

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, Don Johnson, Gary Diebolt, Larry Haller and Student Representative Cody Forsythe.

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Police Chief; Mikaela Norval, Tourism Director; Russ Vandenberg, Convention Center General Manager; Neal Wallace, Public Works Director; Donald Allison, Seaside Signal; Nancy McCarthy, Daily Astorian.

AGENDA Mayor Larson asked to have agenda items “Comments from the Public and Comments from the Student Representative prior to going into the Executive Session.

Motion to approve the June 8, 2009, agenda as amended; carried unanimously. (Lyons/Johnson)

MINUTES Motion to approve the May 11, 2009, minutes; carried unanimously. (Haller/Tolan)

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 \$776,737.59; carried unanimously. (Lyons/Diebolt)

LIQUOR LICENSE APPLICATION Council considered an application for a liquor license for Chen’s Golden Horse Restaurant at 300 Broadway #21. The applicant was applying for a Limited On-Premise Sales License.

Motion to approve a Limited On-Premise Sales License for Chen’s Golden Horse Restaurant at 300 Broadway #21; carried unanimously. (Haller/Lyons)

LIQUOR LICENSE APPLICATION Council considered an application for a liquor license for Angelina’s Pizzeria and Cafe at 300 S. Roosevelt #8. The applicant was applying for a Limited On-Premise Sales License.

Motion to approve a Limited On-Premise Sales License for Angelina’s Pizzeria and Cafe located at 300 S. Roosevelt #8; carried unanimously. (Diebolt/Lyons)

LIQUOR LICENSE APPLICATION Council considered an application for a liquor license for Taco Shark 1 at 126 and 150 Broadway. The applicant was applying for a Full On-Premise Sales License.

Motion to approve a Full On-Premise Sales License for Taco Shark 1 at 126 and 150 Broadway; carried unanimously. (Tolan/Diebolt)

CLATSOP ECONOMIC DEVELOPMENT RESOURCES Rick Gardner, Clatsop Economic Development Resources, stated approximately one year ago the Clatsop Economic Development Resources (CEDR) went before the City Council for a proposal to create a County wide Economic Development Organization and to have a mission to provide a business driven Economic Development Services to create and grow Clatsop County businesses. There was a proposal that was based on three key goals which was structured as a two-year pilot program with the idea that if the program was successful at meeting the objectives there was a possibility of earning the right to continue as an organization. The first goal was to lead the delivery of the economic development services by bringing together multi-organizations efforts working together in the area. CEDR now had full partnerships of Clatsop County, all five municipalities, Port of Astoria, Clatsop Community College, small Business Development Center Network, and Private Industry; there was a Board of Directors and Executive Committee formed in October, 2008; full time Director and Business Councilor hired in January 2009; main office established in Seaside and a satellite facility in Astoria; demonstrated ability to work effectively across organizations and across the County successfully. The second goal was to expand, retain, and recruit businesses and industries to include existing and new industry clusters like business engagement with proactive business visits; Economic Cluster Development with Col-Pac, working with Port of Astoria Boatyard and Historic Preservation; Small Business Assistance with business counseling, disaster preparedness guides published, business 101 seminars held in Seaside; business recruitment with county focal for recruitment, website established www.clatsoped.com and available lands and commercial properties database was in the works. The third goal was to Increase per capita income, diversify the economy and promote family wage jobs like economic cluster development activity, and economic diversification plan, which was in the works. Mr. Gardner further discussed the CEDR Performance Goals, 2009 CEDR Financial Plan, and the 2010 CEDR Financial Plan. Mr. Gardner further stated CEDR was on track to meet commitments with organizations established, fully staffed, and providing services and on plan to achieve results. Seaside was an extremely important CEDR partner with over twenty-five percent of all small business counseling, home of CEDR’s main office and location of CEDR’s Business 101 small business training seminars.

The current economic environment made funding a challenge with a fifty-two percent reduction in State SBDC grant funding, private sector fundraising was problematic, other grants were likely but would require local matches and CEDR was operating on a minimal overhead. Mr. Gardner further stated CEDR was asking for Council's continued support at the same level as last year, which was \$7,500.00.

RESOLUTION #3676

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, REGARDING THE CLATSOP ECONOMIC DEVELOPMENT RESOURCES

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

Mayor Larson asked for Council Comments and there were no comments.

Motion to read Resolution #3676 by title only; carried unanimously. (Haller/Diebolt)

Motion to adopt Resolution #3676; carried unanimously. (Haller/Tolan)

RESOLUTION #3677

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AUTHORIZING A LOAN FROM THE WATER/WASTEWATER FINANCING PROGRAM (Regarding Outfall Project)

Neal Wallace explained the City was under orders from the Department of Environmental Quality (DEQ) to relocate the Outfall at the Wastewater Treatment Plant. There was an attempt to get stimulus funding for the project but the City did not receive any money. The City went to the Oregon Economic and Community Development Department (OECDD) for financing and Resolution #3677 was an agreement with the financing terms for \$1,189,000.00 for the City to proceed with the Outfall project.

Mayor Larson asked for public comments.

Dale McDowell, 3760 Sunset Blvd., Seaside, asked what the permit status would be for the project.

Mr. Wallace stated the project was in process and was just getting started and would not be this year's construction project. The permitting process and final design would be completed and the project would start in approximately one year.

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated he did not understand where the loan would come from.

Mr. Wallace stated the loan would be for the Wastewater Treatment Plant and would come from the OECDD.

Mark Winstanley stated OECDD would not give permanent financing but helped with the interim financing which enabled organizations to be able to get the work done and to then get permanent financing for the project.

Mayor Larson asked for Council Comments and there were no comments.

Motion to read Resolution #3677 by title only; carried unanimously. (Johnson/Diebolt)

Motion to adopt Resolution #3677; carried unanimously. (Tolan/Diebolt)

ORDINANCE #2009-03

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 32 OF THE SEASIDE CODE OF ORDINANCES REGARDING TRANSIENT ROOM TAX

Mark Winstanley explained there were certain financial challenges this year and the Budget Committee was asked to not fund the Lifeguard program on the budget. The Budget Committee felt very strongly about the Lifeguard program and felt the program was very important and a signature part of the City. What was proposed to the Council was to chisel off very small portions of the room tax percentages to allow the City to fund the Lifeguard program. Room tax was estimated to come in at \$2,700,000.00 and the Lifeguard program required approximately \$27,000.00 or one percent. The changes would include taking seven tenths of one percent out of the Convention Center fund, two tenths of one percent out of the Convention Centers Capital Improvements fund, and one tenth of one percent out of the Prom Improvement fund.

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

Mayor Larson called for Council Comments.

Councilor Tolan asked if this was a permanent change to the room tax.

Mr. Winstanley stated the change was permanent.

Motion to place Ordinance 2009-03 on its first reading by title only; carried unanimously. (Haller/Johnson)

Motion to place Ordinance 2009-03 on its second reading by title only; carried unanimously. (Haller/Diebolt)

2009 FUND EXCHANGE AGREEMENT

Mr. Wallace explained the Economic Stimulus Project – Confirmation and Agreement for City of Seaside Street Paving had been accepted for funding through the American Recovery and Reinvestment Act (ARRA) of 2009. The agency’s share of the ARRA funds allocated to cities, counties, and metropolitan areas was \$137,966.00. However, the City of Seaside had chosen to trade the federal ARRA funds for state funds at the ratio of \$94.00 state for \$100.00 federal. The amount of state funds for the project was \$129,688.00. Mr. Wallace further stated the ARRA program had specific goals and deadlines different from those of other federal or state programs. One critical difference was that the funds were available only until March 1, 2010. If the project had not advanced to construction by the date, the funds would be withdrawn for redistribution to other projects. The project would need to be started promptly and advanced to contract time. Several actions needed to occur before the project could begin: Sign the Fund Exchange Agreement, Obtain Notice to Proceed from the Oregon Department of Transportation (ODOT), secure a qualified consultant (if needed). Mr. Wallace further stated the funds would be used to fund the North Holladay project and staff recommended Council approve the 2009 Fund Exchange Agreement.

Motion to approve the 2009 Fund Exchange Agreement; carried unanimously. (Diebolt/Tolan)

VACANCY – AIRPORT COMMITTEE

Mayor Larson stated there was one vacancy on the Airport Committee with the resignation of Allen Sprague. Councilor Johnson was the Council representative for the Airport Committee and had a proposed change to the Airport Committee Ordinance.

Councilor Johnson stated the Ordinance stated there was to be a representative for the Seaside Downtown Development Association (SDDA) and a representative for the Seaside Chamber of Commerce. Councilor Johnson asked to eliminate the portion of the Ordinance for a SDDA member and Chamber of Commerce member and to make the two positions at large members.

Council consensus to change the ordinance to eliminate the SDDA Representative and Seaside Chamber of Commerce and to make the two positions at large members.

VACANCY – CITY TREE BOARD

Mayor Larson stated there was one vacancy on the City Tree Board. Mayor Larson asked the press to advertise the vacancy.

FINAL – LIBRARY PROJECT

Mr. Wallace explained Big River Construction had completed the construction of the new Seaside Public Library. Payments for the project had been made including most of the retainage, except for \$10,000.00. Staff had been waiting for the outcome of the mold and moisture investigation before the final release of the funds. There was a plan in place to improve the ventilation under the Library building that had been provided by the architect. Big River was released from responsibility for the ventilation improvement. Staff recommended accepting the project and releasing the remaining funds of \$10,000.00.

Motion to accept the final on the Library Project and release the retainage to Big River Construction in the amount of \$10,000.00; carried unanimously. (Haller/Diebolt)

FINAL – 4.0 MG RESERVOIR

Mr. Wallace explained Big River Construction had completed the work on the Peterson Point Reservoir Project, issued appropriate warranties, and requested release of the final funds. The City had paid 80% or \$145,348.77 of the retainage for the project. There was a balance of \$36,337.19 still due to Big River Construction. Staff recommended accepting the project and releasing the remaining funds of \$36,337.19.

Motion to accept the final on the 4.0 MG Peterson Point Reservoir Project and release the retainage to Big River Construction in the amount of \$36,337.19; carried unanimously. (Tolan/Haller)

PROCLAMATION

Mayor Larson read a proclamation for 2010 Census Partner.

COMMENTS – PUBLIC

Kevin O’ Keane, 2525 Pine Street, Seaside, asked what the neighborhood needed to do in order to get Pine, 25th and 26th streets paved. The neighborhood was canvassed about a year ago and most of the homeowners on the streets asked the City to look into the possibility of paving the streets. There was a response received that further information would be gathered about cost and details and there had been concerns about sidewalks and curbs even though the neighborhood had no sidewalks and curbs. Mr. O’Keane asked what the neighborhood needed to do to make the project happen.

Mr. Winstanley stated the City should have some information for the neighborhood in the not to distant future. The problem was that normally there would be sidewalks and curbs added and the delay was with staff working through a proposal that would be presented to the neighborhood.

COMMENTS – STUDENT REPRESENTATIVE

Cody Forsythe, Student Council Representative, stated Tuesday, June 9, 2009, there was a half day of school and then students would be out for the summer.

Councilor Lyons stated he met Mr. Forsythe in a Drivers Education Car and liked his style and communication skills. Councilor Lyons further stated Mr. Forsythe has been a great candidate for the Student Representative and further stated he was very proud of Mr. Forsythe.

RECESSED INTO EXECUTIVE SESSION

Council Recessed into Executive Session at 7:45 pm in accordance with ORS 192.660 (2) (e) regarding Real Property Transaction.

RECONVENED FROM EXECUTIVE SESSION

Council reconvened from Executive Session at 8:16 pm.

COMMENTS – COUNCIL

Councilor Lyons stated the 4th of July was three weeks away with thirty-two entries in the parade, two marching bands, one hundred and ten pounds of taffy and flags for the parade. Councilor Lyons further stated he had several complaints about bike riders on the prom almost running down people; youths on skateboards who were going in and out of traffic from the turnaround all the way down Broadway and past the Pig n Pancake, and not one guy in a blue uniform had been noticed in the downtown area while this was going on. Mr. Lyons further stated the word was quartosepennial and demisemisennial, which were latin terms that meant one hundred seventy five years which was when the time capsule would be opened, in the year 2034. The time capsule was finished and Advance Collision Care was going to prime and paint the capsule. The cradle for the time capsule was made by the Seaside High School Wood Shop and was finished. Councilor Lyons stated he and Mr. Wallace rode around in Gary Terrell's helicopter to take pictures of the City and the students who were in formation outside the schools. The pictures would be added to the time capsule

Councilor Johnson stated he was contacted by Bernie Bjork concerning the Marine Reserve Advisory Committee the County was putting together, and Mr. Bjork asked if a Councilor from Seaside could be added to the committee. Councilor Johnson stated he would apply to be on the committee if Council agreed.

Council consensus for Councilor Johnson to serve on the Marine Reserve Advisory Committee.

Councilor Diebolt stated Sunset Transit had moved the bus route from Beach Drive, Avenue 'A' to Avenue 'U' to Downing, which would better, serve the community. Councilor Diebolt thanked Councilor Lyons for the comments about the skateboarders.

Mayor Larson stated he agreed about the skateboarders.

COMMENTS – STAFF

Mr. Wallace stated there was a Restroom Cleaning Position that opened up at Public Works and there had been one hundred and fifteen applications received. Mr. Wallace further stated the City had received the fully executed agreement from the Oregon Department of Transportation for the Bike and Pedestrian Grant and the project would be going out to bid in a couple of weeks. Mr. Wallace further stated he would be heading to Sunriver this week for the Broadway Park Presentation Grant.

Kim Jordan, Administrative Assistant asked Mr. Wallace to announce the Broadway Park Dedication.

Mr. Wallace stated the Dedication of the Broadway Parks Playground was part of the Sesquicentennial Oregon 150 celebration and would be Saturday, June 20, 2009, 2:00 pm.

Councilor Lyons stated the second annual Pig Bowl would be held on Saturday, June 27, 2009, at Broadway Park.

Ms. Jordan asked Mayor Larson to remind Council of the fifth Monday meeting.

Mayor Larson stated on Monday, June 29, 2009, there would be a work session with the Planning Commission, 6:30 pm.

ADJOURNMENT

The regular meeting adjourned at 8:26 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR