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**City of Florence
City Council Regular Session
Florence City Hall
250 Hwy 101, Florence, Oregon
Final Action Minutes
November 18, 2024**

Councilors Present: Mayor Ward, Councilors Sally Wantz, Bill Meyer, Jo Beaudreau, and Robert Carp.

Councilors Absent: None.

Staff Present: City Manager Erin Reynolds, City Recorder Lindsey White, Assistant City Manager Megan Messmer, Community Development Director Wendy FarleyCampbell, Police Chief John Pitcher, Public Works Director Mike Miller, Human Resources Director Alex Ferguson, Planning Manager Jacob Foutz, Economic Development and Communications Analyst Chantelle Meyer, and City Attorney Armand Resto-Spotts.

Guests Present: Tribal Council Members Teresa Spangler and Brad Kneaper and Marijo Vollmar.

Handout: 11.18.24 City Council Meeting Base Presentation

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 p.m.

PRESENTATIONS & ANNOUNCEMENTS

- Native American Heritage Month 2024
- Environmental Management Advisory Committee (EMAC) Appointments

Start Time: 5:31 p.m.

Discussion: Mayor Ward presented the Native American Heritage Month 2024 Proclamation.

Start Time: 5:35 p.m.

Discussion: Mayor Ward appointed the following people to the Environmental Management Advisory Committee (EMAC) with varying term lengths and expiration dates with terms effective on October 10, 2024.

- Linda Serbus – May 2026
- Britte Kirsch – May 2028
- Shannon Warren – May 2028
- Pat Rongey – May 2027
- Karen Childs – May 2027
- Nancy Rhodes – May 2026
- Lisa Wallace – May 2026
- Laura Smith – May 2028
- Dina McClure – May 2025

1. PUBLIC COMMENTS

This is an opportunity for members of the public to bring to the Council's attention any item not otherwise listed on the agenda.

Start Time: 5:38 p.m.

Commenter 1: Mr. Michael Allen – Florence, OR

Handout: Speaker's Card and Written Comments

Discussion: Mr. Allen discussed...

- Addressing the role of the Environmental Management Advisory Committee (EMAC) in addressing the global climate crisis.

Start Time: 5:42 p.m.

Commenter 2: Ms. Rosemary Alden – Florence, OR (*via videoconference*)

Handout: Speaker's Card and Written Comments

Discussion: Ms. Alden discussed...

- Removing fluoride from city water.

Start Time: 5:46 p.m.

Commenter 3: Ms. Dina Pavlis – Florence, OR

Handout: Speaker's Card and Written Comments

Discussion: Ms. Pavlis discussed...

- Thanking all involved with the Rhododendron Drive Realignment Project.
- Hoping the City, City Council, and Public Art Committee consider an art installation to further enhance the area.
- Adding new and additional bike paths for our city.

PUBLIC HEARING ITEMS

2. CENTER ANNEXATION AND ZONE ASSIGNMENT

A. PUBLIC HEARING ON ANNEXATION AND ZONE CHANGE

Hear and consider written and oral testimony regarding the annexation and zone assignment as applied for by Roger Center for approximately 0.14 acres of property within the UGB, identified as 88366 4th Avenue and Lot 1, Block 20, of Heceta Beach Plat, dated 1915.

Start Time: 5:47 p.m.

Process Reading: CR White read the Public Hearing Script and officiated the procedures.

Handouts: Public Hearing Script

Declarations: The City Council declared...

- Councilor Carp:
 - No conflicts of interest were declared and no bias declared.
- Councilor Beaudreau:
 - No conflicts of interest were declared and no bias declared.
- Councilor Meyer:
 - No conflicts of interest were declared and no bias declared.
- Councilor Wantz:
 - No conflicts of interest were declared and no bias declared.
- Mayor Ward:
 - No conflicts of interest were declared and no bias declared.

Public Challenges: No public challenges were received.

Public Hearing: Opened at 5:53 p.m.

Start Time: 5:53 p.m.

Discussion: PM Foutz presented the staff presentation.

Handouts: Staff Presentation

Discussion: The City Council discussed...

- Does the City of Florence or Lane County have more stringent building codes?

Comments: Councilor Beaudreau.

Discussion: Staff discussed...

- Both departments operate off of Oregon state building codes. It will be built to the same standard.
- Intergovernmental Agreement (IGA) will be signed with Lane County Building Department to complete building permit process.

Comments: PM Foutz.

Public Testimony: No public testimony was received.

Public Hearing: Closed 6:02 p.m.

Applicant waives the submission of final written argument.

B. ANNEXATION REQUEST

Consider approval of **Ordinance No. 10 Series 2024**, an ordinance approving the annexation of approximately 0.14 acres of property within the UGB, identified as 88366 4th Avenue and Lot 1, Block 20, of Heceta Beach Plat, dated 1915.

Start Time: 6:04 p.m.
 Action: Approve first reading of Ordinance No. 10, Series 2024.
 Motion: Mayor Ward
 Second: Councilor Beaudreau
 Roll Call Vote: Councilor Carp, ‘Aye’
 Councilor Wantz, ‘Aye’
 Councilor Meyer, ‘Aye’
 Councilor Beaudreau, ‘Aye’
 Mayor Ward, ‘Aye’
 Motion passes ‘Unanimously’

Action: Adopt Ordinance No. 10, Series 2024.
 Motion: Mayor Ward
 Second: Councilor Meyer
 Roll Call Vote: Councilor Beaudreau, ‘Aye’
 Councilor Meyer, ‘Aye’
 Councilor Wantz, ‘Aye’
 Councilor Carp, ‘Aye’
 Mayor Ward, ‘Aye’
 Motion passes ‘Unanimously’

C. ZONE ASSIGNMENT REQUEST

Consider approval of **Ordinance No. 11, Series 2024**, an ordinance establishing medium-density residential zoning as a part of 0.14 acres of property within the UGB, identified as 88366 4th Avenue and Lot 1 Block 20, of Heceta Beach Plat, dated 1915.

Start Time: 6:06 p.m.
Action: Approve first reading of Ordinance No. 11 Series 2024.
Motion: Mayor Ward
Second: Councilor Beaudreau
Roll Call Vote: Councilor Carp, 'Aye'
Councilor Wantz, 'Aye'
Councilor Meyer, 'Aye'
Councilor Beaudreau, 'Aye'
Mayor Ward, 'Aye'
Motion passes 'Unanimously'

Action: Adopt Ordinance No. 11, Series 2024.
Motion: Mayor Ward
Second: Councilor Meyer
Roll Call Vote: Councilor Carp, 'Aye'
Councilor Wantz, 'Aye'
Councilor Meyer, 'Aye'
Councilor Beaudreau, 'Aye'
Mayor Ward, 'Aye'
Motion passes 'Unanimously'

ACTION ITEMS

3. SOLID WASTE RATE REVIEW BASE YEAR POSTPONEDMENT REQUEST

Consider approval of **Resolution No. 24, Series. 2024**, a resolution governing rates for solid waste services.

Start Time: 6:09 p.m.
Discussion: CDD FarleyCampbell presented the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- No discussion.

Start Time: 6:18 p.m.
Action: Approve Resolution No. 24, Series 2024.
Motion: Councilor Wantz
Second: Councilor Meyer
Roll Call Vote: Councilor Carp, 'Nay'
Councilor Wantz, 'Nay'
Councilor Meyer, 'Nay'
Councilor Beaudreau, 'Nay'
Mayor Ward, 'Nay'
Motion fails 0-5

Discussion: The City Council discussed...

- Will waste hauler be submitting a report?
- Staff discussed alternative by amending proposed resolution and approve by striking reporting requirement.

Comments: Councilor Beaudreau and Councilor Carp.

Discussion: Staff discussed...

- Recommending Alternative Number 2 – amending the proposed resolution and approve.

Comments: CDD FarleyCampbell

Start Time: 6:24 p.m.

Action: Approve Resolution No. 24, Series 2024 postponing the base year rate review to November 2025.

Motion: Councilor Wantz

Second: Councilor Meyer

Roll Call Vote: Councilor Carp, ‘Aye’
Councilor Wantz, ‘Aye’
Councilor Meyer, ‘Aye’
Councilor Beaudreau, ‘Aye’
Mayor Ward, ‘Aye’
Motion passes ‘Unanimously’

4. PRE-IMPLEMENTATION COMPLIANCE MEASURE SELECTION TO COMPLY WITH FEMA’S NATIONAL FLOOD INSURANCE PROGRAM

Consider providing staff direction to the Federal Emergency Management Agency (FEMA) of the City’s chosen pre-implementation compliance measure (PICM), by the December 1, 2024 deadline.

Start Time: 6:25 p.m.

Discussion: CDD FarleyCampbell presented the staff presentation.

Handouts: Staff Presentation

Discussion: The City Council discussed...

- Understanding how this would impact the sewer treatment plant being within 175 feet of a floodplain if doing an improvement.

Comments: Mayor Ward.

Discussion: Staff discussed...

- This subject is talking about a lot of hypotheticals.
- Being asked to choose a pathway that the City wants to take.

- FEMA has written a draft model code. State of Oregon is going through a process to make sure that works for the State of Oregon.
- Clarifying that it is 170 feet not 175 feet.

Comments: CM Reynolds

Discussion: CDD FarleyCampbell continued presenting the staff presentation.

Discussion: The City Council discussed...

- Understanding what species are being endangered.
- Fourteen identified species of salmon are endangered.
- Understanding Alternative Number 2 pertaining to property within the Urban Renewal District in the Old Town area. Is vacant and undeveloped property currently not in the floodplain affected by this?
- Hypothetically, if Alternative Number 1 is adopted and someone wants to obtain a permit to build on an undeveloped piece of property, what is being looked at?

Comments: Mayor Ward and Councilor Meyer.

Discussion: Staff discussed...

- Staff is not recommending Alternative Number 1. Prohibiting development or a moratorium would be a very serious thing.
- Understanding the Federal term for development is any human made impact to the property.

Comments: CM Reynolds.

Staff recommendation is a motion to direct staff to notify FEMA by the December 1, 2024 deadline, that the City of Florence selects PICM Options #2 and 3 AND approves staff working on PICM Option #2 to possibly move forward with the adoption of both a permit-by-permit compliance evaluation process AND Option #3 a possible amendment to the Florence Municipal Code, Title 4 Chapters 4 and 6 and Title 10 Chapters 7 and 19 and to the Florence Comprehensive Plan as applicable and direct staff to prepare a tailored version of updated 2024 FEMA Model Ordinance as warranted.

Discussion: The City Council discussed...

- Clarifying Options #2 and #3 combined into one recommendation, understanding when Option #2 is used and when is Option #3 used.
- Understanding the difference if someone chooses a permit versus the code.

- Understanding that if no option is selected, the default option will be permit-by-permit.
- Clarifying that I have an interest in this since I own properties in Old Town that this affects. Clarifying if I apply for a permit tomorrow, the existing rules would apply.

Comments: Councilor Wantz, Councilor Carp, and Councilor Meyer.

Discussion:

Staff discussed...

- My understanding from attending the Work Shops, the direction FEMA is suggesting, if you have a lot of properties in the floodplain, a model ordinance is easier for a jurisdiction to navigate; if you do not have very many properties in the floodplain, a permit-by-permit option would be a better option
- If you do a permit-by-permit, you do all the study that there is no net effect done by analysis and hydrology studies on the property.
- It is correct if no option is selected, it will default to permit-by-permit.
- Both options will require some amendment to City code.
- Beginning in January, the City will be required to report to FEMA all development activities occurring in the flood zone.

Comments: CDD FarleyCampbell and CM Reynolds.

Discussion:

City of Florence Attorney Armand Resto-Spotts discussed...

- Urging City Council to pick a pathway.
- FEMA will be focusing on jurisdictions that have chosen not to participate in the process and that are actively ignoring the information being provided.
- Encouraging Council to pick one of the pathways being proposed.

Action:

Direct staff to notify FEMA by the December 1, 2024 deadline, that the City of Florence selects PICM Options #2 and 3 AND approves staff working on PICM Option #2 to possibly move forward with the adoption of both a permit-by-permit compliance evaluation process AND Option #3 a possible amendment to the Florence Municipal Code, Title 4 Chapters 4 and 6 and Title 10 Chapters 7 and 19 and to the Florence Comprehensive Plan as applicable and direct staff

to prepare a tailored version of updated 2024 FEMA Model Ordinance as warranted.

Motion: Councilor Beaudreau
Second: Councilor Wantz
Roll Call Vote: Councilor Carp, 'Aye'
Councilor Wantz, 'Aye'
Councilor Meyer, 'Aye'
Councilor Beaudreau, 'Aye'
Mayor Ward, 'Aye'
Motion passes 'Unanimously'

Council took a break from 7:20 p.m. to 7:26 p.m.

CONSENT AGENDA

5. JERRY'S PLACE BAR & GRILL LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor Control Commission (OLCC) for a for a change of ownership commercial license for Jerry's Place located at 88274 Rhododendron Drive.

6. LAUGHING CRAB GALLERY LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor Control Commission (OLCC) for a for a change of ownership commercial license for The Laughing Crab Gallery and Tasting Room located at 1341 Bay Street Unit F.

7. CHANGE OF AUTHORIZED SIGNERS FOR CITY BANK ACCOUNTS

Consider updating the City's authorized signers for the City of Florence bank accounts adding Assistant City Manager Megan Messmer and Human Resources Director Alex Ferguson as signers and removing former Administrative Director Anne Baker as a signer. City Manager Erin Reynolds will remain as a signer on all accounts.

8. CITY COUNCIL MEETING MINUTES

Consider approval of the meeting minutes for the October 7, 2024 Regular Session and the October 10, 2024 Work Session.

9. CITY COUNCIL MEETING MINUTES

Review and consider approval of the 2025 City Council meeting calendar.

Start Time: 7:26 p.m.
Action: Approve the consent agenda as presented.
Motion: Councilor Wantz
Second: Councilor Meyer
Roll Call: Councilor Carp, 'Aye'
Councilor Wantz, 'Aye'
Councilor Meyer, 'Aye'

Councilor Beaudreau, 'Aye'
Mayor Ward, 'Aye'
Motion passes 'unanimously'

REPORT & DISCUSSION ITEMS

10. CITY COUNCIL COMMITMENTS & SIGN-UPS

Consider updates to the City Council Commitments including Municipal Court Judge supervision, City Committee Ex-Officio assignments, etc. with the intent to adopt amendments at a future Council meeting.

Start Time: 7:28 p.m.
Discussion: CM Reynolds presented the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- No discussion.

11. GENERAL REPORTS – Council Question and Answer Only – No Presentations - October Committee, Commission, and Volunteer Reports

Start Time: 7:30 p.m.
Discussion: The City Council discussed...

- Update on EMAC with election of Chairperson and areas of focus.

Comments: Councilor Wantz.

12. DEPARTMENT DIRECTOR UPDATES

Start Time: 7:31 p.m.
Discussion: The Department Directors discussed...

- Two dispatchers graduated from the Academy.
- Continuing to provide drug take back program at the Justice Center.
- Providing ALICE training at the schools.
- For the water year ending September, 2024, we had 97.01 inches of precipitation. Average is 69.19 inches.
- New street sweeper approved in January will be delivered to Public Works tomorrow with a purchase price of \$425,548.
- Siuslaw Estuary Trail project has been temporarily paused due to waiting on written approval from the adjoining owner to grade their property to reduce slope impacts.
- Public Works crews in process of placing holiday lights at the Florence Events Center, Old Town, City Hall, Justice Center, and Public Works building.

- Upcoming meeting at the Confederated Tribes office (old Windward building), Coastal Management team (DLCD) will be having the second estuary resilience adaption workshop. This is open to anyone that would like to participate.
- Upcoming DLCD offshore wind management plan meeting at Three Rivers Casino. Meeting is open to the public.
- Update on current recruitments.
- Shifting timeline of annual City Manager evaluation.
- Update on Lane Alerts and signing up for Lane Alerts notifications.
- Upcoming events at the Florence Events Center.
- Letters to Santa mailbox starting November 25th to December 17th.
- Upcoming Tree Lighting ceremony on December 7th.
- Upcoming Public Arts Committee meeting.

Comments: Police Chief Pitcher, PWD Miller, CDD FarleyCampbell, Human Resources Director Ferguson, ACM Messmer, and EDCA Meyer.

13. CITY MANAGER REPORT & DISCUSSION ITEMS

- Regional Accelerator & Innovation Network (RAIN) Annual Report

The RAIN Annual Report was included in the meeting materials packet.

Start Time: 7:51 p.m.

Discussion: The City Council discussed...

- City offices closed on Thanksgiving Day and Friday the 29th.
- Upcoming Tree Lighting ceremony on December 7th.
- Upcoming City meetings and events.

Comments: All Councilors present.

14. CITY COUNCIL REPORT & DISCUSSION ITEMS

Start Time: 7:54 p.m.

Discussion: The City Council discussed...

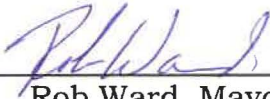
- Gratitude to Police Chief Pitcher, Police Department volunteers, Public Works, and the entire community for their support of the Veteran’s Day parade.
- Supporting local businesses with “Shop Small.”
- Thanking staff and City Council for the Native American Heritage Month Proclamation in support of our local tribes.

- Congratulating Mayor Ward and Councilor Meyer on their reelection.
- Pledging to represent all businesses and citizens, continuing to seek more solutions for housing, and to end our child care desert.
- Being an honor to serve on City Council.
- Florence being a Quality-of-Life city.
- Looking forward to serving with the City Council.
- Attending a 100th birthday celebration at Shorewood.
- Upcoming all day Social Studies class at Siuslaw High School with Mayor Ward, Councilor Wantz, CM Reynolds, and ACM Messmer talking about city government.

Comments: All Councilors present.

Meeting adjourned at 8:04 p.m.

ATTEST:



Rob Ward, Mayor



Lindsey White, City Recorder