

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.
- Present: Mayor Don Larson, Council President Stubby Lyons, Councilors Don Johnson, Jay Barber, Tim Tolan, and Tita Montero.
- Absent: Councilor Dana Phillips.
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Dale Kamrath, Seaside Fire Chief; Nancy McCarthy, Daily Astorian; and Jeremy Ruark, Seaside Signal.
- ELECTION – COUNCIL PRESIDENT** Council President Lyons thanked the Mayor and Council for allowing him to be Council President the last year.
- Motion to elect Councilor Don Johnson as Council President; carried unanimously. (Lyons/Tolan)
- Mayor Larson stated Councilor Lyons had been valuable as Council President and thanked Councilor Lyons for all he had done.
- AGENDA** Motion to approve the January 9, 2012 agenda; carried unanimously. (Lyons/Tolan)
- COMMENTS – PUBLIC** None
- 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 \$909,737.58; and December 12, 2011, minutes; carried unanimously. (Barber/Lyons)
- VACANCY – CITY TREE BOARD** Mayor Larson stated there was one vacancy on the City Tree Board with no applications received. Mayor Larson asked Council to speak with people to get the vacancies filled and also asked the press to advertise the vacancy.
- VACANCY – BUDGET COMMITTEE** Mayor Larson stated there were two vacancies on the Budget Committee with one application received from Genesee Dennis. Mayor Larson further stated Council would leave the vacancy open for more applications. .
- VACANCY – BUILDING BOARD OF APPEALS** Mayor Larson stated there were two vacancies on the Building Board of Appeals with two applications received from Ray Romine and David Lehigh. Mayor Larson asked Council what they wished to do.
- Motion to appoint Ray Romine and David Lehigh to serve on the Building Board of Appeals; carried unanimously. (Johnson/Barber)
- The term expiration for Ray Romine and David Lehigh would be December 31, 2014.
- VACANCY – AIRPORT COMMITTEE** Mayor Larson stated there was one vacancy on the Airport Committee with one application received from Bruce Francis. Mayor Larson asked Council what they wished to do.
- Motion to appoint Bruce Francis to serve on the Airport Committee; carried unanimously. (Johnson/Lyons)
- The term expiration for Bruce Francis would be June 30, 2012.
- CONVENTION CENTER COMMISSION** Mayor Larson stated there was one vacancy on the Convention Center Commission with two applications received from Kelley Herr and Roger Schultz. Mayor Larson asked Council what they wished to do.

Councilor Montero stated she would like the vacancy to stay open until Councilor Phillips was back.

Councilor Tolan stated Councilor Phillips would be attending the next Council meeting January 23, 2012. Councilor Tolan further stated interviews could be scheduled for the next meeting.

Councilor Montero stated she had the impression that Councilor Phillips wanted to leave the vacancy open to receive more applications.

Mayor Larson asked how long Council should leave the vacancy open.

Councilor Montero stated until the next Council meeting January 23, 2012.

Councilor Tolan stated interviews could still be scheduled.

Mayor Larson stated the applications would need to be closed before interviews were conducted. Mayor Larson stated the vacancy would be left open until January 23, 2012.

**VACANCY –
TRANSPORTATION
ADVISORY COMMISSION**

Mayor Larson stated there were seven vacancies on the Transportation Advisory Commission with eight applications received from Dale McDowell, Bill Carpenter, Kathleen Teeple, Terry Hartill, Russ Earl, John Dunzer, Michael Tucker, and Robert Perkel. Mayor Larson stated Council would leave the vacancy open and accept applications until January 31, 2012.

RESOLUTION #3756

A RESOLUTION ADOPTING AND APPROPRIATING A BUDGET INCREASE FOR GRANTS RECEIVED IN PUBLIC SAFETY AND ADJUSTING THE 2011-2012 CITY OF SEASIDE WATER BUDGET

Mark Winstanley, City Manager, explained the resolution was a housekeeping issue as far as the budget was concerned. There were changes being made to the public safety budget in the amount of \$71,659.00. The change was an increase to the budget because of a police officer grant that was received to hire another police officer. The City also received \$35,259.00 from the State Radio Project. These were dollars used to install a new microwave antenna and this was the reimbursement for those dollars spent. Mr. Winstanley further stated the other fund was for the Water Department in which there was an adjustment being made between personnel and materials and services. This was just a category change and was not an increase or decrease in the budget.

Mayor Larson asked for public comments, there were no public comments.

Mayor Larson asked for Council comments, there were no Council comments.

Motion to read Resolution #3756 by title only; carried unanimously. (Tolan/Lyons)

Motion to adopt Resolution #3756; carried unanimously. (Montero/Lyons)

**INTERGOVERNMENTAL
AGREEMENT FOR
BROADWAY FIELD**

Mr. Winstanley stated this was an Intergovernmental Agreement between the City of Seaside, Seaside School District #10, and Sunset Empire Parks and Recreation District. The Intergovernmental Agreement was for the use of Broadway Fields. The City just recently finished installing new artificial turf for the football and baseball fields at Broadway. With that installation there were many people interested in using the fields and the school district for many years had used the fields for football and baseball games. This Intergovernmental Agreement would allow that to take place and in addition the Park and Recreation District would now become managers of those fields and make the arrangements when other people were interested in using the fields. The school district would still have first priority with games but if the Park and Recreation District wanted to run children's programs or other leagues then those events would be scheduled by the district. Mr. Winstanley further stated the Intergovernmental Agreement basically laid out who would be responsible for different aspects of the fields. The Park and Recreation District would manage the fields, the school district would enjoy the priorities onto the fields, and the City of Seaside would continue to maintain.

Councilor Lyons stated there were organizations like the Oregon School Activities Association (OSAA) who sanctioned all athletics in the state of Oregon and in the future when the fields were entirely completed this organization or others may want to rent the field for playoff situations. There was approximately a 1000 to 1500 hundred person stadium that also was being looked at for the future.

Mayor Larson stated the agreement stated that the City of Seaside currently had an Intergovernmental Agreement with the school district so would that be obsolete once this agreement was signed.

Mr. Winstanley stated this Intergovernmental Agreement would supersede the old agreement. Mr. Winstanley further stated the City of Seaside was the first governing body to address the Intergovernmental Agreement. The Seaside School District and Sunset Empire Park and Recreation District would follow.

Mayor Larson asked about page 3 concerning that no alcohol would be sold by District or concessionaries. Could a function be held at Broadway where alcohol would be served?

Mr. Winstanley stated occasionally there were functions at Broadway where fraternal organizations had served beer.

Councilor Montero stated it does not prohibit the sale of alcohol.

Mr. Winstanley stated the agreement did not prohibit the use of alcohol at Broadway by any private organization.

Mayor Larson stated those who worked together on this agreement did a very good job.

Mr. Winstanley stated to the credit of the City of Seaside, Seaside School District #10, and Sunset Empire Park and Recreation District this was a cooperative agreement between three users of the park and the City of Seaside still owned the park.

Motion to approve the Intergovernmental Agreement between the City of Seaside, Seaside School District #10, and Sunset Empire Park and Recreation District for the Broadway Playing Field; carried unanimously. (Lyons/Johnson)

Mayor Larson asked if the draft stamp was on the agreement because it came to Council as a draft.

Mr. Winstanley stated the agreement was a draft as far as Council was concerned. Once the agreement was addressed by the other governing bodies and if there were changes made then the agreement would be brought back to Council for approval with the changes.

**WATER AGREEMENT
WITH CITY OF
GEARHART**

Neal Wallace, Public Works Director, stated the City of Gearhart held groundwater rights in the Clatsop Plain Basin to supply raw water to their new treatment plant. Initially the maximum well capacity would be limited seasonally to ensure that the well field did not impact the surface water level of Neacoxie Creek. It was anticipated the well field would not have a negative impact on the Neacoxie and that pumping rates would be increased in future years. Mr. Wallace further stated in the meantime, Oregon Water Resources Department was requiring Gearhart to have a backup source of water to provide the expected shortfall between July 1st and October 31st. The projected maximum shortfall per month was July – 6.7 million gallons; August – 9.7 million gallons; September – 7.0 million gallons; and October – 5.8 million gallons. Mr. Wallace further stated during August, the shortfall was based on peak daily demand and would be approximately 300,000 gallons per day. The City of Seaside would be able to provide water to the City of Gearhart based on normal water levels in the Necanicum. The agreement was based on the City's ability to provide the water at a rate of \$2.51 per 100 cubic feet which had been agreed to by both cities.

Mayor Larson stated he did not see Exhibit A which was mentioned on page 1 of the agreement.

Mr. Wallace stated he did not include Exhibit A. The connection point was just off the side of Highway 101 and just north of the City limits. It's the same point the City has had with Gearhart who was the conduit for Warrenton.

Mr. Winstanley stated there was an item on page 6 of the agreement at 16.1 the blank should state the Preceding Judge in Clatsop County Circuit court.

Motion to approve the City of Gearhart water use agreement as amended; carried unanimously. (Barber/Johnson)

**BID FINAL –
OUTFALL IMPROVE-
MENT PROJECT**

Mr. Wallace stated Bergerson Construction had completed their work on the Seaside Wastewater Outfall Project. The original contract amount was \$792,750.00. During the course of the project there were seven change orders generated that included concrete repairs to the chlorine contact basin and other structures, a stainless steel catwalk around the reconstructed basin, storm water repair and replacement, additional work on the floating diffuser, and modifications to the original tie-in design. These changes totaled \$101,512.12 for a total contract of \$894,262.12. The retainage held for the project was \$44,713.11. Mr. Wallace further stated Bergerson Construction issued their letter of substantial completion on December 1, 2011, and had used that date to start the one year warranty on their work. The outfall was online and functioning properly prior to December 1, 2011. Staff recommended accepting the outfall project and warranty and releasing the retainage of \$44,713.11 to Bergerson Construction.

Motion to approve the final for the Outfall Improvement Project and release the retainage with Bergerson Construction in the amount of \$44,713.11; carried unanimously. (Tolan/Lyons)

**BID FINAL –
AIRPORT IMPROVE-
MENT PROJECT**

Mr. Wallace stated Clean Sweep Maintenance, Inc. was awarded the bid for the Airport Improvement Project. The work included installation of a new fence along the north and west sides of the apron (near Bayview Transit Mix), a new automatic security vehicles gate, and a substantial amount of storm water system construction and repair. The bid included a base bid for storm water and fence, bid alternate 1 for the automatic gate, and bid alternate 2 for additional storm water work. Mr. Wallace further stated Clean Sweep's bid was so competitive; the City was able to proceed with both bid alternates. The contract process were as follows: Original Base Bid - \$80,172.00; Bid Alternate 1 - \$16,650.00; Bid Alternate 2 - \$47,570.00; Change Orders - \$7,300.00; with a total contract price of \$151,692.00. Mr. Wallace further stated all the work from bid alternate 2 plus a small amount of the base bid work had been put off until spring due to the high water conditions at the airport. The total work completed was \$100,762.50. Staff anticipated the work would be completed in April or May of 2012. The contractor had been paid \$25,470.93 to date. The total work to be paid would have a retainage value of \$5,038.13 which would leave a balance due to the contractor of \$75,291.57. Mr. Wallace further stated the work completed had been satisfactory and the contractor should not have to wait four months for retainage. Staff recommended releasing the retainage and final payment of \$75,291.57 to Clean Sweep.

Mayor Larson stated Bid Alternate 2 would be completed at a later date.

Mr. Wallace stated that was correct Bid Alternate 2 would be completed later.

Motion to approve the final for the Seaside Airport Improvement Project and release the retainage with Clean Sweep Maintenance, Inc. in the amount of \$75,291.57; carried unanimously. (Johnson/Lyons)

Mr. Wallace stated he would like to take the opportunity to introduce Joe Otts, RARE Participant, who was helping out at Public Works and the Planning Department. Mr. Otts came to Seaside through the interview process and had been put on board to help with planning and further refinement of the Necanicum Estuary Natural History Park plan and had also been brought on board to update the Dune Management Program. The Dune Management Program document had not been amended for approximately twenty-five years. Mr. Otts had also been very helpful in the Tsunami Outreach and all the barrels around Public Works had now found homes.

Mayor Larson asked Mr. Wallace to let the audience know what RARE stood for.

Mr. Wallace stated RARE stood for Research Assistant for Rural Environments.

Mayor Larson stated the City was very fortunate to have this young man on staff. Mayor Larson asked if it was for one year at a time.

Mr. Wallace stated Mr. Otts would be with the City for eleven months.

COMMENTS – COUNCIL

Mayor Larson thanked everyone that was part of the staff and Mark's crew for the City. When taking a look at the Council Agenda there had been many items successfully accomplished and Seaside being a small City was doing a lot and everyone should be very proud of the staff that kept Council going.

Councilor Tolan stated many times the public may wonder why Council did not discuss the agenda items more. Council had time before hand to review the information and discuss the items with staff.

Mayor Larson stated Council received their packets five days before the Council meeting which gave time for Council to review and discuss the information.

Councilor Lyons stated the Mayor and each Councilor on their own time would meet with the City Manager to discuss each item on the agenda. Council was exposed to the packet in advance which gave time to discuss the items on the agenda. Councilor Lyons further stated he hoped to have a new Student Representative at the next Council meeting.

Councilor Montero stated she traveled to San Diego for Christmas and was really happy to be back. Councilor Montero further stated she was ill for most of the vacation.

Councilor Barber thanked Mr. Otts who had been a great liaison for the Community Gardens in Seaside in setting up a composting operation. Councilor Barber further stated Council had invested \$1,000.00 in the budget process to Helping Hands which was a non profit organization in Seaside ran by Alan Evans the Executive Director.

Councilor Barber and his wife Jan had the privilege in attending their graduation ceremony Saturday, January 7, 2012. There were six graduates that had completed a year long program on sobriety and working but the most amazing thing was the approximately twenty people who were asked to stand because they had previously went through the program and were now working and living in their own houses or apartments.

Council President Johnson stated earlier this fall he met with Mr. Otts to discuss Visioning and ended up giving Mr. Otts a box of all the visioning information from the last twenty years. Council President Johnson thanked everyone for their support.

COMMENTS – STAFF

Dale Kamrath, Seaside Fire Chief, stated Saturday, January 7, 2012, the Seaside Fire Department had their awards banquet and Mayor Larson attended to give the invocation. At the awards banquet there was an award given to Glen Bard who had given fifty years of service; two thirty years of service awards given to Joe Sopko and Eric Schmidt; and three twenty years of service awards given to Tony Biamont, Mike Smith, and Colin Houston. There were also three annual awards given and the EMS Responder of the year went to Jaime Oxley, Fire Officer of the year was Joey Daniels, and Firefighter of the year was Doug Barker.

Mayor Larson stated the evening was very well done and he thanked Chief Kamrath for the opportunity to attend.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated the Convention Center was open again and he wished everyone a Happy New Year. Mr. Vandenberg further stated there was a Convention Center Commission meeting Wednesday, January 11, 2012. Mr. Vandenberg further stated the new Visitors Bureau Guides had arrived he was very proud of this years addition.

Mayor Larson stated he was out of town for the holidays and the North Coast Family Fellowship Church he attended had approximately nine hundred people who attended the Candlelight Church Service at the Convention Center and the service was absolutely marvelous.

Bob Gross, Seaside Police Chief, stated the officer selected for the police grant was in his second week of the Police Academy. The Police Department was working on developing a strategic plan for the next two to five years.

Councilor Lyons stated he really appreciated the officer that came to the school today and helped with the little boy approximately two to three years old that was found walking on the street. The officer did a great job handling the situation.

Laurie Oxley, Seaside Downtown Development Association, stated right now was committee time and there would be seven or eight committees started. Ms. Oxley thanked the Chamber of Commerce for the gorgeous Christmas tree that was downtown this year.

Mayor Larson stated the tree was very nice.

Chuck Minor, Chamber of Commerce, stated the 28th Annual Barbershop Cabaret was scheduled for Friday, January 20, 2012 and Saturday, January 21, 2012, at the Convention Center. Mr. Minor further stated the Chamber of Commerce received a new project which was finding a home for the food bank in Seaside.

Mayor Larson reminded Mr. Minor about the Mayor's Cup Rugby in February.

Mr. Winstanley stated it was important that he public knew how much time the City Council put into being on the Council. Other then meetings every two weeks there was a great deal of time that Council and the Mayor put in to prepare for a Council meeting and to go over different subjects that come up as far as the City was concerned. The agenda was literally planned out three to five meetings in advance. Sometimes there was not a great deal of discussion at the meetings but there was a great deal of discussion by the time Council actually attended the meeting. Staff was paid to do the work but Council was all volunteer work. Mr. Winstanley further stated on Friday, January 6, 2012, he attended a retirement party for Larry Lehman who was the City of Seaside City Manager at one time. There were four hundred people who attended the retirement party.

ADJOURNMENT

The regular meeting adjourned at 7:47 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR