

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, Councilors Stubby Lyons, Jay Barber, Tita Montero, and Dana Phillips.

Absent: Council President Johnson, and Councilor Randy Frank.

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Kevin Cupples, Planning Director; Chris Dugan, Seaside Fire Division Chief; Gordon Houston, Seaside Fire Department Volunteer; and Nancy McCarthy, Daily Astorian.

AGENDA Motion to approve the July 22, 2013 agenda; carried unanimously. (Lyons/Montero)

PROCLAMATIONS Bob Gross, Seaside Police Chief, read a proclamation for National Night Out.

Mayor Larson stated this was Seaside’s eighth National Night Out and would be at Broadway Park and Cartwright Park on Tuesday, August 6, 2013, 6:00 to 8:00 pm.

Gordon Houston, Seaside Fire Department Lieutenant and Volunteer, read a proclamation for the Seaside Fire Annual Fundraiser.

Lieutenant Houston stated the Seaside Fire Department Volunteers have always had a fundraiser which was normally the annual game night that raised money for the fire department. Last year the volunteers decided to have an annual community fundraiser with the fire department cooking which would be a BBQ. The fundraiser would be held at the Seaside Fire Department where people had the opportunity to see the tools and equipment and items that had been purchased over the last few years with the money raised. The Seaside Fire Department Annual BBQ would be held Saturday, August 10, 2013, 11:00 am to 4:00 pm. There would be prizes raffled off at the fundraiser.

COMMENTS – PUBLIC None

CONFLICT Mayor Larson asked whether any Councilor wished to declare a conflict of interest.

Councilor Montero stated her brother was a partner in the new ownership of Seaside Oceanfront Inn, LLC. 581 S. Prom, and she would abstain from voting for the liquor license.

CONSENT AGENDA Motion to approve payment of the bills in the amount of \$296,811.61; and July 8, 2013, regular minutes; carried unanimously. (Barber/Lyons)

LIQUOR LICENSE APPLICATION Mayor Larson stated there was a liquor license application from Seaside Oceanfront Inn, LLC. 581 S. Prom (formally Maggie’s On the Prom). The owner was applying for a Full On-Premises Sales Liquor License. Mayor Larson asked if the representative Sadie Jean Mercer was present at the meeting.

Sadie Jean Mercer stated she was present and welcomed the Council and public to come and have dinner at the Seaside Oceanfront Inn.

Mayor Larson stated the Seaside Police had reviewed the liquor application for Seaside Oceanfront Inn, LLC. with a trade name change with “Full On-Premises Sales”. The police department conducted a background check and did not find anything that would disqualify the owners from obtaining the requested liquor license.

Motion to approve the Full On-Premises Liquor License for the Seaside Oceanfront Inn, LLC. located at 581 S. Prom; carried with Montero abstaining. (Phillips/Lyons)

ORDINANCE #2013-05 AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, ADDING CHAPTER 101 TO THE CODE OF SEASIDE, ESTABLISHING OUTDOOR LIGHTING REGULATION, MAINTENANCE PROVISIONS, AND NUISANCE LIGHTING ABATEMENT PROCEDURES

Kevin Cupples, Planning Director, explained the Seaside Planning Commission had been working on the development of an outdoor lighting ordinance that was intended to cut down on the visible glare caused by unshielded lights. The draft ordinance had undergone a number of changes during the course of development in order to garner support from a majority of the Commissioners.

Mr. Cupples stated one version that was not supported would have called for replacement of all fixtures to conform to the ordinance; however, the Commission ultimately settled on grandfathering all of the existing installations. They felt that by only regulating the installation of new circuits, the application of the ordinance would be more successful. In this way, we would be acknowledging the existence of nonconforming light installations, but ensuring that additional lighting would meet the standards. Mr. Cupples further stated the ordinance did not prohibit outdoor lighting. It simply called for purposefully directing the illumination of outdoor lighting instead of allowing uncontrolled glare where it was not intended. A good example of directional lighting versus non-directional lighting could be seen by comparing the lighting at Costco and Home Depot. It was easy to see that the wall pack fixtures at Home Depot diminished the ability to see anything but the glare from the lights, whereas Costco's building can be seen without the competing glare from their lights. Mr. Cupples further stated as with any new ordinance, the proposed text could be modified in order to address concerns identified by the Council. Mr. Cupples further stated Council could review the proposed ordinance and consider adoption of new outdoor lighting regulations intended to reduce the glare that could be caused by unshielded lighting.

Mayor Larson asked for public comments.

Ms. Mercer asked if the lights that pointed at signs would need to be shielded.

Mr. Cupples stated the way the ordinance was drafted was that there was no regulation on current lights as long as the lights were not shining on another property. The existing lighting would be exempt and after the ordinance was approved any new lighting would be regulated by the ordinance.

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

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

Motion to place Ordinance 2013-05 on its first reading by title only; carried unanimously. (Barber/Lyons)

Motion to place Ordinance 2013-05 on its second reading by title only; carried unanimously. (Lyons/Montero)

**RECOGNITION –
4TH OF JULY PARADE**

Councilor Montero stated she had moved to Seaside on July 3, 2002, and had never spent a 4th of July in Seaside until then and was blown away by the 4th of July Parade, 4th of July Social, and 4th of July Fireworks. Councilor Montero further stated people have not experienced a 4th of July unless in Seaside on the 4th of July. Councilor Montero further stated most of the years she has lived in Seaside had been participating in the parade rather than being a watcher of the parade which was fun. The Seaside 4th of July Parade was put on by the Seaside Museum and Historical Society. Councilor Montero asked Ruth Swenson to introduce the members of the board and the people of the museum.

Ruth Swenson introduced members of the board Karen Rossi, Ken Ward, Roger Waller, Sandy Winnette, Cissie Perkins, Christine Gonzales, and Evelyn Beisner.

Councilor Montero thanked the members of the board for all the hard work that was done. Councilor Montero stated there was someone retiring this year and he would not be taking care of the Seaside 4th of July Parade which was a tradition. Council would like to present Roy Kirkham with a certificate that stated "This certificate is awarded to Roy Kirkham. The Seaside 4th of July Parade was an annual attraction for both residents and visitors. As a volunteer of the Seaside Museum and Historical Society Roy had spearheaded, organized, and managed the annual Seaside 4th of July Parade for more than twenty-five years". The residents of the City of Seaside, Mayor, and City Councilors acknowledged and thanked Roy for his tireless dedication and service to the Community. Councilor Montero presented Roy with the certificate.

Mayor Larson stated Mr. Kirkham's wife should also be thanked because without your wife and her support it would have been tougher. Mayor Larson further stated Council thanked Mr. Kirkham for everything he had done through the years.

**AMMENDMENT – CITY
MANAGER CONTRACT**

Mark Winstanley, City Manager, stated as City Manager of the City of Seaside he had a contract with the City of Seaside or the City Council in this case who acted for the City of Seaside. The Mayor and Mr. Winstanley had been meeting for several months concerning the contract and had discussions concerning his vacation time for the City Manager in this case. Mr. Winstanley had worked for the City of Seaside for quite a long time and accrued vacation time at a high rate. In addition to that the City Council had repeatedly asked for Mr. Winstanley to take more vacation time which was a difficult juggling act for him because there were responsibilities for the City of Seaside. Mr. Winstanley continued to earn vacation at a very high rate because as of September, 2013, he will have worked for the City for twenty-eight years and that was at the very top as far as accruing vacation time.

Mr. Winstanley further stated the Mayor and himself had been looking for some compromise in language for his contract and there was a proposal made to amend the current contract with the following changes:

Mr. Winstanley stated the proposal would reduce vacation accrual from 25 days to 18 days each year. There were four additional holidays earned each year and those four floating holidays would be given up. In addition, the proposal would place a hard cap on the amount of vacation accrual that would be accumulated over time. At this time Mr. Winstanley had over 1,050 hours of vacation time on the books which equaled over six months of vacation. The amount of vacation time earned would be capped at 800 hours which could be managed better. Mr. Winstanley further stated all employees of the City of Seaside would get paid for the vacation that was accrued and that was not in the City Managers contract but had a set amount of vacation hours that would be paid. Under the current contract was at 500 hours and would be increased to 700 hours. Mr. Winstanley further stated in addition he was asking Council to approve cashing in 300 hours of vacation time that was currently on the books.

Proposed amendments to City Manager current contract with the following changes:

Section III. E. All provisions of the City Charter and Personnel Policy and regulations and rules of City relating to ~~vacation~~, sick leave, retirement system contributions, ~~holidays~~, ~~administrative leave~~ and other fringe benefits and working conditions as they now exist or hereinafter may be amended, also shall apply to Winstanley as they would to other employees of the city in addition said benefits enumerated specifically for the benefits of Winstanley, except as herein provided. Vacation accrual shall be 12 hours per month down from the current 16.67 per month, and he shall receive all holidays except annual floaters. Maximum vacation accrual is 800 hours.

Section IV. E. ~~Vacation time shall be credited pursuant to existing City policy.~~ It is understood the City generally supports a policy of providing a period of rest and relaxation away from work with pay. Accordingly Winstanley is encouraged to schedule vacation time each year and use all vested vacation benefits. At the conclusion of employment with the City, the City will compensate Winstanley for accrued vacation up to a maximum of ~~500~~ 700 hours accrued vacation time.

Councilor Barber stated he supported the amendment to the contract. Councilor Barber further stated one of the things that most people did not know was that when vacation time was accrued it was booked as a liability. When people working for the City retired or sadly lose their lives those payouts had to be made in a timely fashion and there was not a budget for this happening. Councilor Barber further stated this was a good move and would put Mr. Winstanley in a good position and one of the agreements was that he actually would take vacation.

Mayor Larson stated this was a real dream because Council had discussed the City Manager's vacation for years at their goal setting sessions.

Mr. Winstanley stated he had scheduled the second and third week of August, 2013, for his vacation and would be celebrating his forty year anniversary.

Motion to approve the City Manager, Mark Winstanley, amended contract; carried unanimously.

COMMENTS – COUNCIL

Council was very happy to have Mr. Winstanley as the City Manager and was so fortunate with the staff that worked for the City which ran so well and Mr. Winstanley being one of the prime movers.

Councilor Phillips thanked the Planning Commission for all the time and effort that went into the Lighting Ordinance.

Mayor Larson stated Councilor Lyons mounted the two beautiful City seals for the Council Chambers.

Councilor Lyons stated Jim Shipley had mounted the seals. The two high school girls who made the seals would also be making a podium for the City Council Chambers.

Councilor Montero stated she agreed with Councilor Phillips on the Lighting Ordinance and thanked the Planning Commission for the work that went into the ordinance.

Mayor Larson stated the City received information this morning that Seaside was a finalist as a Northwest Beach Town in the Golden Map Teddy Awards.

**COMMENTS –
CITY STAFF**

Neal Wallace stated the Dryer Building Project was back out to bid and would be presented at the August 12, 2013, City Council meeting. There was also a 2013 Street Overlay Project that was out to bid.

Mayor Larson asked what streets would be done in the Overlay Project.

Mr. Wallace stated the Street Overlay Project would consist of a portion of South Edgewood and Hilltop. Mr. Wallace further stated there was a small continuing piece with keeping up with the Prom Rail and cleaning up a couple of streets. Mr. Winstanley further stated during the month of July both filters at the Water Treatment Plant had been rebuilt. The clear well was emptied, cleaned, and disinfected yesterday and the plant should be back on line tomorrow.

Mr. Cupples stated the end of July, 2013, would be Sarah Bronstein, RARE Participant's, last day with the City. Sarah completed the Natural Hazard Mitigation Plan, and Tsunami Barrels were all distributed and the supplies in the barrels that expired were replaced. Mr. Cupples further stated there were interviews conducted last week for next year's RARE Participant.

Bob Gross, Seaside Police Chief, stated it was summer time and the police department was preparing for the next events. Chief Gross further stated he purchased the food for National Night Out which would be held on Tuesday, August 6, 2013, 6:00 to 8:00 pm.

Chris Dugan, stated Chief Daniels was on vacation and the department had been very busy with calls over the weekend. Mr. Dugan further stated the fire department was really looking forward to the BBQ Fundraiser and looking for the support of the Council and Community. Mr. Dugan further stated the fire department would also be at National Night Out with the fire trucks and to help out with the event.

Gini Dideum, Chamber of Commerce, stated Beach Volleyball was coming August 9, 10, 11, 2013, and there were fifteen more courts added this year.

ADJOURNMENT

The regular meeting adjourned at 7:47 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR