

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Council President Tim Tolan.
- Present: Council President Tim Tolan, Councilors Don Johnson, Jay Barber, Stubby Lyons, and Larry Haller.
- Absent: Mayor Don Larson.
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Dale Kamrath, Seaside Fire Chief; Kevin Cupples, Planning Director; Neal Wallace, Public Works Director; Russ Vandenberg, Seaside Convention Center; Jon Rahl, Director of Tourism Marketing; Jeremy Ruark, Seaside Signal; Jeff Nelson, KAST; Nancy McCarthy, Daily Astorian; and Rebecca Herren, The Coast Times.
- AGENDA** Motion to approve the August 23, 2010, agenda; carried unanimously. (Lyons/Barber)
- PROCLAMATION** Councilor Lyons read a proclamation on National Patriotism Week.
- Dale Kamrath, Seaside Fire Chief, read a proclamation on Seaside Firefighters Appreciation week.
- COMMENTS – PUBLIC** Dorothy Nimtz, 825 Avenue ‘S’, Seaside, presented Council with pictures of trash she had collected at the Millpond park and trail since going for walks the last three weeks. Ms. Nimtz stated she had been collecting pieces of trash while going on her daily walks but when June arrived there was more trash each day but there was not a garbage can in the vicinity of the Millponds. Ms. Nimtz was told to speak to the Nature Conservancy and was told they had a deed to the property but Seaside held the stewardship and that the trash belonged to Seaside. On July 6, 2010, there were four large bags of trash and a big black trash bag that someone had thrown away. Ms. Nimtz picked up the trash took it to the Public Works building but was told the trash was not theirs and there was not going to be a trash can placed in the Millponds Park and Trail location. Ms. Nimtz called Mayor Larson who was leaving on vacation but would look into the situation when he returned. Ms. Nimtz was still picking up the trash and taking it to the Public Works building but was told there was no way they were taking the trash. Ms. Nimtz further stated a Seaside Police Officer was sent to her house to speak to her about the trash problem and taking it to the Public Works building. Ms. Nimtz further stated she just wanted to know why it had been so difficult to get a trash can placed at the Mill Ponds Park and Trail location.
- Merlin Humpal, 2481 Oregon Avenue, Seaside, stated two week ago he attended a class at the Bob Chisholm Community Center and at the class someone had mentioned that Seaside Police were enforcing the law with vehicles passing other vehicles on the right side of the highway. The discussion then changed to the Broadway and Columbia stop light with pedestrians crossing the street into traffic. Mr. Humpal further stated he happened to drive downtown and noticed how bicycles did not pay attention to stop signs and the City needed to cut something if more police officers were needed to enforce the laws.
- Rebecca Crabtree, 87509 Lewis and Clark Rd., Astoria, stated she was an artist and organic farmer and co-owner of Sweet Ash Farm and Nursery and was also a member of Citizens of a Sludge Free Lewis and Clark Valley. Ms. Crabtree further stated the group was concerned because a million gallons of bio-solids composed of human waste, household chemicals, and heavy metals from hospitals and industries that were not removed by the treatment process were proposed to be dumped in a narrow strip of land near the Lewis and Clark Country Road and the Lewis and Clark River. There were concerns because the proposed site flooded frequently during the winter and the heavy metals and chemicals would end up in the Lewis and Clark River, in the Watershed down river, and in well water. Ms. Crabtree further stated everyone in the area had a well on some kind of service that was directly influenced by the Lewis and Clark River. In most City’s and towns individual septic systems were outlawed because toxins leaked into the water system and Ms. Crabtree wanted to know why Seaside should be allowed to dump the waste into the Lewis and Clark Property owners system. If bio-solids were good and valuable why was the farmer not paying the City of Seaside to dump the solids onto his property to fertilize? Ms. Crabtree further stated the property owners were concerned the dump site would ruin the nursery business, homes, and quality of life where there had been a great deal of time and life, effort and money spent to develop. Currently the site was high valued farm land full of wildlife like eagles, heron, beaver, and salmon in the Lewis and Clark River. There were concerns the City of Seaside did not respect public notification because Seaside did not notify the local farmers and citizens of the proposed dumping of toxins next to properties and the Department of Environmental Quality was mistaken because they were toxins. Ms. Crabtree further stated as a group there would be continued presentations about this issue and Seaside needed to find a better way to deal with the waste because the issue would only get bigger and more expensive as the population grew. A long term solution needed to be found because the proposed Lewis and Clark solution was short sighted and would have long term effects. Ms. Crabtree further stated she had a petition that was signed by thirty-five people primarily from Astoria that would be affected by Seaside’s dumping process and there would be more signatures collected.

Fred Maloon, 87813 Lewis and Clark Rd., Astoria, stated people know that the City had approval and had not dumped in the proposed location and appreciated that. Mr. Maloon further stated Seaside had not notified the property owners of Lewis and Clark. The Lewis and Clark property owners had been told the bio-solids were being trucked to Portland at this time and that probably demonstrated the Lewis and Clark site, not an ideal site under any circumstances was chosen because of the effectiveness in terms of cost. There were other alternatives and the Lewis and Clark property owners appreciated the City of Seaside had pursued those up to this point and hoped the City would continue to pursue those as opposed to dumping the bio-solids in property owners back yards. There had been soil testing conducted by some members and Mr. Maloon would also have his soil and water tested. Mr. Maloon further stated his well was right in the center of the valley which was thirty feet to basic ground water and there had been documentation read about the bio-solids only leaking so far into the soil and found that difficult to believe. Mr. Maloon was sure the testing that had been done was required but did not address the broad spectrum of pollutants. Mr. Maloon further stated the Lewis and Clark property owners would not stop.

David Crabtree, 87509 Lewis and Clark Rd., Astoria, stated he had a home and nursery directly down from the approved dump site and had information where citizens in similar situations had reported problems with diseases. Once the sludge was thrown out into the fields pathogens formed and became airborne. The original hearing for Monday, July 28, 2008, that no one had attended had not been published in the Daily Astorian, Seaside Signal, and Oregonian.

Norman Beerger, 88786 Lewis and Clark Rd., Astoria, stated the property owners of Lewis and Clark appreciated Seaside's efforts in finding an alternative solution and it appeared Seaside was interested in economic business. Mr. Beerger further stated he had done research and found a company that converted most of the sewage bio-solids into products that could be sold. Mr. Beerger further stated federal grants may be available or a municipal bond could be issued to pay for a modern system that would end the primitive system of dumping on neighbors. The people that used the system and benefited from the system should pay for the system. A small bio-solids facility could handle a small City's waste or a larger bio-solids facility could handle several cities and create a partnership. Mr. Beerger further stated his property was close to the sludge disposal location and he would be testing his soil for the five proven toxic heavy metals that appeared in Seaside's sludge which were arsenic, cambium, chromium, lead, and mercury. There had been five floods in the Lewis and Clark area in the last two years and in the spring after flooding Mr. Beerger would have his soil tested again and if toxins were found the City of Seaside would be liable for the contaminated land.

CONFLICT

Council President Tolan 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 \$701,096.85; and July 26, 2010, minutes; carried unanimously. (Barber/Johnson)

**PRESENTATION –
THANK YOU PLAQUE**

Larry Kriehauser, Forth of July Committee person, stated the presentation this year for the Fourth of July Fireworks was the best Seaside has had and the Fourth of July Committee thanked the Visitors Bureau. There was great participation with the City, Police Department, and Visitors Bureau and there would be a bigger and even better program planned for next year. Mr. Kriehauser presented the Visitors Bureau with a plaque of appreciation for providing \$9,000.00 from the Tourism Signature Event Grant Program for the Fourth of July Celebration.

Council President Tolan stated this year's fireworks were the best Seaside had seen in many years. The parade, music, and fireworks were loved by many people.

**DISCUSSION –
PARKING DESIGNATION
LOCATIONS**

Mark Winstanley, City Manager, stated he received a memo from the Police Chief concerning parking with several streets in Seaside. With the amount of traffic in town there were more problems seen with areas on certain streets. There had been discussions about adjusting some of the parking on the streets to alleviate the problems with traffic moving up and down the streets. The streets being looked at were Beach Drive, Columbia, 12th Avenue, and Avenue 'G'. Mr. Winstanley further stated staff was not looking for Council to make a decision but in fact if Council was interested a public hearing would be scheduled.

Bob Gross, Seaside Police Chief, stated based on the ongoing discussions concerning parking issues in the southwest portion of the city and 12th Avenue; staff had provided the current parking restrictions and a proposal to make those areas safer in the City. Chief Gross further stated the existing parking restrictions included "No Parking" signs on the east side of South Beach Drive from Avenue 'A' to Avenue 'G', east side of South Columbia from Avenue 'A' to Avenue 'I', and east side of South Downing from Avenue 'A' to Avenue 'K'. Parking further south on these three streets was permitted on both sides of the street. Two-way parking was also permitted on Avenue 'G' between South Franklin and South Beach Drive. The existing parking restrictions on 12th Avenue between North Holladay and North Franklin included "No Parking" signs on both sides of 12th Avenue between North Holladay and Necanicum Drive.

Chief Gross further stated the recommendations for parking restrictions was to extend the “No Parking” signs should be extended on South Beach Drive from Avenue ‘G’ to Avenue ‘U’ on the east side of the roadway, extend the “No Parking” signs on South Columbia from Avenue ‘I’ to Avenue ‘N’ on the east side of the roadway, where sidewalks end and parking does not create problems with two-way traffic, the “No Parking” signs should remain on South Downing from Avenue ‘A’ to Avenue ‘K’ on the east side of the roadway, where sidewalks end and parking does not create problems with two-way traffic, the “No Parking” signs should be placed on the south side of Avenue ‘G’ between South Beach and South Franklin and “No Parking” signs should be placed on both sides of the street between South Franklin and South Roosevelt, the parking needed to be restricted on the east side of North Franklin on both sides of 12th Avenue, 100 feet using signage and yellow curbing and add one additional “No Parking” sign just west of Necanicum Drive before the curb cut in. Chief Gross further stated eliminating and limiting parking in the recommended areas should make traveling much safer and ensure emergency response by both police and fire vehicles.

Council President Tolan stated while solving one problem you would be creating another problem as far as parking goes.

Chief Gross stated because of the narrowness of the streets there were problems right now with traffic trying to get through. By putting up the no parking signs people would need to park further out and walk in but the possibility of having a situation where police and fire were unable to respond to a location right away would be eliminated.

Council President Tolan asked if there was a problem year round.

Chief Gross stated even during the fall and winter more tourist were visiting Seaside. There was a discussion about making the parking seasonal but by the nature of the holidays and people coming more often there would still be a problem. There would be problems also trying to enforce the parking only certain times of the year.

Council President Tolan asked Chief Gross to explain why he picked one side of the street compared to the other.

Chief Gross stated most parking in Seaside was on one side of the street already.

Gini Dideum, 1941 Beach Drive, Seaside, stated most of the mail boxes were located on the west side of Beach Drive. If parking was only allowed on the west side would there be a problem.

Mr. Humpal stated his understanding was that if a car parked in front of a mail box there would not be mail delivery.

Chief Gross stated he would need to discuss that information with the post office.

Councilor Barber stated numerous times while driving on Beach Drive he had witnessed vehicles having problems getting down the street because of cars parked on both sides. Councilor Barber further stated there should be a public hearing conducted on the matter.

Janice Carpenter, 700 N. Prom, Seaside, stated Seaside did not have adequate parking in the City and now more parking would be taken away.

Chief Gross stated one of the issues looked at was for instance during Hood to Coast there were parking areas established with shuttles but the parking areas were always half full at the most.

Council President Tolan stated Council would schedule a Public Hearing for the Council meeting on Monday, September 13, 2010.

Mr. Winstanley stated that would give staff time to advertise the public hearing to get the information out to the public to address the issue.

RESOLUTION #3716

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, RECOGNIZING THE UPDATED FLOOD PLAIN MAPS

Kevin Cupples, Planning Director, explained the City of Seaside participated in the National Flood Insurance Program by adopting a Flood Damage Prevention Ordinance that satisfied 44 Code of Federal Regulation (CFR) Section 60.03 (d and e) of the National Flood Insurance Program (NFIP). Mr. Cupples stated the Federal Emergency Management Agency (FEMA) had undergone a map modernization process and developed new Flood Insurance Rate Maps which needed to be recognized and utilized as the official floodplain maps for implementation of the City of Seaside’s Flood Damage Prevention by September 17, 2010. Mr. Cupples further stated failure to recognize the maps would result in City’s suspension from the NFIP and prohibit mortgage loans guaranteed by the Department of Veteran Affairs, insured by the Federal Housing Administration, or secured by the Rural Economic and Community Development Services. Mr. Cupples further stated the City of Seaside was currently in the process of amending the City’s Ordinance in order to formally incorporate the newly created Flood Insurance Rate Maps and Flood Insurance Study for Clatsop County and needed to avoid any potential delay in recognizing the new information under the City’s Flood Damage Prevention Ordinance.

Council President Tolan asked for public comments, there were no public comments.

Council President Tolan asked for Council comments.

Councilor Johnson stated if Council did not approve the resolution would the Federal Government basically say Seaside was out.

Mr. Cupples stated most likely things would not happen that way but rather than take a risk with questions about what maps were being used the City needed to utilize the new maps and FEMA had sent letters stating the federal backed loans were covered especially if someone were in the flood plains. The newer maps could help some people lower their insurance.

Councilor Johnson stated that would be some people, not all.

Mr. Cupples stated a map modernization could not be done without some people being in and some people being out. The federal flood insurance program was very important to economics in Seaside.

Councilor Johnson stated some years ago when there was a map dispute, where did that balance come into play.

Mr. Cupples stated those maps were challenged and the City appealed the first round of maps and FEMA agreed. These maps were free of some of the errors from the last maps but staff did not agree with every line on the maps.

Councilor Johnson stated he did not appreciate being challenged by the Federal Government.

Mr. Cupples stated everyone in the County was in the same position and doing map mods.

Councilor Barber stated what individual rights do property owners have in contesting the designation.

Mr. Cupples stated the property owner could contest the designation with the federal government.

Tita Montero, 135 6th, Seaside, asked if the City of Seaside adopted the resolution would that mean the City implicitly agreed with everything that was on the map even if the City thought there were errors.

Mr. Cupples stated the City was not agreeing with everything that was on the map.

Motion to read Resolution #3716 by title only; carried with Johnson opposed. (Haller/Barber)

Motion to adopt Resolution #3716; carried with Johnson opposed. (Haller/Barber)

RESOLUTION #3717

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, REGARDING THE CLATSOP ECONOMIC DEVELOPMENT RESOURCES

Mr. Winstanley explained the Clatsop Economic Development Resources (CEDR) came to Council looking for verbal support. The goals of CEDR were to expand, retain, and recruit business and industry. The targets for expansion and retention included industry clusters, increasing per-capita income, diversifying the economy and promoting managed economic growth through year round family wage jobs, and lead delivery of professional economic development services by bringing together multi-organizational efforts. Mr. Winstanley stated the Seaside City Council had determined that endorsement of the establishment of Clatsop Economic Development Resources would be a benefit to the communities throughout the County. The approval of the resolution would allow the Seaside City Council to agree to partner with Clatsop Economic Development Resources and approve the contribution for the third year as financial support for the program.

Council President Tolan asked for public comments.

Ms. Montero asked if the financial support had been provided for in the budget.

Mr. Winstanley stated there was \$5,000.00 readily available in the budget and the additional money could be found if Council chose to support CEDR at the level they had been supported in the last couple of year.

Council President Tolan asked for Council comments.

Councilor Barber stated the relationship with CEDR was very important for economic development in Seaside and Clatsop County.

Motion to read Resolution #3717 by title only; carried unanimously. (Barber/Johnson)

Motion to adopt Resolution #3717, amending the resolution to include the amount of support for \$7,500.00; carried unanimously. (Barber/Haller)

COMMENTS – COUNCIL Councilor Lyons stated daily doubles in football started today with fifty-four players.

Councilor Barber stated he had taken a drive to look at the 12th Avenue and Holladay project and there was asphalt paving.

Neal Wallace, Public Works Director, stated the base course of asphalt was down and sidewalks would be poured this week. There was a hang up right now with getting all the poles down but were hoping that would be done within the next couple of weeks.

COMMENTS – STAFF Chief Kamrath stated the Seaside Fire Department volunteers would be out collecting money for Hood to Coast weekend for Muscular Dystrophy. Chief Kamrath reminded Council and the public of the Fire Departments Game Night at the Convention Center on September 11, 2010.

Mr. Winstanley reminded Council there would be a City Council and Planning Commission meeting on Monday, August 30, 2010, 6:30 pm.

ADJOURNMENT The regular meeting adjourned at 8:00 PM

Kim Jordan, Secretary

TIM TOLAN, COUNCIL PRESIDENT