

**CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.

**ATTENDANCE** Present: Mayor Don Larson, Council President Tim Tolan, Councilors Stubby Lyons, Don Johnson Dave Moore, Gary Diebolt, and Larry Haller.

Also Present: Mark Winstanley, City Manager; Bob Gross, Police Chief; Dale Kamrath, Fire Chief; Neal Wallace, Public Works Director; Reita Fackerell, Library Director; Russ Vandenberg, Convention Center General Manager; Chris Dugan, Division Fire Chief; Joey Daniels, Fire Training/Safety Officer and Captain; Lynn Smith, Police Communications Manager; Dave Ham, Police Lieutenant; Jason Gooding, Police Sergeant; Josh Zundel, Police Officer; Don Anderson, Seaside Signal; Jeff Nelson, KAST; Nancy McCarthy, Daily Astorian; Rebecca Herren, The Coast Times.

**AGENDA** Motion to approve the August 10, 2009, agenda; carried unanimously. (Lyons/Diebolt)

**MINUTES** Motion to approve the July 27, 2009, minutes and July 29, 2009, special meeting minutes; carried unanimously. (Tolan/Lyons)

No one declared a conflict of interest.

**CONSENT AGENDA** Motion to approve payment of the bills in the amount of \$485,408.82; carried unanimously. (Diebolt/Johnson)

**RECOGNITION – MAYORS AWARD** Councilor Haller stated there was a Small City Award that Mayor Don Larson received at the Oregon Mayors Association Conference. Councilor Haller had noticed the League of Oregon Cities Magazine had an award that was presented to Mayor’s in small and large City’s and decided Council would nominate the Mayor for the award and give him a little notoriety for all the things that he had done in the community. Councilor Haller further stated he spoke with the Mayors wife and received her approval to nominate the Mayor. Councilor Haller further stated he had spoke with Mark Winstanley, City Manager, to receive information for nominating the Mayor for the award and Reita Fackerell, Library Director, wrote the opening letter and Kim Jordan, Administrative Assistant, put together the many letters of support, pictures, and articles of the Mayor. Councilor Haller further stated the criteria for nominating the Mayor was to be a member of the Oregon Mayors Association, the candidate needed to have demonstrated under his or her tenure exceptional leadership qualities, which had contributed to lasting benefits in the city and community as a whole. Councilor Haller further stated the information was sent to the League of Oregon City’s. There were two awards given for a small city and a large city. Councilor Haller further stated he had spent twenty years on the City Council and had seen many Mayors come and go and Mayor Don Larson was the best Mayor and also a stand up Mayor. Councilor Haller handed the Mayor his award and stated the Council appreciated him and thought he was a great Mayor.

Mayor Larson stated this was very interesting because he was in Forest Grove for the Mayors Conference and there was always an award for the small and large cities. There were two hundred cities in Oregon that were members of the Mayors Association, which was quite a large group. The awards were started right after dinner and the Mayor was there with his wife Lois and friends. Mayor Bob Teeters from Tillamook was reading the award information and mentioned Promenade and Mayor Larson thought he should pay attention and listen to the information. Mayor Larson further stated being Mayor was not one person but was the City Council, City Manager and his staff, and everyone that was part of the community and part of the City of Seaside. Mayor Larson further stated he was extremely humbled by the award and had forgotten to thank his wife, which he then thanked at the meeting this evening. Mayor Larson sincerely thanked the Council’s for their support and for the people who wrote the letters and if anyone ever wanted to read a good letter then they should read the cover letter that was written by Ms. Fackerell, which was absolutely wonderful. Mayor Larson thanked everyone.

**RECOGNITION – FIRE DEPARTMENT** Dale Kamrath, Fire Chief, stated approximately one month ago Glen Bard was recognized for being the runner up for the Lifetime Achievement Award through the Oregon Volunteer Firefighters Association (OVFA), and the other recognition was for Jeramy Houston who was recognized by OVFA for being Volunteer Firefighter of the Year. The OVFA consisted of volunteer firefighters from approximately 365 departments throughout the state and approximately 8,000 volunteer members. Chief Kamrath further stated the nomination that was submitted for Mr. Houston stated he was very involved with the organization and in 2008 responded to 283 alarms, which was 36% of the departments 787 alarms; attended 26 drills, which was 62% of 42 drills and meeting activities. In addition, Mr. Houston was a consistent member on the training committee and had been instrumental in insuring that the training schedule was kept active and up to date and was consistently injecting ideas to move the training forward in a proactive manner. Mr. Houston introduced the idea of EMS Bike Service on the Promenade during busy summer events and weekends. Mr. Houston took over the fire department web site, which now was a very clean and informative site. Chief Kamrath further stated Mr. Houston had been the leader of delivery of the EMS service to the City, as a Paramedic, he exceeded the expectations of a volunteer in the department.

Mr. Houston had served the community of Seaside since October 2000, starting as a Cadet with the department while in High School and was always extremely active with the department while striving to make the fire service a career. Mr. Houston attained his Paramedic, and was working towards a Fire Science degree to increase his education and knowledge base while making his credentials more viable for employment and was currently employed as a medic for the private ambulance provider in the community. Chief Kamrath further stated Mr. Houston's involvement with the training committee had shown that his love of the fire service was contagious and he wanted to share his skills with any one that would participate. Mr. Houston's continuous devotion to the community through response activities, training deliveries, EMS Bike Patrol, and the Web site for the department was above and beyond the normal volunteer activities. Chief Kamrath introduced Mr. Houston and showed the award that was received by the OVFA.

Chief Kamrath stated the fire department just received information about an additional statewide level award that was received by a member of the fire department. The Department of Human Services Public Health Division which was the EMS Accreditation Agency for the entire state of Oregon and essentially handled EMS licensing for fire departments, police departments, as well as private ambulance, life flight, air flight and any other aircraft around the states. Chief Kamrath further stated the fire department nominated Susan Agalzoff and had received notice that she had received the award, which was the Oregon State EMS Educator for the year 2008-2009.

**RECOGNITION –  
POLICE DEPARTMENT**

Bob Gross, Police Chief stated Lynn Smith, Communication Manager, of the Seaside Police Department accomplished something in July 2009 that was very remarkable, which was celebrating her 30 years of service with the Seaside Police Department. Chief Gross further stated most people look towards 20 years of service and Ms. Smith had been the main stay at the police department. Chief Gross further stated when he was hired four years ago Ms. Smith was the one that he always looked to for the institutional knowledge of what went on inside the department and many time what went on inside the City. Chief Gross thanked Ms. Smith for her wonderful service with the department and the City.

Jason Gooding, Police Sergeant, stated approximately two years ago many members of public safety joined an organization called the Law Enforcement for Youth. There were a couple of the members here at the meeting and several that were unable to attend the meeting. Sergeant Gooding further stated Law Enforcement for Youth was a full contact tackle football game held once a year to raise money for Seaside Kids. The first year that was played by Seaside was in 2008 and the team was pretty horrible. This year the team was lucky and recruited Councilor Lyons, which made a significant difference, which made the team competitive and the game more exciting. Sergeant Gooding further stated it was very clear that Councilor Lyons dedication to the team was a form of his commitment to the community. As a small token of appreciation the team presented Councilor Lyons with a picture plaque with the hope, they would be able to recruit Councilor Lyons again next year.

Councilor Lyons thanked Sergeant Gooding and the team and stated he had enjoyed coaching the team and looked forward to coaching again next year.

**INTRODUCTION –  
FIRE DEPARTMENT**

Chief Kamrath stated the past year was a real privilege being able to expand the organization and split Chris Dugan's position, which was a combined training officer, and fire marshal position. Both of the positions were very critical to the department and one person could not meet the needs and requirements. The training of the volunteers was a critical component as well as the prevention and inspection in code enforcement for the entire community from a safety standpoint. The position was split and there were several applications received and the department acquired an outstanding candidate who started on July 1, 2009. Chief Kamrath introduced Joey Daniels to the Council and public.

Mayor Larson introduced Jack Bland who was the newest Port Commissioner for the Port of Astoria. Mr. Bland was one of the Port Commissioner for the South County.

**VACANCY –  
CITY TREE BOARD**

Mayor Larson stated there were two vacancies on the City Tree Board with two applications received from Jason Smith and Richard Bailey. Mayor Larson asked Council what they wished to do.

Motion to appoint Jason Smith and Richard Bailey for the City Tree Board; carried unanimously. (Lyons/Diebolt)

Term expiration for Jason Smith and Richard Bailey would be June 30, 2012.

**VACANCY –  
AIRPORT COMMITTEE**

Mayor Larson stated there was one vacancy on the Airport Committee with two applications received from Wally Hamer and Roger Delong, Mayor Larson asked Council what they wished to do.

Motion to close the nominations for the Airport Committee and interview applicants prior to the City Council meeting on August 24, 2009; carried unanimously. (Lyons/Johnson)

VACANCY –

PLANNING COMMISSION

Mayor Larson stated there was one vacancy on the Planning Commission with three applications received from Virginia Dideum, Steve Winters and Mark Tolan. Mayor Larson asked Council what they wished to do.

Motion to close the nominations for the Planning Commission and interview applicants prior to the City Council meeting on August 24, 2009; carried unanimously. (Lyons/Johnson)

REQUEST –

ALLOWING CHICKENS

Mayor Larson stated there was a request allowing chickens to stay on the property at 651 N. Lincoln, Seaside. Council had an Ordinance pertaining to the keeping of animals in their packets.

John Chapman, 651 N. Lincoln, Seaside, distributed to Council a diagram of the area where he lived which included streets and neighboring properties and the property Mr. Chapman owned and also pictures of his property where the chickens were fenced in. Mr. Chapman stated his in-laws lived in downtown Vancouver and had quite a large plot of gardening, fruit trees, as well as their chickens. When the grandchildren would visit the grandparent's, part of their duties was to help out on the property. The in-laws were now moving to a smaller house since they had retired and the property did not have the room to keep the chickens and Mr. Chapman's children wanted to keep the chickens. The chickens were moved to Mr. Chapman's property and a chicken pen was built which was fenced in. The chicken's laid eggs, which also helped with the cost of buying eggs and had become part of the family. Mr. Chapman further stated Officer Lorna Brandt stopped by his property because a neighboring owner had complained about the chickens. There was not a written warning given and Mr. Chapman checked the ordinance with the City and found that chickens were not allowed. The chickens were not visual and since there was not a rooster, there were not any loud noises. Mr. Chapman further stated his children had attended the meeting and would like Council's consideration and permission in allowing the chickens to stay on their property for educational and entertainment purposes.

Mayor Larson stated there was a copy of the ordinance in the Council's packets concerning the keeping of poultry inside the City limits. The ordinance stated poultry was not allowed to be kept inside the City limits.

Councilor Lyons asked how many chickens were on the property.

Mr. Chapman stated there were three chickens on the property.

Councilor Johnson stated there had been several instances where chickens had been found on properties inside the City limits and each time Council asked the property owners to remove the chickens.

Councilor Lyons asked what the complaint was on the chickens.

Mr. Chapman stated there was a neighbor who gave Officer Brandt a list of many complaints in the neighborhood.

Mayor Larson stated there was a request to allow the chickens and Council could approve the request or follow the regulations with the ordinance and deny the request. Mayor Larson stated he was concerned because the chickens and pen were right at the neighbor's fence.

Councilor Diebolt stated he did not understand lately what the big deal was with chickens in Clatsop County and especially with South County in Cannon Beach and Gearhart with all the rules that had been written concerning chickens. The house located next to Mr. Chapman's house was empty right now but could be occupied in the future. Councilor Diebolt further stated he was raised on a farm with chickens and there was nothing educational with raising chickens and would hate to start a precedent on an individual basis.

Councilor Tolan stated Council needed to abide by the ordinance and if the chickens were allowed the ordinance needed to be changed. The chickens were not allowed and Council needed to stick by the ordinance.

Councilor Moore stated he would like to have a couple of weeks to do some canvassing in the ward that he represents to see what the people thought about the keeping of chickens.

Councilor Lyons stated he agreed with Councilor Moore and Councilor Diebolt and further stated what would happen if an animal were to get into the pen and kill the chickens. That would be a hassle and the City would have one person against another person with an ordinance in place that did not allow the chickens in the first place. Once an ordinance was in place there needed to be a discussion if there were going to be changes to the ordinance.

Councilor Haller stated the consensus of the group was to stick with the ordinance, which was in place already.

Motion denying the request to allow chickens at 651 N. Lincoln, Seaside; carried unanimously. (Haller/Diebolt)

**APPROVAL –  
CONVENTION CENTER  
CHAIR PURCHASE**

Russ Vandenberg, Convention Center General Manager, stated the Convention Center was recommending Council approve the purchase of 1,000 chairs as part of the capital improvement plan. This would complete all phases of the chair replacement. The second phase of chairs was purchased with the same company as before, which was Virco for the amount of \$75,240.00. The quality of workmanship, reliability, reputation in the industry and extended warranty were the considering factors in making the selection. Other factors included the need to match existing styles and materials used in the previous Virco chair order placed in fiscal year 2008-2009.

Councilor Tolan asked if the cost of the chairs was the same price as the purchase of the first 1,000 chairs.

Mr. Vandenberg stated because of the relationship the Convention Center had with Virco they honored the same price that was charged last year.

Motion to approve the bid from Virco for \$75,240.00 for the second and last phase of the new chairs at the Convention Center; carried with Diebolt opposed. (Johnson/Lyons)

**BID RESULTS – AIRPORT  
IMPROVEMENTS**

Neal Wallace stated the City received three bids for the Airport Improvements Project. The bid price for the bid schedule of the three submissions ranged from \$136,199.05 to \$148,841.00. The low bid was submitted by Clean Sweep Maintenance and a copy of the bid tabulation was included in the packet for Council. WHPacific (WHP) had reviewed Clean Sweep's proposal and found the documents to be in order. WHP recommended the award of the contract for the Airport Improvement Project be given to Clean Sweep for the contract amount of \$136,199.05.

Motion to approve the bid from Clean Sweep Maintenance for the Airport Improvements Project for the amount of \$136,199.05; carried unanimously. (Haller/Diebolt)

**VACANCY –  
CONVENTION CENTER  
COMMISSION**

Mayor Larson stated there was one vacancy on the Convention Center Commission. Mayor Larson asked the press to advertise the vacancy.

**PROCLAMATION**

Chief Kamrath read a proclamation for Seaside Firefighters Appreciation Week.

**COMMENTS – PUBLIC**

John Dunzer, 2964 Keepsake Dr., Seaside, stated he had some comments on the Visioning exercise and did not understand where the visioning statements had gone. Mr. Dunzer stated he had written a great deal of information that were visions for himself, which he thought, were pretty good and yet had not received any feedback. Mr. Dunzer further stated he had attended a couple of meetings and there did not seem to be anyone leading any of the committees that he was interested in. Why were there Urban Growth studies that stopped, transportation plans that stopped, and flood control plans that stopped? Why was nothing being done to make the visions happen.

Mayor Larson stated the Visioning was presented at the Convention Center and now was in the process of being integrated. Nothing could happen over night. There were several people in the Council that would not let things drop.

Mr. Dunzer presented the Mayor with his visioning concepts. Mr. Dunzer asked what happened with the fact that the City was going to be cleaned up since there were many people who had wanted the City cleaned up. The community loses \$500,000,000.00 of property value because the City would not clean up Roosevelt. Someone should be interested in cleaning up the City.

Mayor Larson stated at a Mayor's meeting he had several conversations concerning cleaning up the City and the Council President Tim Tolan and the Mayor would be working on a new ordinance to get the City cleaned up.

Merlin Humpal, 2481 Oregon Ave., Seaside, asked when Police Officers stopped citizens did they have the right to ask what their legal status was.

Chief Gross stated that was why Police Officers asked for identification.

Mr. Humpal asked if officers were authorized to contact customs or immigration about the legal status.

Chief Gross stated the officer contacted immigration if the person they stopped had violated the law.

Mr. Humpal asked if immigration or customs stated the person was not legal would they be reported to the federal authorities.

Chief Gross stated that would be up to immigration on what the next step was that needed to be taken.

Mr. Humpal stated evidently Seaside was not one of those Cities's that do not ask, do not tell, as far as illegal's were concerned.

Chief Gross stated that was correct, Seaside was not one of those City's.

**COMMENTS – COUNCIL**

Councilor Moore stated he was watching Channel 2 news about the shark sighting in Seaside with Lieutenant Dave Ham being interviewed and he briefly stated that the Police were on the beach giving information to people and to be there for any questions. The information was very positive and reflective of good community policing. Councilor Moore complimented Chief Gross and his staff for the good work.

Councilor Lyons agreed with Councilor Moore stating Lieutenant Ham did very well with the interviews, which were handled very positively.

Councilor Tolan stated he was honored to be at the City Council meeting with all the great presentations.

Councilor Johnson thanked Mr. Bland for attending the Airport Committee meeting and working with Seaside on a few of the projects. Councilor Johnson stated he enjoyed seeing all the volunteerism and congratulated the Mayor on the award he received.

**COMMENTS – STAFF**

Reita Fackerell, Library Director, stated she was proud to be a member of the community. Ms. Fackerell further stated Thursday, August 13, 2009, Congressman David Wu would have a town Hall meeting at the Library from 4:00 to 5:00 pm.

Mr. Winstanley congratulated Mayor Larson on the award he received which was quite an honor. Most Mayors' would not ever receive this kind of statewide award and the Mayor deserved the award. Mr. Winstanley further stated most employees did not stay with one organization for 30 years, which took; a great deal of dedication and Ms. Smith's priority had always been the community. The safety and well-being of the citizens of Seaside had always been her number one concern, she did a wonderful job at the police department, and the City was very lucky to have her.

Trish Downey, Assistant to the City Manager, stated she was proud of the Staff and Council in the City of Seaside.

**ADJOURNMENT**

The regular meeting adjourned at 8:00 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR