

- 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, Council President Tim Tolan, Councilors Stubby Lyons, Don Johnson, Larry Haller, and Jay Barber.
- Absent: Councilor Dave Moore
- Also Present: Mark Winstanley, City Manager; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Kevin Cupples, Planning Director; Bob Mitchell, Building Official; Max Milander, Seaside High School Representative; Jeremy Ruark, Seaside Signal; and Nancy McCarthy, Daily Astorian.
- AGENDA** Mayor Larson asked to have an addition added to the agenda, item (11) (c) Bid - Downtown Landscape Maintenance District.
- Motion to approve the April 12, 2010, agenda, as amended; carried unanimously.
(Haller/Johnson)
- PROCLAMATION** Councilor Lyons read a Proclamation on Arbor Week.
- Neal Wallace, Public Works Director, stated there would be a Tree City Ceremony Tuesday, April 13, 2010, 3:00 pm, at the North end of the new Sidewalk Project.
- COMMENTS – PUBLIC** Donn Bauske, 322 S. Holladay, Seaside, stated he had sent Council a letter about the System Development Charges. Mr. Bauske came before the Council two years ago when the discussion was affordable housing. Mr. Bauske asked Council if they would consider a reduction or change in the System Development Charges to help contractors in the City build affordable housing.
- Mayor Larson asked if Mr. Bauske were speaking only about affordable housing.
- Mr. Bauske stated he was discussing affordable housing because the low end paid as much as the high end in System Development Charges. Mr. Bauske asked if Council was willing to look over the charges and consider a change, or a flat out reduction for affordable housing when building under \$250,000.00. The charges could also be waived like other City's were doing for the simple reason that nothing was getting built. Mr. Bauske further stated the Seaside Building Department records showed only one house had been built and one permit issued for 2010. There were six permits at this time for 2009 and housing was not even being sustained. Mr. Bauske asked if Council was going to consider changing the charges.
- Mayor Larson stated the System Development Charges were based on actual uses and needs and were not arbitrarily changed without a study to see what the future needs were.
- Mr. Bauske stated if Council wanted affordable housing or lower end housing the City would need to give some kind of slack or nothing would be built. Mr. Bauske stated the question was would Council consider the suggestions that had been brought up in the letter he had sent.
- Councilor Barber stated he needed time to review the information in Mr. Bauske's letter and there were decreases in building all across Oregon not just Seaside because of the recession and the economy. Councilor Barber further stated there were interesting issues raised in the letter and as a Councilor would consider the suggestions.
- Mark Winstanley, City Manager, stated System Development Charges were not set arbitrarily. A consultant had reviewed the capital construction plan for the next twenty years. To determine what needs the systems would require for the future was based on the City's capital improvement program. The capital construction plan then established what kind of fees would be necessary from increased growth in order to support that plan.
- Mr. Bauske stated affordable housing went through the City Council two years ago and nothing had ever been done. Mr. Bauske further stated he was asking if Council was going to consider the suggestions.
- Mayor Larson stated there were a couple of things done with apartments in town.
- Mr. Bauske stated that was subsidized housing and not affordable housing. Mr. Bauske further stated he would build to sale or rent but generally did not sale the places he built. Mr. Bauske further stated he could not build and rent places if it was not economical. Mr. Bauske further stated there were houses being built in the area by Adair Homes and not one local contractor was hired.
- Mr. Winstanley further stated financially the Building Department had collected more money in Building permits this fiscal year compared to all of last fiscal year.
- Mayor Larson stated Council had very thoroughly conducted several work sessions to establish the System Development Charges based on the Capital Improvement Plan. Mayor Larson asked Council what they wished to do.
- Councilor Johnson stated at the time the System Development Charges were implemented the economy was very strong. The information could be reviewed for the building economics of the community.

Mr. Winstanley stated the last increases took place September or October of 2008.

Councilor Lyons stated building had been going pretty well in Seaside a couple of years ago compared to now.

Mayor Larson asked if there were changes made then what would happen to the people who had already built.

Councilor Lyons stated as a group that would need to be discussed.

Council President Tolan stated there could be a work session to discuss the information.

Neal Wallace, Public Works Director, stated he would contact the consultant who had worked on the System Development Charges and find out how the request could be handled as far as legalities were considered.

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 \$870,160.28; March 22, 2010, Minutes; Resolution #3697- A Resolution Adopting and Appropriating Supplemental Budgets of Less than 10 percent to the 2009-2010 City of Seaside Budget; and Resolution #3698 – A Resolution Adopting and Appropriating Supplemental Budget of Less than 10 percent to the 2009-2010 Seaside Road District Budget; carried unanimously. (Tolan/Lyons)

PUBLIC HEARING – This was the duly advertised time and place to hold a public hearing regarding adopting and appropriating supplemental budgets of more than 10 percent to the 2009-2010 Seaside Road District Budget.

Mr. Winstanley explained supplemental budgets had a tendency to be housekeeping issues and in this case the City was truing up some of the budgets to what the beginning balances were. There were four funds going through closure and the budgets were being adjusted for the closure of those funds. The budgets were at a level greater than 10 percent and greater than 10 percent required the City had a public hearing and approval by Council.

RESOLUTION #3699 A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADOPTING AND APPROPRIATING SUPPLEMENTAL BUDGETS OF MORE THAN 10 PERCENT TO THE 2009-2010 SEASIDE ROAD DISTRICT BUDGET

Mayor Larson opened the public hearing.

Merlin Humpal, 2481 Oregon Avenue, Seaside, stated he was not sure that he understood because he had not reviewed the facts that the City published. Cities all over the Country, States, and National were having financial problems and some were bypassing rate increases, or had to lay people off. Mr. Humpal asked what the status of Seaside was.

Mayor Larson stated the question did not apply to the resolution but there were Budget Committee meetings coming in May and that was the time to ask the question.

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

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

Motion to read Resolution #3699 by title only; carried unanimously. (Haller/Johnson)

Motion to adopt Resolution #3699; carried unanimously. (Haller/Lyons)

ORDINANCE #2010-02 AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 150 AND 159 OF THE SEASIDE CODE OF ORDINANCES REGARDING BUILDING REGULATIONS AND ABATEMENT OF DANGEROUS BUILDINGS

Mr. Winstanley explained there had been changes made with the State Statutes which dealt with the penalty phases Building Officials needed to handle and many of the penalties were no longer cited into Municipal or Judicial Court and were handled instead administratively. The Ordinance changed the wording to allow for administrative decisions to be made compared to judicial decisions to be made.

Mayor Larson asked for public comments.

Mr. Bauske stated the City should follow the mandated Senate Bill. The Ordinance had the City Manager being the person to appeal but the Senate Bill clearly called for a Municipal Appeals Board and Appropriate Advisory Board to hear the hearing appeals. Basically the City chopped up an Ordinance but the enforcement part had to follow the mandated Senate Bill. Mr. Bauske further stated Section 3 (B) basically stated whether or not a permit was issued a person could be sited. A person was sited for not obtaining having a permit. Basically the Ordinance needed to go back and be redrafted.

Bob Mitchell, Building Official, stated the City did have an appeals board. Staff had discussed the information with Dan Van Thiel, City Attorney, and the City Attorney had agreed with the information that had been added to the Ordinance. The information was also consistent with what Cannon Beach and the Tri-County area had adopted.

Mr. Winstanley stated the Ordinance dealt with the penalty phase of the issue and the City often borrowed language from the League of Oregon Cities and other City's in order to create the Ordinances that had already been tested by other City's and jurisdictions.

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

Motion to place Ordinance 2010-02 on its first reading by title only; carried unanimously. (Haller/Johnson)

Motion to place Ordinance 2010-02 on its second reading by title only; carried unanimously. (Haller/Johnson)

**UPDATE -
WWTP PROJECT
IMPROVEMENT**

Mr. Wallace stated the Seaside Waste Water Treatment Plant (WWTP) was in need of renovations. There were renovations needed because age was taking a toll on the plant, other renovations needed were being mandated by the State and Federal Government, and other renovations were simply needed to improve operational capabilities. The following projects with approximate costs included for Council's consideration: Outfall Project, \$1,200,000.00; Lift Station Electronics and Controls, \$500,000.00; Automated Lime System, \$350,000.00; Generator for Plant, \$350,000.00; Lift Station #3 Pump Project, \$165,000.00; Land Purchase near City Farm, \$135,000.00; and Collection System Master Plan, \$250,000.00. Mr. Wallace further stated the outfall project was the Department of Environmental Quality (DEQ) mandated project and was currently being engineered. Application had already been made for the permits that would be required by the Division of State Lands and the Corps of Engineers. The lift station electronics and controls project had been engineered and was waiting for funding to go out to bid. The project was very important because failing control systems on the lift stations had already caused the City to be fined over \$10,000.00. The automated lime system was needed to replace the archaic and dangerous process of hand mixing lime. Lift station #3 was the City's main lift station and was in need of new pumps to replace the existing twenty-four year old units. A generator would allow full function of the sewer plant and lab building during a power outage. The land purchase would help the City with the bio-solids application and add approximately eleven acres to the existing farm. The last collection system planning was completed in the early 1980's.

Councilor Barber stated he had spent a stimulating afternoon taking a tour of the City Facilities like the Waterworks, Water Treatment Plant, and Waste Water Treatment Plant. The facilities were fascinating and outdated and yet the staff was very creative in the operation of the facilities.

**BID - DOWNTOWN
LANDSCAPE
MAINT. DISTRICT**

Mr. Wallace stated bids for the Downtown Maintenance: Landscape Maintenance District project were accepted on April 9, 2010. There was one bid received from Nature's Helper, for \$39,930.00 annually, with a three percent increase annually for the cost of living and cost of materials. Staff recommended accepting the bid from Nature's Helper.

Motion to accept the Downtown Maintenance: Landscape Maintenance District project bid in the amount of \$39,930.00 annually, with a three percent increase annually; carried unanimously. (Lyons/Johnson)

**COMMENTS - STUDENT
REPRESENTATIVE**

Max Milander, Seaside Student Representative, stated the Seaside School District was going to lose \$1,200,000.00 for next year which was taking a toll on all involved. The faculty and students moral had dropped. Next year Seaside High School had two teachers that were being moved to Broadway Middle School and Neal Branson who was a Councilor at Seaside High School had his position cut. The student body was trying to get through the crisis and was hoping the change would not be permanent.

COMMENTS - COUNCIL

Councilor Tolan stated he had attended the Community Gardens Ceremony which was very well attended.

Mayor Larson reminded Council there would be a workshop, April 28, 2010, at 3:00 PM, to discuss street standards.

COMMENTS - STAFF

Bob Gross, Seaside Police Chief, reminded Council that this week was National Telecommunication week and while Police Officers were the visible responders that were seen when calling for assistance the dispatchers were the first voice heard and needed to be thanked.

Kevin Cupples reminded Council that April was Earthquake and Tsunami Month with many activities going on.

Mr. Winstanley stated the City would be testing the Emergency Public Address System on April 28, 2010, at 10:00 am. There would not be any sirens.

ADJOURNMENT

The regular meeting adjourned at 7:59 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR