

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 Don Johnson, Larry Haller, Gary Diebolt, Tim Tolan and Dave Moore

 Absent: None

 Also Present: Mark Winstanley, City Manager; Mikaela Norval, Tourism Director; Neal Wallace, Public Works Director; Bob Gross, Seaside Police Chief; Russ Vandenberg, Seaside Convention Center General Manager; Kevin Cupples, Planning Director; Trish Downey, Asst. to the City Manager; Jeff Nelson, KAST; Rod Jones, Seaside Signal; Pamela Robel, Daily Astorian.

AGENDA Motion to approve the September 24, 2007, agenda; carried unanimously. (Lyons/Tolan)

MINUTES Motion to approve the September 10, 2007, minutes; carried unanimously. (Johnson/Lyons)

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 \$122,970.21; carried unanimously. (Tolan/Lyons)

RECOGNITION – CITY COUNCIL STUDENT REPRESENTATIVE Mayor Larson stated City Council had a certificate of recognition to present to McKenzie Bauske for being the Student Representative from the Seaside High School for City Council. Ms. Bauske was unable to attend the Council meeting to receive the certificate. Mayor Larson further stated Councilor Lyons and the high school was in the process of selecting another representative for City Council to serve this year.

PUBLIC HEARING This was the duly advertised time and place to hold a public hearing regarding amending the code of Seaside chapter 152 updating the City of Seaside flood damage prevention ordinance.

 Kevin Cupples, Planning Director, explained the Community Development Department had completed the review and required updates to the City of Seaside Flood Damage Prevention Ordinance. Updating the ordinance was required by the Federal Emergency Management Agency (FEMA) as part of their local review process related to the City’s participation in the National Flood Insurance Program (NFIP). Amendments to the ordinance were required to maintain compliance with Federal Regulations, State Building Code, and Planning Goals. Although some of the text in the ordinance could be modified by the City, the amendments needed to maintain compliance with the minimum State and Federal regulations in order to qualify for flood insurance.

ORD. NO. 2007-12 AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE CODE OF SEASIDE CHAPTER 152 UPDATING THE CITY OF SEASIDE FLOOD DAMAGE PREVENTION ORDINANCE

 Mayor Larson opened the public hearing.

 Dale McDowell, 3760 Sunset Blvd., Seaside, asked if the ordinance would update the current maps for the City of Seaside.

 Mr. Cupples stated the Ordinance would not update the City maps. FEMA was sending updated maps to the City and once the maps were received they would be up for review.

 There were no other public comments and the Mayor closed the public hearing.

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

Motion to place Ordinance #2007-12 on the first reading by title only; carried unanimously. (Diebolt/Lyons)

Motion to place Ordinance #2007-12 on the second reading by title only; carried unanimously. (Diebolt/Lyons)

PUBLIC HEARING This was the duly advertised time and place to hold a public hearing regarding providing for the vacation of a portion of Holladay Drive.

 Mark Winstanley, City Manager, explained the ordinance was to vacate a portion of the very South end of Holladay Drive across the road from Dale’s Chevron. There was road right of way that was dedicated straight across South towards Highway 101. There was a proposal made to the City to acquire property which would require the City to vacate a portion of the property and allow the individuals to build on the property.

 Mayor Larson stated the Southern piece of the supposed road was very close to the Riverside Barbie-Q.

ORD. NO. 2007-13

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, PROVIDING FOR THE VACATION OF A PORTION OF HOLLADAY DRIVE

Mayor Larson opened the public hearing.

Mark Mead, Mead Engineering, stated he was representing Beach Development who was asking for the vacation. The Riverside Barbie-Q restaurant would not have any access cut off to the restaurant. Mr. Mead further stated he was at the meeting to answer any questions.

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated he did not understand what would happen with the vacated portion.

Mr. Winstanley stated the City would vacate the piece of road to allow for Beach Development to acquire the property and develop the area.

There were no other public comments and the Mayor closed the public hearing.

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

Motion to place Ordinance #2007-13 on its first reading by title only; carried unanimously. (Haller/Lyons)

Motion to place Ordinance #2007-13 on its second reading by title only; carried unanimously. (Haller/Lyons)

PUBLIC HEARING

This was the duly advertised time and place to hold a public hearing regarding amending the code of Seaside chapter 155 making specific modifications to the City of Seaside Sign Ordinance.

Kevin Cupples, Planning Director, explained the Planning Commission had received a number of proposed amendments to the City of Seaside sign ordinance. If approved the amendments would: allow for a shorter display period for electronic reader board signs, authorize signage to extend above the roofline when incorporated into the exterior façade of a commercial or industrial building, permit an increase in the maximum sign area allowed to face Roosevelt Drive when residential commercial property is developed for non residential use, and these amendments are in keeping with the Commission determination that the modifications were appropriate and would eliminate the need to review certain types of signs under the variance process.

ORD. NO. 2007-14

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE CODE OF SEASIDE CHAPTER 155 MAKING SPECIFIC MODIFICATIONS TO THE CITY OF SEASIDE SIGN ORDINANCE

Mayor Larson opened the public hearing.

There were no public comments and Mayor Larson closed the public hearing.

Mayor Larson asked for Council comments.

Councilor Diebolt asked if the one and a half second reader boards were close enough to flashing because some of the signs in Washington stopped traffic because of the distraction.

Mr. Cupples stated the reader board signs in the City might have text that was rotating to fast but could be slowed down. The Planning Commission had specifically looked at the reader board sign at Holladay Drug and decided the one and a half second change would not stop traffic and was easy to read.

Councilor Johnson stated there were some much needed changes with the Sign Ordinance.

Mayor Larson asked if Elephant Ears would be able to put a sign up as requested.

Mr. Cupples stated he had not reviewed the sign request by Elephant Ears.

Motion to place Ordinance #2007-14 on its first reading by title only; carried unanimously. (Tolan/Lyons)

Motion to place Ordinance #2007-14 on its second reading by title only; carried unanimously. (Tolan/Johnson)

**DISCUSSION –
SPEED REDUCTION**

Continuation of the public hearing held on September 10, 2007 – Discussion for speed reduction to 35 mph on Highway 101 from 12th Avenue to the South end of Gearhart.

Mayor Larson opened the public comments.

Deanna Mancill, 2945 Highway 101 North, Gearhart, stated she was against changing the speed limit from 12th Avenue to the south end of Gearhart. Ms. Mancill further stated she lived on Highway 101 north of Airport Road and had observed the traffic patterns and very seldom would cars go over the forty miles per hour speed limit. Just north of the Pacific Way traffic light, the speed limit changed to forty-five miles per hour and the highway changed to four lanes, with no middle turn lane. This was when motorists accelerated at the light and the traffic accidents occurred because the City of Gearhart had allowed strip malls and housing developments along the highway without thinking of the effect that would have on traffic safety. Without a middle turn lane there were more accidents because people were not paying attention to vehicles turning into the strip malls. The Oregon Department of Transportation (ODOT) needed to study how that portion of the highway could be improved but changing the speed limit north of 12th Avenue would not fix the problem.

Philip Mancill, 2945 Highway 101 North, Gearhart, stated he agreed with his wife's comments as far as traffic control in Gearhart. Mr. Mancill suggested Council not change the speed limit between 12th Avenue and Pacific Way. The problem was North of Pacific Way and was Gearhart's problem.

Mike Hinton, 1015 S. Irvine Pl., Seaside, stated that Mr. and Mrs. Mancill's comments were appropriate. The problems on the highway do exist and there were speed issues on many parts of the highway. Mr. Hinton further stated he drives almost daily on the highway from 12th Avenue to Pacific Way and there were many citizens that used the left turn refuge lane inappropriately. Traffic does not move well in town during the summer and people become impatient. If there was a change with the speed limit there should be a comprehensive plan for the highway all the way through Seaside to the North part of Gearhart.

Bob Gladwin, 1156 Avenue 'E', Seaside, stated he was against lowering the speed limit from 12th Avenue to Pacific Way in Gearhart. There had been eleven accidents in the last four years and that was less than three accidents each year. Mr. Gladwin further stated with today's traffic, people were lucky if they could drive thirty-five miles per hour on that stretch of highway. Gearhart's own Police Chief does not believe the change was necessary. Lowering the speed limit would not change driver's habits.

Curt Sagner, Gearhart, stated he had a business in Seaside and would drive between Seaside and Gearhart numerous times a day and was fortunate if he could get up to thirty-five miles an hour going to Gearhart. There does not seem to be a problem with the speed limit at all through that area. The problem would be north of the Pacific Way intersection. Mr. Sagner further suggested that Gearhart turn the right lane on the highway to a right turn only. That would solve most of the problems and slow traffic down.

Mr. Humpal stated he did not believe there was any reason for a change with the speed limit. There were logistic problems with the highway which should be changed but mainly was a matter of enforcement.

There were no other public comments and the Mayor closed the public hearing.

Mayor Larson asked for Council comments.

Councilor Johnson stated Council should do nothing.

Councilor Haller agreed with Councilor Johnson.

Councilor Diebolt agreed with Councilor Johnson.

Councilor Tolan agreed with Councilor Johnson

Councilor Lyons stated there had been six or seven speakers and everyone sees things differently which was in the eyes of the beholder. Councilor Lyons further stated he drove the highway every day from 8:00am to 3:00pm with sixteen year old students that knew nothing about driving. When the lights were blinking in front of the high school people were more courteous. There had been several vehicles driving sixty to sixty-five miles an hour by the high school which was dangerous and some day there would be a tremendous crash. When driving north across the bridge to the light signal at Pacific Way everything evened out and for the most part people seemed to drive much better up. If the speed was forty miles per hour then cars would be driving fifty to fifty-five miles per hour. Councilor Lyons suggested the speed limit stay the same.

Council consensus to leave the speed limit at 40 mph from 12th Avenue to the north City limits.

**PRESENTATION –
CLATSOP COUNTY
CULTURAL COALITION**

Michael Hinton, 1015 S. Irvine, Seaside, stated he was Co-Chair of the Clatsop County Cultural Coalition which was in the grant cycle for the year. The trust was created approximately five years ago. Last year Oregonians contributed a record breaking \$2,800,000.00 to the states innovative private public cultural funding program. Forty-two percent of the money that was raised every year would go towards the cultural community grant program. The Clatsop County Cultural Coalition had received approximately \$8,000.00 this year from the trust and invited everyone who had a cultural program to visit the web site at www.clatsopculturalcoalition.org or call to obtain an application. There were great awards given out last year and many of the grants supported art programs in the high schools, summer theatre camp, cultural programs for Broadway Middle School, and funded a book that the Women's Resource Center published.

Mayor Larson encouraged the press to speak with Mr. Hinton to get some publicity on the program which was a wonderful program.

**APPROV.-COLLECTIVE
BARGAIN AGREEMENT**

Mark Winstanley, City Manager, stated he was very pleased to let the Council know that the City did have a tentative agreement with the Police Association. Mr. Winstanley thanked the officers and dispatchers that were involved with the negotiations for the professional way they negotiated the contract. Mr. Winstanley thanked the Police Chief who was very involved with negotiations and had spent a great deal of time on the issues, wording, and changes that needed to be made in the contract. Mr. Winstanley thanked the Human Resource Director, Trish Downey who also spent a huge amount of time working on the contract and working through the issues. Mr. Winstanley further stated Council was given a memo outlining the different articles in the contract and highlighting the changes that were made. Staff was requesting Councils approval for the contract which was ratified by the Police Association earlier today.

Motion to adopt the Seaside Police Association Collective Bargaining Agreement from July 1, 2007 to June 30, 2010; carried unanimously. (Haller/Johnson)

**VACANCY –
COMMUNITY CENTER
& SENIOR COMM.**

Mayor Larson stated there were two vacancies for the Community Center and Senior Commission. Mayor Larson asked the press to advertise the vacancies.

PROCLAMATION

Mayor Larson read a Proclamation for National Blind Month.

COMMENTS – PUBLIC

Larry Kriegshauser, 311 12th Avenue, Seaside, stated over the last ten years he had the opportunity to really love the community. Mr. Kriegshauser further stated he had the opportunity to serve on a committee and perform some work each year for the 4th of July. This year was a very good 4th of July with steps that moved forward and one step that moved backwards which was the Street Fair but there should be some improvement in the future. With the help of the Police Department the committee was able to put together a fireworks free zone down on the beach. There had been nothing but positive comments about the fireworks free zone. For the parade there were a couple of new floats put together. Mr. Kriegshauser presented a framed poster for this year that was presented to the Council for their outstanding support and contribution for making this a great place to be on the 4th of July.

Mr. McDowell stated the paving project had traffic issues because Mr. McDowell's wife had drove over a hole with her car and was not very happy because there were no signs or flaggers to indicate there was a hole. Mr. McDowell further stated the City was not getting what they were paying for and the problems should be corrected because the contractor did not do a very good job. Mr. McDowell further stated he did not bid on the project and was not a disgruntled losing bidder but wanted the City to know that they did not get what was paid for and the project was a safety issue. The rules needed to be followed and that was why there was a specification book.

COMMENTS – COUNCIL

Councilor Johnson stated the Playground Equipment at Cartwright Park looked great.

Mayor Larson stated people were working very hard and he could not believe the work that was accomplished. Mayor Larson further stated the park was beautifully done.

Councilor Haller reminded everyone the Hall of Fame and Community Volunteer Awards was scheduled for Saturday, November 3, 2007, at the Convention Center. Councilor Lyons would be inducted into the Hall of Fame this year.

Mayor Larson stated the new promotions advertising suggestions needed to be turned in today to Mikaela Norval, Tourism Director. The Mayor congratulated Seaside Signal Editor, Rod Jones for his recent marriage. Mayor Larson further stated the Library bids had been opened last Thursday and Richard Turi, Architect, was reviewing the bids, there would be a City Council/Planning Commission workshop on October 29, 2007, at 6:30pm, and Veterans Day, November 12, 2007 was a Council meeting day, did Council want to cancel the meeting.

Council consensus to cancel the meeting on Monday, November 12, 2007, which was Veterans Day.

COMMENTS – STAFF

Mr. Winstanley stated the League of Oregon Cities Conference was coming up and for those that were going to attend he hoped they had a good conference.

COMMENTS – COUNCIL

Councilor Haller reminded the public there was a Housing Conference Thursday, September 27, 2007, 8:00am to 5:00pm, at the Convention Center. Those interested in going to the conference need to pre-register.

ADJOURNMENT

The regular meeting adjourned at 7:53 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR