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**City of Florence
City Council Regular Session
Florence City Hall
250 Hwy 101, Florence, Oregon
Final Action Minutes
July 1, 2024**

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

Councilors Absent: None.

Staff Present: City Manager Erin Reynolds, Assistant City Manager Megan Messmer, City Recorder Lindsey White, Community Development Director Wendy FarleyCampbell, Police Chief John Pitcher, Public Works Director Mike Miller, Human Resources Director Alex Ferguson, Finance Manager Lezlea Purcell, City Attorney Ross Williamson, and Economic Development and Communications Analyst Chantelle Meyer.
(in person and via Videoconference)

Guests Present: None.

Handout: 7.1.24 City Council Meeting Base Presentation

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

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

Mayor Ward recognized all those who gave up their lives for the freedoms we have when celebrating the 4th of July holiday.

Mayor Ward recognized audience member Nancy Rickard for her service to the community serving on various boards and committees including the Port of Siuslaw Commission.

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: 5:32 p.m.

Commenter 1: Mr. Michael Allen – Florence, OR

Handout: Speaker's Card and Written Comments

Discussion: Mr. Allen discussed...

- Opportunity for the City of Florence to partner with Electrify Oregon in pursuit of funds from the Energy Efficiency and Conservation Block Grant program at the Oregon Department of Energy.

ACTION ITEMS

2. EMERGENCY SHELTER SITING AND TEMPORARY SHELTERING

Consider approving **Ordinance No. 5, Series 2024**, an ordinance amending Florence City Code Title 1 by adding Chapter 9 to establish time, place, and manner regulations regarding emergency shelter siting and temporary sheltering.

Start Time: 5:37 p.m.

Discussion: CDD FarleyCampbell presented the staff presentation.

Handouts: Staff Presentation

Discussion: The City Council discussed...

- No discussion.

Start Time: 5:43 p.m.

Discussion: City Attorney Williamson continued presenting the staff presentation.

Handouts: Staff Presentation

Discussion: The City Council discussed...

- Understanding that our proposed code meets the required standards of ORS 195.530.
- With the Supreme Court decision, can ORS 195.530 be challenged? *CA Williamson – The statute can stand on its own.*
- Does the Supreme Court ruling affect any of our proposed code? *CA Williamson – In my opinion, it does not.*

Comments: Mayor Ward and Councilors Carp and Meyer.

Start Time: 5:57 p.m.

Discussion: CDD FarleyCampbell continued presenting the staff presentation.

Handouts:
Discussion:

Staff Presentation
The City Council discussed...

- Understanding how ordinance affects homeowner association communities that are not gated, for example Wild Winds? *CDD FarleyCampbell – Proposed FCC 1-9-2-3 5.b does not use the term “gated.” CM Reynolds – Most significant change came out of the June 3rd meeting when asked about privately held rights-of-way. Wild Winds is a privately held right-of-way.*
- Understanding 5 feet from property lines and sanitation 10 feet from property lines.
- Question about adding verbiage ensuring neighbors are notified if neighbor is hosting.
- Defining “temporary” sheltering?
- Complimenting Councilor Wantz’s comments on these issues. Understanding process for revoking temporary sheltering on private property.
- Understanding proposed FCC 1-9-2-4 Shelter Site Cleanup scheduled 72 hours before cleanup. Suggesting to change to 48 hours. *Police Chief Pitcher - 72 hours is directly from ORS. 72 hours is required notice.*
- Supporting Councilor Wantz with making changes from 5 feet to 10 feet from property line, notifying neighbors on both sides of property, and defining a timeline.
- Being more comfortable in light of Grants Pass decision and removal of threat of a lawsuit.

Comments: Councilors Wantz, Meyer, and Carp.

Council took a break from 6:41 p.m. to 6:45 p.m.

Start Time:
Discussion:

6:45 p.m.
The City Council continued discussing...

- Concerns how program will be regulated.
- Requiring neighbors to approve request or simply notifying neighbors about temporary shelter.
- Clarification on revocation of permit for temporary housing, requirement of stating for cause?

Comments: Councilors Beaudreau and Meyer and Mayor Ward.

Start Time:
Discussion:

6:50 p.m.
Staff discussed...

- Detailing City Manager revocation process in proposed FCC 1-9-2-2 F.1 and F.2.
- Registration process has not been brought to Council.
- Allowing property owner to revoke permission at any time and for any lawful reason.
- If making an agreement for compensation outside of the ordinance, it becomes an eviction process.

Comments: CM Reynolds and Police Chief Pitcher

Start Time: 6:56 p.m.

Discussion: Staff discussed concerns brought up in Council discussion...

- Many concerns will be addressed through the registration process such as requiring person being sheltered read the rules and acknowledging with their signature.
- Some jurisdictions have length of stay as short as 14 days and up to 4 weeks.
- Changing verbiage on bottom of page 3 to recreational vehicles to be not less than five feet away from any property lines and other temporary shelter facilities must be at least ten feet away from property line.
- Understanding intent of registration process is to comply with city and state regulations.

Comments: CDD FarleyCampbell and CM Reynolds.

Start Time: 7:09 p.m.

Commenter 1: Ms. Brenda Gilmer

Handout: Speaker's Card

Discussion: Ms. Gilmer discussed...

- Lack of faith in the City Manager's capacity to exercise good faith in approving non-event-based emergency shelters.
- Concerns about requiring registration.

Start Time: 7:12 p.m.

Commenter 2: Mr. Karl Fernandez

Handout: Speaker's Card

Discussion: Mr. Fernandez discussed...

- Concerns about the health and well-being of the City of Florence in passing this.
- Concerns about enforcement.

Start Time: 7:16 p.m.

Discussion: Staff addressed questions asked during public comments...

- Family size was set at six due to tent size allowed. You can have one tent for six people.
- Setting the framework for enforcement.

Comments: CDD FarleyCampbell.

Start Time: 7:16 p.m.

Discussion: CDD FarleyCampbell summarized the code edits as proposed...

- Page 3 FCC 1-9-2-2 B & C rewording to say “with written application to the City and authorization of the property owner.”
- Adding the phrase for any non-residential (commercial and/or industrial use) property “with further authorization from any tenants.”
- On page 3 on the bottom FCC 1-9-2-2 item 4, “requiring shelter facilities be not less than five feet away from any property line if a vehicle and ten feet away if a non-vehicle temporary sheltering facility.”

Start Time: 7:20 p.m.

Action: First Reading Ordinance No. 5 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: Adopt Ordinance No. 5, 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’

Start Time: 7:24 p.m.

Discussion: The City Council discussed...

- Hoping never to see permanent encampments in Florence as we have seen in other areas. By having the

set timeline, people are being a provided an opportunity to sleep at night and then move on.

- Appreciating public conversations and staff time we have had in our meetings. Appreciating all Councilors' and Mayor Ward's views and perspectives.
- Having concerns over parts of this Title and believing that we have come to this in good faith.
- Ordinance takes effect in thirty days.

Comments: Mayor Ward and Councilor Beaudreau.

3. 2024 ANNUAL CHIP AND FOG SEAL PROGRAM

Consider accepting the proposal from Sierra Santa Fe Corporation in the amount of \$119,957.06 to complete the 2024 annual Chip and Fog Seal Program.

Start Time: 7:27 p.m.

Discussion: PWD Miller presented the staff presentation.

Handouts: Staff Presentation

Discussion: The City Council discussed...

- Time period from start of project to completion.

Comments: Councilor Carp.

Discussion: Staff discussed...

- Project is weather dependent.
- Chip seal is usually drivable within one-two hours.
- Fog seal is usually drivable within two-three hours.

Comments: PWD Miller.

Start Time: 7:39 p.m.

Action: Accept proposal from Sierra Santa Fe Corporation in the amount of \$119,957.06 to complete the annual Chip and Fog Seal Program and authorize the City Manager to proceed with the contract.

Motion: Councilor Meyer

Second: Councilor Beaudreau

Roll Call: Councilor Carp, 'Aye'

Councilor Wantz, 'Aye'

Councilor Meyer, 'Aye'

Councilor Beaudreau, 'Aye'

Mayor Ward, 'Aye'

Motion passes 'unanimously'

Start Time: 7:40 p.m.

Discussion: The City Council discussed...

- Advising other businesses about this opportunity to take advantage of this contractor being in town.

Comments: Councilor Beaudreau.

Discussion: Staff discussed...

- Having worked with HOAs in the past so that they can schedule their work while contractor is in town.
- There are also local contractors in town that perform this type of work.

Comments: PWD Miller.

CONSENT AGENDA

4. FLORENCE POLICE EMPLOYEES' ASSOCIATION AGREEMENT

Consider ratifying the three-year Collective Bargaining Agreement for the period of July 1, 2024 through June 30, 2027 containing the terms and conditions as agreed to and bargained in good faith between the City of Florence and the Florence Police Employees' Association.

5. WORKERS COMPENSATION INSURANCE TO CITY VOLUNTEERS FOR THE POLICY YEAR 2024-2025

Consider approval of **Resolution No. 15, Series 2024**, a resolution extending the City of Florence's worker's compensation insurance to volunteers of the City of Florence for the [policy year 2024-2025].

6. LITTLE BROWN HEN LIQUOR LICENSE

Consider recommendations for approval to the Oregon Liquor Control Commission (OLCC) for a commercial liquor license for Amanda and Julian Laney doing business as Little Brown Hen located at 435 Highway 101.

7. LAUGHING CRAB GALLERY AND TASTING ROOM LIQUOR LICENSE

Consider recommendations for approval to the Oregon Liquor Control Commission (OLCC) for a commercial liquor license for Kim McLaughlin, The Laughing Crab Gallery doing business as The Laughing Crab Gallery & Tasting Room located at 1341 Bay Street Unit F.

8. CITY COUNCIL MEETING MINUTES

Consider approval of the meeting minutes for the May 9, 2024 Work Session, May 20, 2024 Regular Session, May 23, 2024 Work Session, June 3, 2024 Special Meeting, June 6, 2024 Work Session, June 10, 2024 Regular Session, and June 13, 2024 Work Session.

Start Time: 7:41 p.m.

Discussion: City Council discussed...

- Understanding why City Council minutes being so detailed.
- There is a recorded record being maintained of the City Council meetings.
- Thanking City staff and the union for the work on the Collective Bargaining Agreement.

Comments: Councilors Wantz and Beaudreau and Mayor Ward.

Discussion: Staff discussed...

- Some of the detail comes from the video transcription services.
- The City as a whole has been very transactional by just 'yes' and 'no' with little discussion. The Council has been more conversational and discussion that is not easily captured by seeing the agenda item, reading the packet, and looking at the slide presentation. Making sure the record is reflective of those discussions.
- All of the meetings are recorded and available for viewing.
- Minutes have evolved from not having a lot of information in the minutes. Looking back at some of those minutes trying to understand what had happened and they didn't provide enough information.
- There may be items that staff doesn't want to summarize if there are strong discussions between you as Councilors.
- The meeting minutes are the ultimate record.

Comments: CM Reynolds, CR White, and ACM Messmer.

Action: Approve the consent agenda as presented.
Motion: Councilor Meyer
Second: Councilor Carp
Roll Call: Councilor Carp, 'Aye'
Councilor Wantz, 'Aye'
Councilor Meyer, 'Aye'
Councilor Beaudreau, 'Aye'
Mayor Ward, 'Aye'

Motion passes 'unanimously'

REPORT & DISCUSSION ITEMS

9. GENERAL REPORTS – Council Question and Answer Only – No Presentations

- May Committee, Commission, and Volunteer Reports

Start Time: 7:49 p.m.
Discussion: The City Council discussed...

- No discussion.

Comments: All Councilors present.

10. DEPARTMENT DIRECTOR UPDATES

Start Time: 7:50 p.m.
Discussion: The Department Directors discussed...

- Thanking Labor Attorney Mark Wolf for his work on the Collective Bargaining Agreement.
- Recruiting for police dispatcher position.
- Upcoming Planning Commission meeting.
- Upcoming tree plotting for inventory of trees in the City of Florence and participation of Public Works employees.
- Updates on this year's Youth Academy and thanking Mayor Ward for participating in the graduation.
- Collection of 600 pounds of medications at the prescription drop box at the Justice Center and keeping those medications out of the sewer system and landfill from August 2023 through current.
- Update on Rhododendron Drive project and understanding the use of "soil nailing" in place of a physical retaining wall.
- Bid opening for Siuslaw Estuary Trail on July 2, 2024 at 2:00 p.m.
- Update on excessive heat warning for the week-end.
- Upcoming events at the Florence Events Center.
- Upcoming 2024 Community Block Party.

Comments: HRD Ferguson, CDD FarleyCampbell, Police Chief Pitcher, PWD Miller, and ACM Messmer.

11. CITY MANAGER REPORT & DISCUSSION ITEMS

Start Time: 8:22 p.m.
Discussion: The City Council discussed...

- Upcoming City Meetings and Events.
- Upcoming 4th of July festivities.

Comments: All Councilors present.

12. CITY COUNCIL REPORT & DISCUSSION ITEMS

- Environmental Management Advisory Committee (EMAC) and Transportation Committee (TC) recruitment update and discussion.
- Next steps for Florence Urban Renewal Agency (FURA) member appointment including the potential for appointing a new member to fill a recent opening due to resignation.

Start Time: 8:25 p.m.

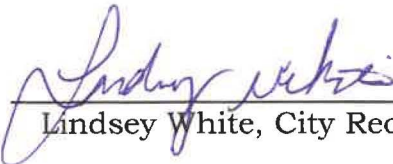
Discussion: The City Council discussed...


- Recruiting for six EMAC vacancies and addressing what EMAC does with possibility of creating an Ad-Hoc Committee for solid waste.
- Recruiting for three Transportation Committee vacancies.
- Appreciating bringing up committee item at a Work Session and reevaluating committee structure.
- Recommending appointing Ron Preisler to FURA for citizen-at-large vacancy.
- Nominating City of Florence for Siuslaw Award.
- Representing City of Florence at the Coast Guard change of command ceremony.
- Attending the Healthy Aging Healthy Living Expo at the Florence Events Center.

Comments: All Councilors present.

Meeting adjourned at 8:36 p.m.

ATTEST:


Lindsey White, City Recorder


Rob Ward, Mayor