's going down. It's really a policy decision on when we go to market. My recollection is usually a requirement that can't refinance for 10 years and part of the reason we are holding. Talking to other City Managers found another source a state program we will be looking into, giving an overview of the process.

Kerr said I have 4 things.

When is our discussion about short-term rentals (STR)?

St. Denis replied next week. Kerr added I have information to share.

People see violations, such as dark sky or people illegally renting STR, but they are uncomfortable reporting it as they believe that once the issue is resolved it's no longer anonymous.

Schermerhorn replied they can fill out the code complaint online and it can be anonymous and there is no way of us knowing who reported it. Schermerhorn gave an overview of the process, a discussion ensued. McCarthy added we can make the process clear during coffee with councilors.

When is TAF Chamber discussion.

St. Denis said the TLT discussion is next week. Will not meet with TAF until they have more members. Kerr said I want to know why the Chamber is getting TAF money when they are getting TLT funds already. St. Denis replied my guess is at one time they were getting those funds and not getting money from the city. McCarthy added then TAC came on and they apply from funds from that, then the contract was negotiated after getting money from tac and there is nothing in the contract or procedure that says since you are getting contract money you shouldn't be getting TAC money.

Someone reached out to me and maybe Trevor and Karen about speedbumps on Ecola Park.

Mount said we are having a possible radar speed limit sign. Kerr asked is speedbump not on the table, Mount replied yes not that I am aware of.

At the Monday meeting for the CBE advisory, I would ask that if you can remind the committee that making changes to the conceptual design is not part of their purview. I found it distressing when it came up with the last report.

Hayes said Dustin needs to be listening to us as they started designing it before we knew the use. Knop added it is important and we'll remind them what the job of the committee is.

ADJORNMENT

The meeting was adjourned at 7:49 p.m.

ATTEST:

Jennifer Barrett, Recorder

Barb Knop, Mayor