

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 Stubby Lyons, Councilors Larry Haller, Gary Diebolt, Don Johnson and Dave Moore.

Absent: Councilor Tim Tolan.

Also Present: Mark Winstanley, Assistant to the City Manager; Bob Gross, Police Chief; Kevin Cupples, Planning Director; Neal Wallace, Public Works Director; Dale Kamrath, Fire Chief; Reita Fackerell, Library Director; Dan Van Thiel, City Attorney; Donald Allison, Seaside Signal; Nancy McCarthy, Daily Astorian.

AGENDA Motion to approve the November 10, 2008, agenda; carried unanimously. (Lyons/Diebolt)

MINUTES Motion to approve the October 27, 2008, minutes; carried unanimously. (Diebolt/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 \$598,316.24; carried unanimously. (Lyons/Johnson)

VACANCY – PLANNING COMMISSION Mayor Larson stated there was one vacancy with six applications received for the Planning Commission. Mayor Larson asked Council what they wished to do.

Motion to close the application process and schedule interviews; carried unanimously. (Diebolt/Johnson)

Mayor Larson asked that interviews be schedule prior to the City Council meeting Monday, November 24, 2008.

VACANCY – TOURISM ADVISORY COMMITTEE Mayor Larson stated there were two vacancies with four applications received from Linda Toler, Shaun Wagner, Betsy Tucker, and Mark Tolan on the Tourism Advisory Committee. Mayor Larson further stated interviews had been conducted and asked Council what they wished to do.

Motion to appoint an applicant to the Tourism Advisory Committee; carried unanimously. (Johnson/Diebolt)

Mayor Larson asked for a roll call vote:

JOHNSON	WAGNER
TOLAN	ABSENT
LARSON	TOLAN
HALLER	WAGNER
LYONS	WAGNER
MOORE	WAGNER
DIEBOLT	WAGNER

Mayor Larson stated Shaun Wagner was appointed to the Tourism Advisory Committee.

Term expiration for Shaun Wagner would be December 31, 2010.

VACANCY – CONVENTION CENTER COMMISSION Mayor Larson stated there was one vacancy on the Convention Center Commission with no applications received. Mayor Larson asked the press to keep advertising the vacancy.

ORDINANCE #2008-07 AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ADDING CHAPTER 101 TO THE CODE OF SEASIDE IDENTIFYING INADEQUATE PROPERTY MAINTENANCE AS A NUISANCE AND ESTABLISHING ABATEMENT PROCEDURES

The Mayor called for public comments.

Linda Lowery, 1623 N. Holladay, Seaside, stated the ordinance included a section that pertained to fishing nets and crab pots and she had neighbor who worked on fishing nets and crab pots in the driveway of his property. This was a heritage and was not offensive but was a work of art.

Mayor Larson stated the ordinance pertained to crab nets that were stacked on the property for long periods of time with the odor smelling badly.

Ms. Lowery stated there were multiple issues in the community that needed to be addressed. The economic situation was not good and some property owners would have problems making their homes acceptable to the ordinance. There needed to be a community process that would address the issues and another law was not the way to go. Ms. Lowry further stated there was an ordinance that pertained to graffiti in the City and there was graffiti on a fence and under the bridge at 12th Street. There were many ordinances in the City that needed to be enforced before more ordinances were passed. The community could start picking at each other which would not be appropriate.

Mayor Larson stated there was a graffiti ordinance in place. The police needed to be notified on the non-emergency number so the graffiti could be taken care of.

John Dunzer, 2964 Keepsake Dr., Seaside, congratulated the Council for getting something started that would clean up the community. Mr. Dunzer stated most people in the City should do a good job keeping their properties cleaned up and putting forth some effort. The ordinance was great and people would not pick each other apart. Mr. Dunzer further stated what was clear was that ten percent of the City had people who did not care and something needed to be done.

David Langlo, 1421 N. Wahanna Rd., Seaside, stated he was the director of the Wahanna Action Group (WAG) and fifty percent of the members were in the City limits. Mr. Langlo further stated he did not find anything in the ordinance that was not already covered by other ordinances and the ordinance would infringe on people's rights. Mr. Langlo further stated people should be able to do what they wish with their own properties.

Kathy Bartles, 727 11th Avenue, Seaside, stated her concern about the ordinance was the wording in one of the paragraphs about "anything that was deemed unsightly by the officer's opinion." The paragraph was too vague because someone could paint their house purple which could be offensive to someone. In general the people in the City of Seaside try really hard to keep their property cleaned up but times were hard economically right now. There seemed to be ordinances already in place that dealt with the issues in this particular ordinance and those issues needed to be enforced before another ordinance was passed.

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated he was neither in favor or opposed to the ordinance but the City needed to be careful with unintended consequences when passing the ordinance. There was an exclusionary downtown with skateboards but anytime in the downtown area one can see skateboards. The bicycle laws with stop signs were also not enforced. Mr. Humpal further stated he did not understand how Council expected someone in all their wisdom to say what was offensive and what wasn't and the City needed to be careful passing any new laws.

Donna Greenwood, 1960 Cooper Street, Seaside, congratulated the Council for recognizing there was a problem in the City and wanting an ordinance that was enforceable that would encourage people to clean up their property. Ms. Greenwood further stated living in the City of Seaside was a real privilege and the City could present itself in a much better way if property were better taken care of. Council needed to take things into consideration in terms of criteria so that people were very clear on what was expected.

Donn Bauske, 322 S. Holladay, Seaside, stated he received a copy of the proposed ordinance and page two paragraph 'A' and 'B' was already covered in the Nuisance Ordinance under 96.13, 96.14, and 96.15. Paragraph 'C' the commercial vehicles was already covered in 72.02, 93.13, and 93.12. Paragraph 'D' was new and nothing was found in the ordinance to compare. Paragraph 'E' was already covered in 96.19 and paragraph 'F' was a real problem because there was a home occupation license and a fence could be built and neighbors would have no idea what was behind the fence. Paragraph 'H' did not explain limitations or areas that a person was able to function. Paragraph 'H' and 'I' were terrible and there was no where in the ordinance that defined them. Mr. Bauske further stated the ordinance was basically misguided and the original ordinance needed to be researched and if the City was going to amend the original ordinance then make the changes instead of adding new items that signified the same thing.

The Mayor called for Council comments.

Councilor Moore stated one thing in the ordinance that was not defined was the hearings officer and Councilor Moore suggested the Building Board of Appeals could be used for that particular area of the ordinance. Councilor Moore further stated there might need to be some sort of an exemption for work vehicles since some people who owned their own business needed to keep the work vehicles near their properties. Councilor Moore further stated the hearings process in the ordinance was a rather long procedure to follow.

Councilor Haller stated as long as the work vehicles were being used the ordinance would not have an effect on the owner.

Councilor Moore asked if log trucks would be affected by the ordinance.

Mayor Larson stated the ordinance did have an effect on log trucks.

Council President Lyons thanked the public for all the input that was given and further stated there was no question that Council realized there were issues in the ordinance that needed to be discussed further. The wording could be shortened and language could be attached that would make the ordinance easier to understand.

Councilor Johnson stated Mr. Bauske had some good comments and Council should do more research on the ordinance.

Councilor Diebolt stated approximately nine or ten months ago the 20/20 Visioning survey was started, and out of two hundred and seventy surveys received, ninety percent of the people wrote down that the City needed to be cleaned up. If the community expected the tourism industry to continue then the City needs to be cleaned up. Councilor Diebolt further stated if people took a drive through the community with the ordinance in hand one would find there were very few residence that were in violation of anything in the ordinance. Mr. Diebolt further stated what about the bulldozer that was still parked in the same place after ten years. If Council continued with the ordinance then perhaps there should be a citizen's board of appeals that would be positioned between the enforcement officer, citizens, and City Council.

Councilor Haller stated he agreed with all the issues that had been discussed and agreed with Councilor Diebolt's proposed idea which was a very good idea.

Mayor Larson stated he had spent many years being a Councilor and Mayor and the number one issue that people complained about was cleaning up the City. Seaside's industry was tourism and that had made the City what it was now. People want the City cleaned up and the real awakening was when the surveys were being read. Mayor Larson further stated he had received many responses about the proposed ordinance from people and there had been very good comments received from the audience and Council. Mayor Larson asked if the Ordinance should be discussed at another workshop.

Mark Winstanley, City Manager, stated if changes were going to be made to the ordinance then a motion for a first and second reading would be needed. Mr. Winstanley further stated Council could schedule a workshop to discuss the ordinance further or a group of citizens could be appointed to look at the ordinance. Council could also push ahead with the ordinance today if that was what they wished to do.

Dan Van Thiel, City Attorney, suggested the ordinance not be read again tonight because of any changes that would be made to the ordinance. Mr. Van Thiel stated a group of citizens could be selected to look over the ordinance since the entire community had an interest in the ordinance. The ordinance needed to be prepared in a very thoughtful, meticulous way.

Councilor Haller stated the ordinance needed to be cleaned up and the issues needed to be more specific.

Council President Lyons stated on Saturday, May 17, 2008, was the beautify Seaside day. Western Oregon Waste dropped off about seven or eight big boxes for garbage. There were pickup loads of material brought in that people wanted to throw away. Council President Lyons further stated the City would most likely have another clean up day in 2009.

Councilor Diebolt suggested Council conduct a workshop.

Mayor Larson asked for a motion for a second reading and there was no motion.

Council consensus to conduct a workshop to further discuss Ordinance #2008-07, on December 1, 2008, 6:30 pm.

Mayor Larson stated the ordinance would be added to the Monday, December 8, 2008, City Council Agenda.

ORDINANCE #2008-08

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING ORDINANCE 2008-06 REGARDING ADOPTING A SYSTEM DEVELOPMENT CHARGE METHODOLOGY FOR PARKS AND RECREATION AND WASTEWATER

Mr. Bauske stated he read the study that amended the ordinance and listened a year and a half ago to the City Council speak about affordable housing. There were Councilors that attended the affordable housing conference and there were suggestions that were made regarding how to cut down the cost of low end housing and one way was to graduate the fees for system development charges. There had been two system development charges passed since that time and a million dollar home pays the same amount as a \$100,000.00 home for system development charges. Mr. Bauske further stated he was trying to develop a situation to build affordable housing and since that time there has been \$5,000.00 to \$6,000.00 added to the cost right off the base. How does Council expect affordable housing to be built for middle income people if the cost are so high? Mr. Bauske further stated he knew the City needed the money but the cost should be gradual.

Motion to place Ordinance 2008-08 on its third and final reading by title only; carried unanimously. (Haller/Lyons)

Motion to adopt Ordinance 2008-08; carried by the following roll call vote: (Haller/Lyons)

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

PUBLIC HEARING

This was the duly advertised time and place to hold a public hearing regarding taking public testimony to advise Council of possible alternatives for the best use of the old Seaside Library property located at 60 N. Roosevelt.

**OLD SEASIDE
LIBRARY PROEPRTY**

Mayor Larson stated Council would take public testimony to advise Council of possible alternatives for the best use of the old Seaside Library Property located at 60 N. Roosevelt.

Mayor Larson opened the public hearing.

Patricia Roberts, Clatsop County Commissioner District 2, stated she was speaking on behalf of the Commission on children and families. Approximately a year ago the commission conducted a county wide survey and study and found that quality affordable childcare was one of the most significant community needs for families with children. The survey revealed that 51.1 percent of the respondents identified that lack. Commissioner Roberts further stated in 1977 there were twenty-five available places for every one hundred child in the county and by 2002 that was reduced to seventeen and by 2006 that was reduced to thirteen. Commissioner Roberts encouraged Council to study the issue and consider the library for a childcare facility.

Suzie Whalen, Caring Options, thanked the Council for the opportunity to speak and stated in the community there were three challenges faced and the first challenge was the society and workforce demographics had changed dramatically. Childcare was extremely important to the economic development in the county and community. The second challenge was the concern of who was caring for children and especially those from low income families. The third challenge was that young children were tomorrows workforce and childcare was no longer just something for parents to be concerned about. Ms. Whalen further stated if quality childcare was built there wouldn't be so many prisons needed. Ms. Whalen further stated Caring Options was proposing that the community and City of Seaside allow the use of the former library facility to provide childcare services for families who worked and lived in Seaside. The mission for Caring Options was to promote affordable, accessible childcare for every family.

Mayor Larson asked what the proposal was.

Ms. Whalen stated she was proposing that the City and Caring Options work together. If \$1.00 a year for the building would work then that was the proposal. Ms. Whalen further stated most likely a Community Development Block Grant would be needed to fund the cost.

Mayor Larson asked who would acquire the block grant.

Ms. Whalen stated either the County or the City of Seaside.

Mayor Larson stated that would put the City in the care business.

Ms. Whalen stated she was actually proposing that the City worked in partnership with a non profit agency that could run the facility. The arrangements could be made and the agency could run the facility.

Councilor Moore asked what the City's part would be.

Ms. Whalen stated the City owned the library and the other part could come from different partners.

Mayor Larson stated the City would then be involved as a partner and Council would need to know that.

Ms. Whalen stated the City would be a partner. The library property would be a benefit to families, employers, and the community in the City of Seaside. Ms Whalen further stated she had the facility looked at by the Child Care Division which was the regulatory arm of the employment department and the facility was approved as a location that would work for a child care center with minimal improvements.

Mayor Larson stated even with an alley between the play area and housing area.

Ms. Whalen stated a fence would be placed around the play area.

Mayor Larson asked if there was anything else to add.

Ms. Whalen stated she did have a couple of letters of support from partners.

Mayor Larson asked Ms. Whalen to leave the letters for Council to review.

Commissioner Roberts stated Alice Beck had stated there were funds available to help equip the facilities for the child care facility.

Shannon Symonds, 1215 N. Franklin, Seaside, stated she worked at the Clatsop County Women's Resource Center. Ms. Symonds attended the meeting to show her support of the proposition to use the library as a child care facility. Ms. Symonds further stated the last ten years she worked with women who had been in abusive situations and prior to that she was employed at Caring Options and years ago worked in child care and taught pre-school in Seaside. There are families that were unable to take jobs or unable to remain in Seaside because of inadequate child care facilities.

Ned Malcom, 2147 Pineridge Avenue, Gearhart, stated he was a member of the Friends of the Library Board of Directors. Mr. Malcom further stated the group had a meeting and made a decision that the Seaside Library Building may not be salvageable and should be sold. The funds for selling the old library property should be used to pay off debt for the new library.

Mr. Dunzer stated he had been involved with a number of child care facilities that had been in churches. The churches in the community should get involved with the child care that was needed. Child care was extremely important but the library location was a lousy location for child care but would be a great location for the post office.

Randy Frank, 454 Highland Drive, Seaside, stated he had lived in Seaside for forty-three years and there were most likely several good uses for the old library property but the property should be sold and the proceeds put towards the new library which would also add the old library property on the tax roll.

Mr. Bauske stated the library property was appraised at \$600,000.00 and the library group did not want to sell the property for less. Mr. Bauske further stated the property would not sell for that much because of the state of the economy. The property should be leased until the market turned around in two to three years.

There were not other comments and Mayor Larson closed the Public Hearing.

Mayor Larson stated Council would take all comments under consideration.

RESOLUTION #3670

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AMENDING RESOLUTION #3668 REGARDING SYSTEM DEVELOPMENT FEES FOR PARKS AND RECREATION AND WASTEWATER

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 #3670 by title only; carried unanimously. (Haller/Lyons)

Motion to adopt Resolution #3670; carried unanimously. (Haller/Lyons)

**VACANCY –
LIBRARY BOARD**

Mayor Larson stated there were two vacancies with one term expiration from Don McKay who wished to be reappointed. Mayor Larson asked Council what they wished to do.

Motion to reappoint Don McKay to the Library Board; carried unanimously. (Johnson/Haller)

Mayor Larson asked the press to advertise the vacancy on the Library Board.

Term expiration for Don McKay would be December 31, 2012.

**VACANCY –
BUDGET COMMITTEE**

Mayor Larson stated there were three vacancies with three term expiration from Guy Williams, Rebecca Buck, and Dana Phillips who wished to be reappointed. Mayor Larson asked Council what they wished to do.

Motion to reappoint Guy Williams, Rebecca Buck, and Dana Phillips; carried unanimously. (Haller/Lyons)

Term expiration for Guy Williams, Rebecca Buck, and Dana Phillips would be December 31, 2011.

**VACANCY –
BUILDING BOARD
OF APPEALS**

Mayor Larson stated there were two vacancies with two term expiration from Russ Taggard, and Jonathan Forrester who wished to be reappointed. Mayor Larson asked Council what they wished to do.

Motion to reappoint Russ Taggard and Jonathan Forrester to the Building Board of Appeals; carried unanimously. (Haller/Johnson)

Term expiration for Russ Taggard and Jonathan Forrester would be December 31, 2011.

COMMENTS – PUBLIC

Mr. Bauske stated this was a continuation for the ordinance that was discussed earlier. Mr. Bauske further stated the City of Beaverton had a mediation process for neighbors who could not get along. Council may want to consider looking into the mediation process.

Ms. Lowery stated the graffiti she noticed was on a fence, 12th Avenue Bridge and a utility pole in front of the high school. The graffiti had been in these areas for over a year and Ms. Lowry had called to report the graffiti. There were issues already in the community that needed to be addressed.

Mr. Dunzer stated he would like to congratulate Councilor Tolan for his re-election and for doing such an outstanding job. There were many great things going on in the community like the Transportation System Plan (TSP). Mr. Dunzer asked why the Planning Department was not with the finance department. The department should be in with the offices at City Hall. Mr. Dunzer further stated Councilor Johnson, Councilor Lyons, and Councilor Tolan appeared at a function by the University of Woman and Councilor Johnson announced that people should get out in the community and participate which Mr. Dunzer appreciated. There were some people who did care and wanted to be involved. Mr. Dunzer further stated he asked why all of the Councilors ran opposed for the election and where were the women. People should be allowed to have a platform or an agenda and maybe more people would be interested.

COMMENTS – COUNCIL

Councilor Lyons stated he attended the Marine Corp. Ball on Saturday and today was the two hundred and thirty-third birthday of the United States Marine Corp. Councilor Lyons further stated on this date November 10, 1938, a lady stepped up in front of a microphone and sang a song that was written by a man named Irving Berlin in 1918 and the song laid around his desk for twenty years. This lady Kate Smith belted out a tune which was God Bless America. Councilor Lyons further stated the song would be sung at the Veteran's Day Ceremony at the Library on Tuesday, November 11, 2008, 11:00 am.

Councilor Diebolt thanked all the people who spoke because if people did not come forward with their passions and thoughts then the City Council would run the town. Councilor Diebolt further stated he attended the TSP meeting last week and was there for two and a half hours and approximately sixty people showed up at the meeting. Did everyone forget that three or four years ago the highway was the biggest issue that had happened in Seaside? Councilor Diebolt encouraged the public to get involved.

Councilor Haller stated he appreciated all the input that was given. Councilor Haller further stated some of the input he agreed with and some he did not.

COMMENTS – STAFF

Mikaela Norval, Tourism Director, stated the Visitors Bureau Master Plan due date was Friday, November 14, 2008. The responses that were received were very good. Ms. Norval further stated the Visitors Bureau new web site would launch very soon.

Dale Kamrath, Fire Chief, stated the Oregon Fire Chiefs Conference was in town this last week and there were approximately three hundred sixty-five people who were registered. Chief Kamrath thanked the Mayor for welcoming the group and also thanked the entire community. There was money that was deposited in area businesses from the group over the week.

Russ Vandenberg, Convention Center General Manager, stated there were three top firms selected for the Convention Center Feasibility Study. The firms would proceed in proposing a bid by Tuesday, December 2, 2008. The Ad Hoc Committee would attend the Monday, December 8, 2008, to make a recommendation to Council.

Reita Fackerell, Library Director, stated staff and patrons were enjoying the new Library facilities.

Mr. Winstanley stated he attended a meeting with the Mayor, Chief Gross, Chief Kamrath, and County Commission Roberts this afternoon. The meeting dealt with emergency operations and there were a number of emergency organizations to discuss the improvements that were being made in the county as far as emergency responses with important events like bad storms or other things that could happen in the county.

ADJOURNMENT

The regular meeting adjourned at 8:26 pm.

Kim Jordan, Secretary

DON LARSON, MAYOR