

**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, Dave Moore, Gary Diebolt, and Larry Haller.

Absent: Councilor Don Johnson.

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Police Chief; Dale Kamrath, Fire Chief; Don Anderson, Seaside Signal; Jeff Nelson, KAST; Nancy McCarthy, Daily Astorian; Rebecca Herren, The Coast Times.

**AGENDA** Motion to approve the July 27, 2009, agenda; carried unanimously. (Lyons/Tolan)

**MINUTES** Motion to approve the July 13, 2009, minutes; carried unanimously. (Lyons/Moore)

**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 \$122,813.77; carried unanimously. (Lyons/Diebolt)

**ORDINANCE #2009-05** AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 51 SEWER, OF THE SEASIDE CODE OF ORDINANCES BY ADDING A NEW SECTION 51.090 (E) REGARDING COMPENSATION FOR THE USE OF CITY-OWNED-RIGHTS-OF-WAY

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

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

Motion to place Ordinance 2009-05 on its third reading by title only; carried unanimously. (Haller/Lyons)

Motion to adopt Ordinance 2009-05; carried by the following roll call vote: (Haller/Lyons)

YEAS: MOORE, DIEBOLT, LARSON, TOLAN, HALLER, LYONS  
NAYS: NONE  
ABSENT: JOHNSON  
ABSTAIN: NONE

**ORDINANCE #2009-06** AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 52 WATER, OF THE SEASIDE CODE OF ORDINANCES BY ADDING A NEW SECTION 52.60 (D) REGARDING COMPENSATION FOR THE USE OF CITY-OWNED-RIGHTS-OF-WAY

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

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

Motion to place Ordinance 2009-06 on its third reading by title only; carried unanimously. (Diebolt/Lyons)

Motion to adopt Ordinance 2009-06; carried by the following roll call vote: (Diebolt/Lyons)

YEAS: MOORE, DIEBOLT, LARSON, TOLAN, HALLER, LYONS  
NAYS: NONE  
ABSENT: JOHNSON  
ABSTAIN: NONE

**VACANCY – CITY TREE BOARD** Mayor Larson stated there were two vacancies on the City Tree Board with two applications received. Mayor Larson asked Council what they wished to do.

Councilor Lyons stated there had been a vacancy on the City Tree Board for many weeks and there were two outstanding applicants that were very interested in being on the City Tree Board. This would be the first time since Councilor Lyons had served on the board that an applicant would have a degree in Forestry and the other applicant was a sports and fitness manager at the Sunset Empire Parks and Recreation District.

Mark Winstanley stated the normal procedure for any candidates that had applied for a committee was to receive the application and do background checks. There had not been an opportunity to conduct background checks on any of the applications that had just been received today.

Motion to close the nominations for the City Tree Board; carried unanimously. (Lyons/Moore)

**VACANCY – AIRPORT COMMITTEE** Mayor Larson stated there was one vacancy on the Airport Committee with one application received. Mayor Larson further stated the application was also just received today and a background would need to be conducted.

**VACANCY – PLANNING COMMISSION** Mayor Larson stated there was one vacancy on the Planning Commission with two applications received. Mayor Larson further stated one of the applications was just received today but would not be accepted until filled out properly. Mayor Larson asked that the applicant be contacted.

**LIQUOR LICENSE** Council considered an application for a liquor license for Riverside B-B-Q, at 1300 S. Holladay. The applicant was applying for a Limited On-Premise Sales License, which would be for a new outlet.

Motion to approve a Limited On-Premise Sales License for Riverside B-B-Q, at 1300 S. Holladay; carried unanimously. (Tolan/Haller)

**LIQUOR LICENSE** Council considered an application for a liquor license for West Lake Restaurant, at 1480 S. Roosevelt. The applicant was applying for a Full On-Premise Sales License, which would be for a change of ownership.

Mayor Larson asked if the restaurant had been formally sold and the deal closed.

Mr. Winstanley stated the sale was still pending on the property but the applicant had chosen to pursue approval from the Oregon Liquor Control Commission (OLCC) and OLCC would not approve the license until the sale was final.

Motion to approve a Full On-Premise Sales License for West Lake Restaurant, at 1480 S. Roosevelt; carried unanimously. (Tolan/Haller)

**PROCLAMATION** Bob Gross, Police Chief read a proclamation for National Night Out.

**COMMENTS – PUBLIC** None

**COMMENTS – STAFF** Chief Gross invited Council and the public to attend National Night Out at both Cartwright and Broadway Parks on Tuesday, August 4, 2009, 6:00 to 8:00 PM. Chief Gross further stated there would be free food served.

Dale Kamrath, Fire Chief, invited Council to the Fire Departments Picnic at Cartwright Park on Saturday, August 1, 2009, at 12:00 PM.

Mr. Winstanley encouraged everyone to attend the National Night Out which was a wonderful event. Mr. Winstanley stated there had been quite a lot of concern expressed about the water in Seaside. The water in Seaside was safe to drink and there were issues with the taste and smell because of an Algae Bloom going on at the reservoir and the City was currently bypassing the reservoir and hoped to gradually flush out the water. The water was safe to drink and there was nothing wrong as far as the safety of the water.

**RECESSED INTO EXECUTIVE SESSION** Council Recessed into Executive Session at 7:17 PM in accordance with ORS 192.660 (2) (e) regarding Real Property Transaction.

**RECONVENED FROM EXECUTIVE SESSION** Council reconvened from Executive Session at 7:43 PM.

**COMMENTS – COUNCIL** Councilor Lyons stated he really appreciated the Fire Chief for helping Council with the 4<sup>th</sup> of July parade. Council had a new record with the amount of Taffy and American Flags that were handed out. Councilor Lyons congratulated Councilor Diebolt on the success of the Bike Fest in Seaside. Councilor Lyons further stated the Hall of Fame was scheduled for September 26, 2009, at the Convention Center and the 1994 State Champion Football Team, the Speech Team with George Stacey, and the short relay team in Track that still carried the state record would be inducted.

Councilor Tolan congratulated Chief Gross for his participation in the 10 K at the Beach Run in Seaside.

Councilor Diebolt stated the Bike Fest was a success and well received by the outside community of Seaside.

**ADJOURNMENT** The regular meeting adjourned at 7:46 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR