

MINUTES SEASIDE CITY COUNCIL JANUARY 8, 2007 7:00 PM

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 Don Johnson, Councilors Larry Haller, Diana Schafer, Tim Tolan, Don McKay and Stubby Lyons.

ABSENT None

Also Present: Mark Winstanley, City Manager; Neal Wallace, Public Works Director; Bob Gross, Police Chief; Russ Vandenberg, Convention Center General Manager; Rod Jones, Seaside Signal; Laurel Eddy, Daily Astorian.

MINUTES Mayor Larson stated that on page 2, paragraph 13 there was a motion to approve the contract for the design of the Library in the amount of \$95,000.00. The contract amount was \$195,000.00.

Motion to approve the December 11, 2006, minutes as amended; carried unanimously. (Tolan/Lyons)

OATH OF OFFICE Mark Winstanley, City Manager, swore in Councilors Larry Haller, Gary Diebolt, and Dave Moore.

Mr. Winstanley swore in Mayor Don Larson.

Mayor Larson stated he would miss two Councilors, Don McKay and Diana Schafer. Mayor Larson sincerely thanked Mr. McKay who had served on the City Council for four years and Ms. Schafer who had served on the City Council for eight years. Mayor Larson further stated things would be very different without Ms. Schafer around. Mayor Larson thanked all of the Councilors for the support and further stated he could not have been Mayor without all of them because the City was not a Mayor ran town but was a City Council ran town. Mayor Larson welcomed Councilor Diebolt and Councilor Moore and thanked his wife Lois for supporting him the last four years and for the support in allowing him to be Mayor another four years. Mayor Larson further stated Mr. Winstanley was a marvelous City Manager with a marvelous staff of department heads. In the last few years Mr. Winstanley had hired Neal Wallace, as the Public Works Director, Bob Gross as the Chief of Police and Russ Vandenberg, as the Convention Center General Manager, and all were amazing people. Mayor Larson further stated Kim Jordan was another valuable person who had never sworn or yelled at him and had always supported him even with the dumb things that were asked of her once or twice. Mayor Larson sincerely thanked Ms. Jordan for being where she was and for the support given to him as the Mayor and to the Council. Mayor Larson thanked Trish who was unable to attend the meeting. Mayor Larson thanked the voters for allowing him to serve another four years. Mayor Larson further stated, let this be a good year.

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

AGENDA Motion to approve the January 8, 2007, agenda; carried unanimously. (Haller/Johnson)

COUNCIL PRESIDENT Mayor Larson stated every two years a Council President was elected. The Council President worked in the absence of the Mayor. Mayor Larson turned the agenda item over to Council President Don Johnson who would take care of the nominations.

Council President Johnson opened the elections for Council President.

Motion to nominate Stubby Lyons for Council President; carried unanimously. (Haller/Tolan)

Motion to appoint Stubby Lyons as Council President; carried unanimously. (Tolan/Diebolt)

Mayor Larson thanked Councilor Johnson for the years he had given to the Mayor and Council.

Councilor Haller stated two years ago Council decided to change Council President every other year which would give other Councilors a chance to serve. Councilor Haller further stated the next person in line after Councilor Johnson was Councilor Lyons.

Council President Lyons would serve as Council President until January, 2009.

CONFLICT Mayor Larson asked whether any Councilor wished to declare a conflict of interest.

No one declared a conflict of interest.

CONSENT AGENDA Motion to approve payment of the bills in the amount of \$775,179.74; carried unanimously. (Lyons/Diebolt)

**VACANCY –
CONVENTION CTR.
COMMISSION**

Mayor Larson stated there was one vacancy with two applications received for the Convention Center Commission. The applicants were Nancy McKeown and Troy Jasmin.

Councilor Tolan stated the applicants should be interviewed prior to the meeting January 22, 2007.

Motion to nominate Nancy McKeown and Troy Jasmin for the Convention Center Commission; carried unanimously. (Johnson/Lyons)

Mayor Larson stated the vacancies were now closed for the Convention Center Commission and interviews would be scheduled prior to the meeting on January 22, 2007.

LIQUOR LICENSE

Council considered an application for a liquor license for Harry and David at 1111 N. Roosevelt Dr., Suite 350. The applicant was applying for a Limited On – Premise sales license.

Motion to approve a Limited on Premise Sales License for Harry and David; carried unanimously. (Haller/Lyons)

PROCLAMATION

Bob Gross, Seaside Police Chief, stated a few months ago Council received information at a workshop about underage drinking in Clatsop County and the City of Seaside. The Proclamation was for the Citizens of the City of Seaside in which there was recognition that underage drinking was a problem in the City as well as the County. Youths in the community were drinking alcohol which resulted in poor decisions that had led to violence, including physical and sexual assaults, property crime, and tragic traffic accidents. By reading the Proclamation the City was taking the first step in a long project to reduce underage drinking in Seaside and in Clatsop County. The Proclamation would be a partnership with the Pacific Institute for Research and Evaluation as well as the Clatsop County Underage Drinking Task Force. Chief Gross further stated by signing on with the Proclamation, the City would be one of many organizations that would sign on to work together to reduce underage drinking.

