

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 Gary Diebolt, Dave Moore, and Larry Haller.

Absent: Stubby Lyons and Don Johnson,

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Russ Vandenberg, Convention Center General Manager; Bob Gross, Police Department; Trish Downey, Assistant to the City Manager; Bob Mitchell, Building Department; Rebecca Herren, The Coast Times.

AGENDA Motion to approve the September 28, 2009, agenda; carried unanimously. (Haller/Moore)

MINUTES Motion to approve the August 24, 2009, minutes; carried unanimously. (Haller/Tolan)

RECOGNITION – POLICE DEPARTMENT Jason Schermerhorn, Seaside Police Sergeant, stated there was a young gentleman (no name was given in request of the parents) to thank for assisting the Seaside Police approximately a month ago for helping to apprehend two criminals at Safeway in Seaside. The criminals had taken over \$700.00 worth of products from Safeway. The young gentleman’s mother had followed the criminals and he helped spot them when she had lost track of them. Sergeant Schermerhorn further stated the young gentleman had done an outstanding job in assisting the police as a Junior Police Officer. Sergeant Schermerhorn presented the young gentleman with a certificate of appreciation, a Junior Officer Badge, stickers, pencils, magnets, and candy.

Susan Schmitland, Safeway Representative, thanked the young gentleman for all he had done to help Safeway and presented him with a Safeway gift certificate.

Mayor Larson asked the press to keep the young gentleman’s name out of the media if a story was printed.

SWEARING IN SEASIDE POLICE OFFICERS Bob Gross, Seaside Police Chief, swore in Seaside Police Officer Guy Knight and congratulated him.

SWEARING IN SEASIDE RESERVE OFFICERS Bob Gross, Seaside Police Chief, swore in Seaside Reserve Officer’s Brian Maki, and Crystal Forster. Seaside Reserve Officer Gary Welborn was unable to attend the meeting.

UPDATE – DALTON AGALZOFF Dalton Agalzoff, 1992 Huckleberry Dr., Seaside, stated the Seaside areas with addresses painted on the curbs were Cooper Street, Huckleberry Street, Sunset Hills, and the Cove area. There were several people who donated money for the cause and Mr. Agalzoff presented a check for \$200.00 to Seaside Head Start.

Annie Cooke, Head Start Representative, thanked the Boy Scouts for thinking about the Head Start program. The money would be used for a Ready to Read Program scheduled for October 8, 2009. The children in the Seaside community would receive a book named the Very Hungry Caterpillar and the funds would be used to purchase the food for the event.

PRESENTATION – RANDY FRANK Randy Frank, stated on behalf of the Seaside Downtown Development Association and Flashback Productions who would like to thank the City Council and the City of Seaside for allowing the Wheels and Waves Event to take over the town for a weekend which required additional City services and man power. Mr. Frank presented Council with a plaque in appreciation for the services for the Wheels and Waves Event.

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 \$900,983.71; and Resolution #3694 Regarding Designating the City Councils Intention to Permit Recreational Use of Certain Parks Generally Regarded as Outdoor Recreational Areas; carried unanimously. (Haller/Diebolt)

PUBLIC HEARING This was the duly advertised time and place to hold a public hearing regarding amending increases in Building, Plumbing, Mechanical, Mobile, and Manufactured Home Permit Fees, and repealing Resolution #3570.

RESOLUTION #3693 A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AMENDING INCREASES IN BUILDING, PLUMBING, MECHANICAL, AND MOBILE AND MANUFACTURED HOME PERMIT FEES AND REPEALING RESOLUTION #3570

Mayor Larson opened the public hearing.

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

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

Motion to read Resolution #3693 by title only; carried unanimously. (Haller/Moore)

Motion to adopt Resolution #3693; carried unanimously. (Haller/Diebolt)

**VACANCY –
CONVENTION CENTER
COMMISSION**

Mayor Larson stated there was one vacancy with one application received for the Convention Center Commission. Mayor Larson asked Council what they wished to do.

Council consensus to leave the vacancy open until the October 26, 2009, City Council Meeting.

Mayor Larson asked the press to advertise the vacancy.

LIQUOR LICENSE

Council considered an application for a liquor license for 12th Avenue Market & Deli, 600 12th Avenue. The applicant was applying for an Off-Premise Sales License, which would be for a change of ownership.

Motion to approve an Off-Premise Sales License for 12th Avenue Market & Deli, at 600 12th Avenue; carried unanimously. (Tolan/Haller)

LIQUOR LICENSE

Council considered an application for a liquor license for Herb's Burgers & Beer, at 1575 S. Roosevelt Drive. The applicant was applying for a Limited On-Premise Sales License and Off-Premise Sales License, which would be for a change of ownership.

Motion to approve a Limited On-Premise Sales License and Off-Premise Sales License for Herb's Burgers & Beer, at 1575 S. Roosevelt Dr.; carried unanimously. (Tolan/Moore)

HOOD TO COAST 2010

Mayor Larson stated prior to the City Council meeting there was a meeting with Robert Foote to discuss any issues with the Hood to Coast Relay.

Robert Foote, President of the Hood to Coast Relay, thanked the City Council and City of Seaside for hosting the 28th Annual Hood to Coast Relay for 2009. Mr. Foote presented the City of Seaside with a check for \$17,000.00 which was part of the tradition that had been established a few years ago.

Mayor Larson stated the donation would be used for the second phase of the Seltzer Park renovation at the Cove.

Mr. Foote stated he would like to request the Councils permission to schedule the 29th Annual Hood to Coast Relay event and beer gardens in Seaside August 27-29, 2010.

Council President Tolan asked where Johnny Limbo and the Lugnuts were this year.

Mr. Foote stated that question came up and next year there would be a group that would be playing the 60's and 70's music like Johnny Limbo and the Lugnuts.

Motion to approve the Annual Hood to Coast Relay event and beer gardens on the beach for the dates of August 27-29, 2010; carried unanimously. (Haller/Tolan)

**PRESENTATION –
PLAN FOR HOUSEHOLD
HAZARDOUS WASTE**

Laura Leebrick, Western Oregon Waste, stated she was at the meeting to represent the Clatsop County Household Hazardous Waste Planning Advisory Committee. Ms. Leebrick further stated Household Hazardous Waste (HHW) included a variety of household products that were toxic or harmful to people or the environment. Examples of HHW were mercury thermometers, pesticides, herbicides, poisons, solvents, paint, cleaning products, and rechargeable batteries. Without a program residents choose to dispose of HHW by throwing them in the garbage which was most common, dumped down storm drains, dumped illegally in the woods, or people store the items in basements, garages, homes until they have the opportunity to dispose of the items. Ms. Leebrick further stated Western Oregon Waste at this time had to tell customers in Clatsop County that the materials could not be taken in the area and the only option was to haul the items to disposal areas in Portland or store the items until the next household hazardous event. The last County wide event was in 1997 though there was an Astoria event in 2004 which was open to all County residents. The cost of participation in the events would cost \$90.00 to \$165.00 per participant or carload. There was a map that showed the current Oregon HHW Collection Service in Oregon. Ms. Leebrick further stated in 2007 Clatsop County applied for a grant from the Department of Environmental Quality (DEQ) to fund the development of a Household Hazardous Waste Management Plan. DEQ paid for a consultant plan to work in coordination with the Household Hazardous Waste Advisory Committee who had representatives from all the City's as well as other stake holding agencies like the Department of Health and Human Services, CREST, Fire Department, and Department of Forestry. Together the committee came up with a plan to submit to the County which was to have a permanent facility or event site located in Clatsop County, open eight days a year, open by appointment by residents on an emergency basis, accept limited hazardous waste from small businesses, accept hazardous waste from all County residents, one satellite collection event each year, hold at least one collection event each year during the facility planning process, and pursue partnerships with Tillamook County and other neighboring Counties to share cost.

Ms. Leebrick further stated the HHW facility design features would include secure, covered areas for drop-off of HHW from the public, storage for supplies, and a self contained cabinet for storage of small quantities of waste between events. The design would allow for future expansion of the program. Ms. Leebrick further stated the funding source the Committee had recommended in the plan was to create a HHW fund through a surcharge on tipping fees charged at the County Transfer Station. A surcharge of \$5.00 a ton would generate \$190,000.00 per year, based on current waste volumes of \$38,000 tons per year. This would represent an increase of thirty-four cents per month per customer to collection rates. The option affected all waste generators, regardless of service or hauler. The cost would be spread over the largest possible base, minimizing the impact to individual users/ratepayers. Ms. Leebrick further stated the HHW fund would be managed by Clatsop County, based on recommendations of the Steering Committee. A Memorandum of Agreement would be created between the County, the Cities, and Western Oregon Waste (WOW) to identify responsibilities and financial details for the operation of the program. Ms. Leebrick further stated Clatsop County Board of Directors adopted the HHW plan in April, 2009, and DEQ final approval was expected by year-end. There would be presentations to all Cities by September and October 2009, with the formation of a Steering Committee beginning November, 2009. The Memorandum of Agreements would begin December, 2009, and WOW would begin collecting tip fee surcharges July 1, 2010. Ms. Leebrick further stated within two to three years a suitable location would be identified, apply for DEQ facility grant funds, siting, permitting, and construction process would start, and there would be a one day collection event in the interim starting April, 2011. Ms. Leebrick further stated the City was being asked for the approval and support of the Committee's work to date, direct City staff to work with the County on the MOA and to have a signed MOA in place before July 1, 2010, when the tip fee surcharge would go into effect.

Mayor Larson asked why WOW would collect a tip fee starting in July when a facility location was not selected.

Ms. Leebrick stated part of the plan was to hold collection events once a year until a facility was built. If the funds were collected starting July, 2010, and the first collection event was in April 2011, then there was time to collect money to fund the event.

Mayor Larson stated WOW was going to apply for a grant from DEQ but how would WOW know how much the facility would cost.

Ms. Leebrick stated the information for the cost was in the plans and the maximum amount that would be received for a grant would be \$77,000.00 and the facility would cost approximately \$450,000.00 to build.

**FINAL –
GOODMAN PARK
RESTROOMS**

Mark Winstanley, City Manager, explained Big River Construction, Inc. had completed the Goodman Park Restroom Project and had issued the two year warranty statement. The original bid for the project was \$157,550.00 and the final cost of the project was \$166,169.00. The work had been completed successfully and the check list items had been finished. Staffs recommended accepting the project, and release the retainage in the amount of \$8,308.50 to Big River Construction, Inc.

Motion to accept the final for the Goodman Park Restrooms and release the retainage to Big River Construction, Inc. in the amount of \$8,308.50; carried unanimously. (Diebolt/Moore)

**APPROVAL –
TRAVEL & EXPENSE
REIMBURSEMENT
POLICY**

Trish Downey, Assistant to the City Manager, explained the proposed Travel & Expense Reimbursement Policy defined requirements for Elected Officials and more particularly City employees to better clarify what was allowed and what was not allowed when traveling on City related business. Ms. Downey stated the City proposed to maintain the City's current meal reimbursement amounts in Clatsop County, and have proposed an increase in meal reimbursement amounts outside Clatsop County. The last time there was increase in the Travel & Expense Reimbursement Policy was December, 2003. There was also a per diem option included. Ms. Downey further stated the proposed meal reimbursement increase and per diem option was researched by acquiring and comparing policies from the State of Oregon and other Oregon cities.

Motion to approve the proposed new Travel & Expense Reimbursement Policy; carried unanimously. (Haller/Tolan)

PROCLAMATION

Mayor Larson read a proclamation for Day of Culture.

COMMENTS – PUBLIC

John Dunzer, 2964 Keepsake Drive, Seaside, stated he noticed on the Transportation System Plan (TSP) Website a nice letter from the City of Seaside and from the State of Oregon concerning the changes to addressing the transportation issues to a flexible mobility standard for the highway. That was the recommendations for the City to accept the responsibilities to possibly fund more of the improvements to get the traffic moving through Seaside. Mr. Dunzer further stated in speaking with the people in the public, they really want a bypass. The general plans for Seaside still stated there would be a bypass. Mr. Dunzer further stated what the information was saying was that if he were the state the Councilors of Seaside wanted to cooperate in acquiring something less than a four lane highway that would get the traffic through Seaside, and the bypass had really been forgotten about.

Mr. Dunzer further stated he did not think the people really knew about the information and he did not want to see another disaster like four or five years ago. The state had no plans to ever build a bypass for the City of Seaside and in fact the bypass was against the state rules and regulations. The people of Seaside needed to be told and convinced that there was not going to be a bypass and what was planned for the highway was in there best interest.

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated he agreed with Mr. Dunzer that when talking with the public they sure wanted a bypass. Mr. Humpal further stated he noticed there had been grading at the South area of Seaside from the KFC/Taco Bell to the Coast Hardware area and understood Mary Blake had received a grant for gardening the area.

Mr. Winstanley stated the City received a transportation grant and were putting in a sidewalk, Prom style poles for lighting, and landscaping on the East side of the highway. Along side the walkway in a two block area the City would have a Community Garden area. The City received a Bike Pedestrian Grant that would allow the work for the sidewalks and the lighting.

COMMENTS – COUNCIL Mayor Larson thanked Councilor Diebolt and Marjorie Diebolt for all the years they had spent working on the car shows in Seaside. The Seaside Downtown Development Association had a thank you for Councilor Diebolt which was well attended.

COMMENTS – STAFF Mr. Winstanley stated there was a City Council/Planning Commission Work session planned for Tuesday, October 20, 2009, at 6:00 pm. The consultant for the TSP wanted to discuss the work that had taken place with the TSP. Mr. Winstanley asked if that would be acceptable for the Council to attend the work session that evening.

Council consensus to attend the work session planned for Tuesday, October 20, 2009.

Mr. Winstanley stated there was a local group that had been formed to discuss the flooding South of Seaside. The group consisted of the County, Oregon Department of Transportation (ODOT), City of Seaside, and City of Cannon Beach. There was a meeting last week and the discussion was the need for a Hydrological Study to find out where all the water comes from and where the water was going and ODOT would not take the project on until a study had been done. The road was a State Highway and the group all had an interest in the road. The Corp of Engineers informed the group the study would cost approximately \$60,000.00. ODOT informed the group there was no money available for the Hydrological Study and the County agreed if there was enough cooperation with the other jurisdictions they would put the funding together for the study. The County was willing to propose putting up \$20,000.00 for the study to the Board of Commissioners, the local office of ODOT stated they could possibly take \$20,000.00 out of the Maintenance Budget for the study, the City of Seaside with the approval of the City Council might be able to contribute \$10,000.00 to the study, and Cannon Beach stated they might be able to contribute \$5,000.00 to the study. That was close enough to the \$60,000.00 needed and the County would put together a request for proposal to get the study going. The timeline for the study would be more into the spring of 2010. Once the Hydrological Study was in hand, the group would then go back to ODOT to inform them it was time for the design to take care of the issues with the flooding.

ADJOURNMENT The regular meeting adjourned at 7:57 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR