

THE TAPE PLAYER WAS NOT WORKING AT THIS MEETING, TECHNICAL PROBLEMS.**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, Councilors Stubby Lyons, Don Johnson, Larry Haller, and Jay Barber.

Absent: Council President Tim Tolan, and Councilor Dave Moore

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Russ Vandenberg, Convention Center General Manager; Neal Wallace, Public Works Director; Al Peinhardt, Finance Director; Max Milander, Seaside High School Representative; Rebecca Herren, The Coast Times; Jeremy Ruark, Seaside Signal; and Jeff Nelson, KAST.

Councilor Lyons stated his younger sister and husband Joan and Tom Lewis were visiting from Post Falls Idaho.

AGENDA

Motion to approve the March 8, 2010, agenda; carried unanimously. (Lyons/Barber)

COMMENTS – PUBLIC

John Dunzer, 2964 Keepsake Drive, Seaside, stated Seaside armed itself with a measure to fight crime. This was absolutely the most interesting article from the Daily Astorian. The article stated because of the seven percent increase in crime the Seaside Police Department now had to arm themselves. Mr. Dunzer read through the Seaside Police Report which was done very well but the statistics were looked at by the year instead of by the trend. The article was ridiculous because there was not a massive increase in crime in Seaside. When the statistics were looked at over time then there was not much of an increase at all and that was a tribute to the police department. Was there really a need to blur the image of truth by saying there was a massive increase in crime to sell the bond issues to the public. Mr. Dunzer further stated he had tried to speak to the new Fire Chief a couple years ago when he was hired about the Community Wildlife Fire Protection Plan because Clatsop County was one of the few Counties' in Oregon that did not have a plan. The fire department was just now starting to get the plan approved and there were six locations in Seaside. The Forestry Department had not had any contact with anyone in Seaside and since Mr. Dunzer lived in the Cove area he was sensitive about fires and the way the area behind his house was maintained which was part of the City. The area was to be maintained for the health of the forest and someone needed to start worrying about that area.

Councilor Barber stated Council had been celebrating the fact that crime had decreased in many areas when the Police Chief gave his report and that was why the City wanted to keep the Police Department strong.

Mr. Dunzer stated someone had made the comment that a City the size of Seaside normally had ten to twelve police officers and that the City was different which he agreed with. During the eight months that nothing was occurring what happened with the extra cops. The big events that were held in Seaside should pay for the security of the police. Mr. Dunzer further stated the Seaside Library should be open on Monday's and the extra money should be spent there instead of on the police.

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated he had time to think about the bond issue for the police and further stated a good mechanic should be able to maintain the vehicles. The City and governments had better cars than the average person and that was not necessary. There should not be a bond issue to pay for normal operating expenses. Hiring police officers and maintaining vehicles should come out of the regular budget. The need for the extra police should come from the businesses and the businesses should be asked to pick up some of the expense. Mr. Humpal further stated there had been talk about an addition to the Seaside Convention Center which was great but nothing should be done with the Convention Center until the traffic problems were solved in Seaside.

Mayor Larson stated the Seaside Fire Department had one new fire personnel that was hired and a new fire truck purchased with a five year operating levy for the fire department. There was just not enough money with all the cutbacks to purchase new fire trucks and police vehicles.

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 \$502,816.61; and approve the February 22, 2010, minutes; carried unanimously. (Lyons/Johnson)

DISCUSSION – PERMIT BIO-SOLIDS

Neal Wallace, Public Works Director, stated as part of the standard operations at the Sewer Treatment Plant there was two bi-products that the plant ended up with. The clear treated effluent that was treated with the UV System and was discharged through the mouth of the Necanicum River with a National Pollution Discharge permit issued through the Department of Environmental Quality (DEQ). The other bi-product was a Sludge Bio-solid. The sludge was kept in a slurry but not too thick and was treated or processed (not a raw product) and lime stabilized. Lime was added into a tank to bring the PH up above twelve which disinfected the bio-solids.

The bio-solids were then taken out by tanker and applied to the land. In the past the City had a couple of locations which was the farm the City owned at Lewis and Clark on high ground and used during the winter but year round. There was a summer application area known as the Russ Earl Farm. There was a lease with the property and the City had been applying sludge for a number of years. The Land Conservancy purchased the farm several years ago and extended the contract for five years and the City needed to find a new location. The Land Conservancy did not want to maintain the farm as open pasture but had a goal to recreate the Spruce Forest Elk Meadows. The City was looking at other options and had considered the purchase of the Berkhardt Dairy Farm on Lewis and Clark but that ended up being a huge expense. There was another land deal offered up to lease on the Olson Farm and the City went through the process to have the property approved. There were approximately one hundred and ten acres and half of the parcel could be applied with sludge. By rules and regulations there were setbacks maintained from houses, streets, wells, wetlands, and creek banks. There were pockets of land approved that sludge could be applied to maintain the setbacks. There was an agreement entered into and a few improvements were done to the driveway access. The past summer everything that was available to the City was filled up and there was not a need to use the Olson Farm but this summer there were plans to use the farm. The Russ Earl Farm was used for summer applications and this coming June the Olson Farm would be used.

Mark Winstanley, City Manager, asked when the land would be used for sludge disposal.

Mr. Wallace stated the sludge could be applied from June 15 through October 15, depending on the weather.

Councilor Johnson asked if the City was licensed and permitted by DEQ to use the site in question.

Mr. Wallace stated the City was licensed and permitted by DEQ which was a lengthily process. There were notifications required and reports given to DEQ with analysis of the sludge, how much land, where the land was located, soil classifications, soil samples, and thorough investigations and walks around the sites by DEQ, the site was approved and the City was given a permit to dispose of the sludge.

Rebecca Rubens, 87509 Lewis and Clark River Road, stated she owned property directly across from the Lewis and Clark River from the site for disposal and was an organic farmer. Ms. Rubin was co-owner of Sweet Ash Farm and as a property owner was not notified of the proposed disposal site. The area flooded every year on the North side of the property and a four wheel drive vehicle was used to cross the stream that ran from the site into the Lewis and Clark River. The fields had flooded every year for approximately twenty years. Any matter that was disposed on the site would end up in the Lewis and Clark River. The material being dumped was all of the waste that entered into the Seaside Sewer system and was not just human waste but waste from hospitals and businesses with household chemicals and metals. The chemicals were not removed by the treatment process and would most likely end up in the Lewis and Clark River. The river was salmon spawning ground and also had children swimming and fishing. The City of Seaside had made a decision that impacted many people from Gearhart and Astoria without a widely publicized public hearing. The process should be delayed until the issues could be addressed. There were other ways of disposing of sludge instead of dumping into the rivers. .

Fred Maloone, 87813 Lewis and Clark Road, stated he lived a half to three quarters of a mile from the proposed site and was aware there had been a proposed meeting but did not know if the meeting had taken place in 2008 because there was not any notification given to the property owners. As property owner there had to be a statutory notification process but seemed unlikely that had been done. The Lewis and Clark Valley at the South end was at the most seventy feet above Sea Level, roughly two to six feet of top soil, and underneath the soil was extensive gravel courses which was from the river being located in different areas. When the land was wet the water would stand there and at the time there was water all over the area. The proposed site was close to the one hundred year flood plain which was in reality the five year flood plain and was within several hundred yards of wetlands and rivers. All owners of the properties in the surrounding areas were on some form of a well and there was not any other water service available. Mr. Malone was one hundred percent in opposition of the proposed site which was understandable. There was not an opportunity to present input initially. Mr. Malone asked the City to abandon the site all together and ask DEQ to vacate the permit.

David Crabtree, 87509 Lewis and Clark, stated he had a licensed nursery less than one hundred and fifty feet from the edge of the proposed dump site down wind. There would be approximately one million gallons of sludge being dumped which was sewage and the smell and flies alone would take out the business and move him out of his house which was very terrifying. Mr. Crabtree further stated anyone could go on the internet and look up problems with lime stabilization sludge there were many lawsuits and problems associated. There had been problems with airborne diseases from sludge disposal which moved people out of their homes, and killed livestock and human beings. With all the land located around the county the City should be able to find somewhere else to dispose of the sludge. The ten year permit for the process of disposal would be reviewed in 2011 starting next summer and would take a year to be reviewed. There would be great public outcry if the City went forward with the disposal. The City of Tillamook would take the sludge and that would cost the City less in the long run since the property owners would fight the disposal.

Frank Ruiz, 87606 Lewis and Clark Road and 87222 Lewis and Clark Road, stated he was a certified organic vegetable grower and his property was within one hundred feet of the disposal site. Mr. Ruiz further stated he had invested approximately \$250,000.00 into being a vegetable grower that would go to waste. There was a well three hundred feet from the disposal site which was water the family drank and the sludge would also end up in the river. When there was a good amount of rain the water flow went straight into the river and then downstream from the disposal site. The disposal would affect rivers, neighbors, and the entire valley.

Norm Beerger, 88786 Lewis and Clark Road, stated he was three miles from the proposed disposal site at the North end of the valley. The Lewis and Clark Road led directly to Fort Clatsop and the entire valley including the tourist would smell the sewage which would leave a negative effect on all.

Melton Gruhlkey, 707 39th Street, Astoria, owned eighty acres of property on Lewis and Clark Road between two other neighbors and had intentions of starting an Organic Vegetable Garden. The disposal of sludge would put an end to the Organic Vegetable Garden and the property values would go down.

Gordon Howe, 20130 NW Union Rd., Hillsboro, owned property at 88734 Lewis and Clark Road that he had lived in and hoped to live there again in the future. Mr. Howe asked that the proposed disposal site not be used and for the City to find another area.

Mr. Wallace stated staff would discuss what options there were as an action step for the disposal in the future with all the property owners. The City could look for an alternative site and there was not a great amount of money invested in the proposed site. Finding another site would prove to be very challenging and staff would explore other options.

Mr. Winstanley stated he understood the concerns people had and the City was interested in being a good neighbor. The Russ Earl Farm had been used for many years and there had not been any problems with using the area which was along the highway and river. The City would look into alternatives and the neighbors could come in and talk to staff about concerns.

Mr. Malone asked for a brief description of what the process entailed with the sludge and considering the geology of the land which may in fact or not, meet the requirements of DEQ. If the requirements were met was the process as poor of a choice as dumping into the river.

Mr. Winstanley invited those interested to come in and talk to staff about what the process entailed with the sludge. Mr. Winstanley stated the Russ Earl Farm was very low property and each winter the property flooded. The bio-solids filtered down into the soil and actually became part of the soil. The bio-solids did not sit on top of the ground and float away once the area flooded. There were many locations that were used in Oregon and for instance the Tillamook area applied bio-solids to several properties in the area.

Mr. Malone stated the public was trying to point out the site was a poor location to select. The Russ Earl property was not surrounded by properties with wells but the Olson properties were surrounded with wells.

Mr. Winstanley stated staff would be willing to work with property owners.

Mayor Larson asked that a list of owners on the sign up sheet be given to Mr. Wallace to keep the property owners informed about what was going on.

**UPDATE –
CONVENTION CENTER
ANNUAL REPORT**

Russ Vandenberg, Seaside Convention Center General Manager, thanked the City Manager who had given the flexibility and lead way to accomplish all the things that had been done to the Convention Center. The Mayor and City Council for the support of the Convention Center. Dan Van Thiel, City Attorney, with legal matters. The outstanding Board of Commissioners who met every month with advice on issues related to marketing, budget, and Capital Improvements. The Ad hoc Committee who reviewed proposals for projects on the table. Last but not least a very dedicated Convention Center staff who Mr. Vandenberg could not say enough about because of their commitment to building upon the success of the Convention Center. Mr. Vandenberg further stated the Convention Center industry continued to face difficult times in response to yet another year of increased unemployment, economy downturn and stretched consumer spending. The economic news that had evolved during the past year had left a feeling of uncertainty over an otherwise generally healthy conference industry. The Seaside Convention Center like many destinations had felt the impact of the economic downturn, but compared to larger destinations were doing better than industry averages. Mr. Vandenberg further stated the full effect of continuing economic woes would undoubtedly create uncertain times for facility managers and public facilities alike; the possibility of attendance attrition or cancellation was anybody's guess. The November, 2009, survey of National Business Travel Association members, 51% of respondents said their companies planned to send fewer people to meetings and conventions next year. Mr. Vandenberg further stated in 2009 there were a total of 116 events which was a thirteen percent decrease over 2009, there were a total of 242 event days which was a twelve percent decrease over 2007, total attendees was 38,203 and total attendees staying two plus days was 23,394. Total Economic Impact was \$40.3 million or \$110,000 a day. Mr. Vandenberg further stated the convention center in 2009 contracted a total of 21 new events that include conventions, conferences, and special events. Total number of projected delegates is 6,515 with a total of 57 event days. These new bookings were scheduled to take place from 2009 through 2012.

Mr. Vandenberg further stated since 2006 the convention center has contracted a total of 121 new events with an estimated 27,245 delegates that encompassed a total of 268 event days. Mr. Vandenberg further stated the Convention Center was very pleased with the Customer Service rating. During 2007 the rating was 4.68 and during 2009 the rating was 4.75 which was a ninety five percent Customer Service Rating. Mr. Vandenberg further stated the projects and purchases completed during 2009 were new registration booths in main lobby installed, purchased (1,000) new chairs, installed (2) new video screens, projectors and HD camera in Pacific Room, purchased new table skirting, purchased new pipe and drape, re-lamped interior lighting fixtures with high efficient T-8 fluorescent lighting, installed new window draperies in Necanicum and Seaside Rooms. Mr. Vandenberg further stated what key trends and challenges would Seaside face and how would each be addressed. Weak Economy: The economic slowdown had negatively affected the convention and tradeshow market as clients look to cut costs through a reduction in conference spending. Seaside in 2009 had posted a thirteen percent decline in total events and event days as compared to 2008. To off-set this loss, new marketing campaigns such as "Look what's happening at the Seaside Civic and Convention Center, Look What We've Been Up To Lately and We've Just Became Even More Affordable" were aimed at identifying facility upgrades, affordability and continuing relationships while encouraging Oregon based business and associations to keep their business local by meeting in Seaside. Managing Client Expectations: The convention center staff is continually strived to meet and exceed client expectations. Redefining the Competitive Edge: In the past Seaside was able to market as an established center throughout the 1980's and as an expanded facility with enhanced features in 1990's and as an ever improving facility over the past five years. At this juncture, a brand and marketing plan was in place to capture a redefined, competitive edge within an ever-changing marketplace. Mr. Vandenberg further stated the Convention Center outlook for 2010, was the industry in general had seen double digit declines during the past two years, with the economy seeing a slight increase as compared to 2009. The best forecast would estimate the number of events booked, event days and economic impact to increase between two to five percent. Mr. Vandenberg further stated in the past Seaside was able to market as an established center throughout the 1980's and as an expanded facility with enhanced features in the 1990's and as an ever improving facility over the past five years. At the juncture, a brand and marketing plan was in place to capture a redefined, competitive edge within an ever-changing marketplace. Mr. Vandenberg further stated staff would continue to identify trends within the industry and make necessary adjustments to the overall goals, strategy and mission statement to maintain a competitive position both demographically and regionally.

Mr. Winstanley complimented Mr. Vandenberg for the marvelous job with the Convention Center. Mr. Vandenberg and his staff was a great asset to the City and Mr. Winstanley thanked them.

**BID RESULTS –
BANKING REQUEST
FOR PROPOSAL**

Al Peinhardt, Finance Director, stated for several years the City had their banking spread out over three banks in Seaside and the City recently went out for proposals to put most of the banking with one bank. There were five proposals received from banks operating in the City and all the proposals received were good and would have improved the level of service provided with reduced costs from the current arrangement. Some of the improvement came from consolidating deposits, disbursement, merchant services (credit card receipts), municipal court accounts, and payroll functions into one piece of business that improved the attractiveness of the City's banking business. The City would also benefit from the overall competitiveness of the banking industry in today's economy. Mr. Peinhardt further stated an evaluation of one year's worth of banking activities and account balances across the above functions showed that Wells Fargo's proposal offered the best value for the City. New technology included in the proposal had the potential to reduce not only banking fees but also staff time at City Hall required to process deposits. Wells Fargo, under the arrangement, would be compensated from a mixture of balances-on-hand and fees for services, just as was done currently. There could be purchase cards for City departments which was another service of interest offered in the proposal, allowing the departments to obtain some of their procurement needs using credit cards which would cut down on the administrative work required to process payments while expediting receipts. Before being committed to such an arrangement, the City would want to ensure that proper controls were in place to manage the disbursements. One of the attractive features of the financial product was the ability to centrally limit and monitor via the internet the types of uses and amounts available for each card on a daily basis. Mr. Peinhardt further stated in addition, Wells Fargo's proposal included an investment option that offered higher returns than the state's Local Government Investment Pool currently utilized for investing City's funds. The report indicated the account met the collateralization requirements of The Public Funds Program under ORS 295 and that other local governments have availed themselves of higher returns and complete liquidity. Should this prove out, it would be advantageous for the City to invest a portion of their funds. The higher earnings would be on top of the lower costs mentioned above. With the proposal the City would still retain the ability to invest in other instruments outside of Wells Fargo. Mr. Peinhardt further stated the contract would be for three years with bank service prices fixed over the term with options to renew for two one-year terms at both parties consent. If there were any questions regarding the evaluation or any of the particulars of Wells Fargo's proposal, Mr. Peinhardt stated he would be happy to answer them. With the improvements to the City's banking capability in mind, staffs recommend the City Council approve the contract with Well Fargo Bank.

Motion approving the bid for the Banking Request Proposal to Wells Fargo Bank; carried unanimously. (Barber/Johnson)

Mr. Winstanley stated Mr. Peinhardt did a great job putting a request for a proposal on banking services and analyzing the proposal that were received.

**UPDATE –
TSUNAMI WARNING**

Mr. Winstanley stated there was a Tsunami warning from a severe earthquake in Chili and the City staff did a good job being prepared even though there were people who did not even realize what the City did or people who assumed the City did not do anything. The only information received at first was no warnings, no watches, and no threats. There were three levels of advisories and the lowest level advisory the City paid attention to what was going on. Next level was a watch and the City looked at what was going on. The final level of warning was the City needed to know what was going on at all times. Mr. Winstanley further stated on Saturday, March 6, 2010, 6:00 am, there was an advisory issued which kicked the City into motion at 7:00 am. At 7:33 am, Police Chief Bob Gross was called to discuss next action with the advisory and the decision was to get some of the department heads together for a discussion and scheduled the meeting for 8:15 am. There were not any reports of any waves but there was a notification out. At 7:45 am, Judy Ann Dugan, who received a call from Randy Reith called the City Manager to find out if anyone was needed in the office to answer phone calls, and a decision was made that no one was needed at that time. At 7:49 am, there was a call from Trish Downey, Human Resource Department asking if she should issue a press release and Ms. Downey waited at City Hall and waited for a report from the City Manager. At 8:15 am, the Fire Chief, Police Chief, and Public Works Director, met for a discussion on information that was being received. There were reports coming in about different locations receiving smaller waves but nothing significant at that time. Mr. Winstanley further stated there was a press release issued concerning the earthquake in Chili and for people to stay away from the water. There was information given to the Convention Center with the Jazz Festival event, PBL Basketball Tournament, and the Visitors Bureau. Mikaela Norval, Visitors Bureau Employee, showed up at the meeting but had not been called and wanted to know what information should be given to the Visitors Bureau, which then could be given to people who called or came into the building. Once the wave arrival was closer the fire department went on the beach to keep people informed about being on the beach and staying away from the water. There was an oncoming Clam Tide at 5:00 pm which was a challenge since people wanted to go Clam Digging. Mr. Winstanley further stated there were Waste Water Treatment Plant employees available and the Street Crew was available on standby at the Cove. Mr. Winstanley further stated the meeting was over at 9:38 am but there were still discussions and people out until well over the wave arrival. Mr. Winstanley stated there were twenty reports received of notices coming from the Alaska warning center, and there were twenty-five reports received of notices coming from the Pacific warning.

Mayor Larson thanked Mr. Winstanley and stated staff was on the ball and ready to go when needed.

**COMMENTS - STUDENT
REPRESENTATIVE**

Max Milander, Seaside Student Representative, stated he greatly appreciated all the work the City did to keep people safe. Mr. Milander further stated the High School Drama Musical 'All Shook Up' did a great job. Mr. Milander further stated he had received a Financial Aid package from Linnfield College for \$30,000.00.

COMMENTS – COUNCIL

Councilor Johnson asked if Council could have a workshop to discuss alternative plans with paving, sidewalks, and curbs. .

Councilor Barber stated he was leaving for Washington D.C. Tuesday, March 9, 2010, in the early morning and would be speaking about the appropriations. Councilor Barber further stated Saturday, April 3, 2010, the friends of Clatsop Gardens would have a ribbon cutting for the Seaside Community Gardens located South on Highway 101, and Shane Dean would have the Railroad Car Storage finished at that time.

Councilor Haller stated there would be a Highway 26 tunnel meeting at the Convention Center, March 10, 2010, 6:00 to 8:00 pm. Councilor Haller further stated there was a Necanicum Natural History Park Open House at the Bob Chisholm Community Center, March 11, 2010.

Mayor Larson stated there were several people who went on a tour in Seattle with Jones and Jones to look at several parks that had been designed by the company and everyone really enjoyed the tour. Mayor Larson reminded Council there would be a work session with the Planning Commission on Monday, March 29, 2010, 6:30 pm.

COMMENTS – STAFF

Police Chief Gross stated anyone who was signed up with Nixle would have received the earthquake warning on their cell phone. Chief Gross further stated there would be a Drug Prescription turn in day on Saturday, March 13, 2010, at the Fire Department.

Mr. Winstanley stated Monday, March 29, 2010, at the work session with the City Council and Planning Commission there would be a discussion concerning the Transportation System Plan and Wahanna Road.

Russ Vandenberg, Convention Center General Manager, stated there was a Convention Center Commission meeting Wednesday, March 10, 2010, and an All American Committee meeting Thursday, March 11, 2010.

ADJOURNMENT

The regular meeting adjourned at 8:33 PM.