Mayor Larson read the Proclamation for the Citizens of Seaside.

ORD# 2007-01

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE, CHAPTER 151 CHANGING THE ZONING AT 2155 GROVE STREET FROM C-1 TO R-2.

Mr. Winstanley stated Ordinance 2007-01 was a zone map amendment. The Planning Commission held a hearing concerning a zone map amendment to change a .32 acre portion of a C-1 zone to a R-2 zone. The area was north of O'Donovan's Clinic and to the South of Cartwright Park. The area had been used as a sub-station for Pacific Power. The Planning Commission considered the applicants request for the change. By changing the area to a R-2 zone the applicant planned to build a zero lot line duplex. The area on the west side of Grove Street was residential and the area just on the east side was currently commercial. There were low wetland areas on both the North and South side of the lot and the applicant had asked to change the zone which would be a better use of the property and would fit better into the neighborhood. The Planning Commission had recommended Council approve the amendment to the zone map.

Mayor Larson asked if anyone in the audience wanted to speak on the matter.

Angela Clark, 451 17th Avenue, Seaside, stated she was one of the owners of the property. Mr. Winstanley did a wonderful job explaining and outlining the recommendation. Ms. Clark further stated she was available if there were any questions that needed to be answered.

Councilor Diebolt stated in the Ordinance there was a date of December 5, 2006, for the Planning Commissions Public Hearing. The Public Hearing was actually held November, 2006.

Mr. Winstanley stated there would be an adjustment made to the Ordinance.

Motion to place Ordinance 2007-01 on its first reading by title only; carried unanimously. (Haller/Johnson)

Motion to place Ordinance 2007-01 on its second reading by title only; carried unanimously. (Haller/Diebolt)

**VACANCY –
LIBRARY BOARD**

Mayor Larson stated there was a vacancy on the Library Board. Councilor Moore had resigned from the Library Board.

Councilor Johnson asked if Don McKay had applied for the Library Board.

Mr. Winstanley stated Mr. McKay had applied for the Library Board.

Councilor Johnson made a motion to appoint Don McKay and Councilor Haller seconded the motion.

Mayor Larson asked if Council had to legally announce the vacancy for the Library Board.

Mr. Winstanley stated the vacancy should be left open to allow people to apply for the position.

Councilor Johnson removed his motion to appoint Mr. McKay.

GOAL SETTING DATE

Mayor Larson stated he would like to set the Goal Setting Session for Saturday, February 3, 2007, starting at either 8:00 AM or 9:00 AM.

Councilor Diebolt stated he would be out of town on February 3, 2007.

Council President Lyons stated all Councilors should attend the Goal Setting Session.

Mr. Winstanley stated if Council could give several dates that would be helpful.

Mayor Larson asked if Saturday, February 17, 2007, would work.

Council consensus to schedule the Goal Setting Session for Saturday, February 17, 2007.

COMMENTS – PUBLIC

Merlin Humpal, 2481 Oregon St., Seaside, stated he was confused because he thought Council had passed a rule with the 20 mile an hour speed limit on Broadway from Roosevelt to Wahanna Road. Mr. Humpal further stated when driving from the west there was a school sign which read 20 mile an hour from 7:00 AM to 5:00 PM on school days. When driving east there was not a sign until after Sunset Park and Recreation.

Mayor Larson asked if Chief Gross was familiar with the area.

Chief Gross stated Oregon law required the school zone sign be there in order to enforce the school zone speed and for there to be an enhanced penalty. The 20 mile an hour sign on the west end was taken down because the City was violating Oregon law because there could only be one 20 mile an hour sign. The school zone signs could be taken down in which case there would not be any enhanced penalties for speeding in front of Broadway Middle School.

Mr. Humpal stated he attended the Sunset Parks and Recreation Board Meeting and mentioned the problem with the crosswalk on Broadway in front of the Sunset Park and Recreation Building. Mr. Humpal had informed Trish Downey, Assist. To the City Manager, that there should be wings on the crosswalks so vehicles could see the pedestrians. Mr. Humpal further stated Dale McDowell asked sometime ago for the City to mark the road down by the Cove but nothing had been done. Mr. Humpal further stated sometime ago he mentioned there needed to be a sign indicating traffic should yield to oncoming traffic when turning left at 12th Avenue and Roosevelt and Mr. Wallace indicated at that time he would speak to the Oregon Department of Transportation (ODOT).

Mr. Wallace stated ODOT was not willing to look at the signal without another traffic study and right now ODOT did not want to do another traffic study.

Mr. Humpal asked if the height of trees over roadways was supposed to be 12 or 14 feet. There were three trees on 24th and Oregon Avenue and one tree fell down during the wind storm and the other two trees were tilted and were a real danger. Mr. Humpal further stated for safety there should be flashing lights installed on Holladay at the Seaside High School.

Alan Smiles, Chamber of Commerce Director, stated he would like to take the opportunity to give Council an update on the Chamber of Commerce. Many people helped the Chamber of Commerce build success in the City of Seaside. Mr. Smiles thanked everyone who had been involved with the Chamber of Commerce either directly, as part of the events, and with other projects that the Chamber of Commerce was working on. Mr. Smiles further stated in 2006 the Chamber of Commerce had the first Saturday Art Walk which increased cultural activities in Seaside for both visitors and locals. Local artist were able to show their work and become better known. The Chamber was a board member for the creation of the future National Heritage Area (Destination the Pacific) encompassing Clatsop County and Pacific County. The Chamber had been a leader in the revival of a County-wide economic development initiative and would be a future Clatsop County Economic Development board member. The Chamber has been part of a group that secured funds (\$19,000.00) for a new electronic community information board. The Chamber sponsored the worlds largest Volleyball Tournament which promoted Seaside outside the State of Oregon on the Fox Sports Network. The Chambers free enhanced listing enabled members to have a web presence on the Chamber website which included photos, extra text, bullet points, links to their own website and use of a booking calendar. The Chamber sponsored and planned the "Seven Habits of Highly Effective Leaders" presentation at the Seaside Convention Center last year and the cost was free to all those who attended. The Chamber sponsored the all new Holiday Gift Fair which had 3,000 visitors and the annual Parade of Lights. The Chamber sponsored the July 4th celebration which included fireworks, a 120 piece Drum and Bugle Corp Band, and a street fair. The weekly Chamber breakfast allowed networking options and an opportunity to listen to presentations and discussions on a wide range of issues, projects and information.

Mr. Smiles further stated for 2007 the Chamber would produce the first "Moving to Seaside" guide for people moving to the area which would give the Chamber a direct opportunity to promote members that could provide services to families moving to Seaside and Clatsop County. The Chamber would produce a disaster continuity planning guide for businesses. The Chamber would provide an online retail store for members to sell up to five items to a global market. The Chambers 'weddings at the beach' site was completed to promote beach weddings in Seaside. The Chamber would form part of a team that would produce and execute a Clatsop County Job and Career Fair in April, 2007, which would be directed at both the younger and adult generations. The Chamber was instrumental in promoting the PDXposed travel program to the Seaside Promotions Committee. There would be two shows, each aired eleven times promoting Seaside and the surrounding areas. The Chamber would offer a free online business school for members, to be completed in the early part of 2007. The Chamber would continue to focus on wider issues such as economic development and a National Heritage Area to enhance the business community. The Chamber would offer education and training to members and the community not only through the online business school, but in other planned presentations as well. The next class would be Grant Writing by Mr. Ed Armstrong. The Chamber would work towards low profile trash cans at the entrance to the beach from the Prom and would work with the Beach Drive Buccaneers to achieve this project. The Chamber continued to offer opportunities for business networking to members and the wider business community. Anyone was free to come to the Chamber of Commerce and seek advice, consult, and attend training that would be provided. Mr. Smiles further stated the Chamber was not the only organization carrying out the work in Seaside. Other organizations were the Seaside Chamber Ambassadors, the Downtown Development Association, Rotary Club of Seaside, Kiwanis, Parks and Recreation District and many other organizations that created a better community to live in and to help maintain the economy at the current level. The Chamber was an organization that had members who were part of, and worked with, all of the above mentioned. Mr. Smiles ended with a quote from the Chamber of Commerce vision statement "To be the leading resource and advocate for business and community enrichment built for service to others".

COMMENTS – COUNCIL

Councilor Tolan congratulated Councilor Diebolt and Councilor Moore and stated he looked forward to working together in the next couple of years.

Councilor Haller stated he looked forward to working with Councilor Diebolt and Councilor Moore.

Councilor Johnson congratulated Mayor Larson, Council President Lyons, Councilor Diebolt and Councilor Moore.

Councilor Lyons stated he had the opportunity to sit on the interview panels for the new Fire Chief applicants who were four outstanding individuals applying for the job. Councilor Lyons asked Mr. Wallace to speak about the presentations at the Parks Advisory Committee meeting.

Mr. Wallace stated there were three companies that presented information for the playground equipment that would be purchased for Cartwright Park with the donation from the Hood to Coast Relay. There was more information being requested from one of the presenters and the Parks Advisory Committee would make a decision at the next meeting in February and would present the recommendation to the City Council in February.

Councilor Lyons stated the sidewalk project on the North side of Wahanna road was progressing very nicely. Councilor Lyons further stated in regard to the Police Chiefs Proclamation the Seaside High School Drivers Education Program had received a \$3,800.00 grant and would present the grant at an assembly just prior to Spring Break and invite the local, county, and state law enforcement agencies to attend.

COMMENTS – STAFF

Dan VanThiel, City Attorney, stated the City had been involved with court matters recently and had to defend ourselves in both instances. Mr. VanThiel further stated he was pleased to inform Council the City had prevailed in both cases. There was a case with Western Underground and the jury found for the City and did not owe the plaintiff any money at all. As Council would recall there was the Winters case which was argued in the court of appeals on November 3, 2005, and fourteen months to the day the court of appeals came out with a decision on January 3, 2007, indicating that the charges were reversed. Both cases still needed to be finalized and the losing party in the Winters case had the ability to petition the Supreme Court for review of the decision.

ADJOURNMENT

The regular meeting adjourned at 7:48 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR