

- 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, Jay Barber, and Larry Haller.
- Absent: None
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Russ Vandenberg, Convention Center General Manager; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Dale Kamrath, Seaside Fire Chief; Jeremy Ruark, Seaside Signal; Jeff Nelson, KAST; Rebecca Herren, The Coast Times; and Nancy McCarthy, Daily Astorian.
- Mayor Larson announced Council had made a decision to not appoint anyone to fill David Moore's position on the City Council since the position would be open for election in November.
- AGENDA** Motion to approve the June 14, 2010, agenda; carried unanimously. (Lyons/Tolan)
- POLICE CITIZEN'S ACADEMY GRADUATION** Bob Gross, Seaside Police Chief, stated this was the fourth annual Clatsop County Police Citizens Academy and Sergeant Jason Schermerhorn had been the coordinator. Chief Gross introduced Sergeant Schermerhorn.
- Sergeant Jason Schermerhorn stated this was the fourth year for the Citizens Academy and this year Seaside High School Senior David Weber volunteered to help out with the class for his Pacifica Project. There were thirteen graduates and each student attended classes to learn about law enforcement in the South County and Sheriff's Office. There were classes that involved crime scenes, the judge, District Attorney's Office, Clatsop County Jail tour, drug class, dispatch, ride along with police officers, and seven students had been tasered. Sergeant Schermerhorn further stated there was also information the students learned about volunteering in the community with different events that were in town. Sergeant Schermerhorn introduced the fourth graduating class for the Clatsop County Police Citizen's Academy and presented each student with a certificate.
- Mayor Larson stated Council was very proud of each student for taking the time to be involved with the Citizens Academy Class.
- RECOGNITION** Councilor Lyons introduced the City Council Student Representative Taylor Ames. Ms. Ames would start serving as the Student Representative in September, 2010.
- Councilor Lyons introduced the Seaside Football Team for Seaside which raised money for the Law Enforcement for Youth fund which was used towards youths that were involved in athletics but could not afford to pay the fees. The Seaside team called Storm, won the game 35-6 against the Law Dogs from Hillsboro, Oregon. Councilor Lyons asked the football team that had played for Seaside to come to the front of the Council Chambers.
- Dave Ham, Seaside Police Lieutenant, and football player stated he did not have final figures on the money that was raised but the rough numbers was approximately \$6,000.00 to 7,000.00. There were individual grants given to youths two times a year to play in sports, go to camps, among other things. Anyone that was interested could go to the website www.lawenforcementforyouth.com.
- Councilor Lyons announced he would be the new head football coach for Seaside High next year.
- COMMENTS – PUBLIC** Kevin O'Keane, 2525 Pine Street, Seaside, stated he was attending the meeting to remind Council about the improvements that were needed to his street and the Venice Park area.
- Neal Wallace, Public Works Director, stated he had taken the engineer around the neighborhood to look at the area. Mr. Wallace further stated when the North Holladay Project was completed more information would be given to the property owners regarding the project.
- Merlin Humpal, 2481 Oregon Avenue, Seaside, stated the street in front of his house was dug up and put back into place in one day. The City employees worked very hard on the area of the street and the City should be proud of them. Mr. Humpal further stated he hoped to be given notice if there were plans to work on the street so he would not get trapped in his driveway again.
- Al Smiles, Seaside Chamber of Commerce Director, asked if it was ok to bring his horse into work because he found out today the City did not have a policy with pets in the business place and he was hoping to get a policy.
- Debra Birkby stated she was the new Clatsop County Commissioner for District 5 and was available if there were any issues to speak about.

Erin Barker, Beach Property Management, stated she was a property management for long and short term rentals in Seaside. Ms. Barker further stated she had an email comment that was received from someone who had rented one of the Vacation Rentals in Seaside and would not be coming back to Seaside to visit.

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 \$558,808.28; and approve the May 24, 2010, minutes; carried unanimously. (Lyons/Barber)

RES. #3701

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE SOLID WASTE COLLECTION RATES

Mark Winstanley, City Manager, explained each year Western Oregon Waste (WOW) was required to provide an annual financial report which included a rate review report as outlined in the Solid Waste Collection Franchise. WOW was proposing a rate schedule that reflected the adjustment to the current collection rates which totaled 3.16%. The proposing rate schedule included: a 1.70% CPI adjustment, based on the change in the CPI-U West B/C from April, 2009 to April, 2010, and a 1.46% adjustment which reflected Seaside's share of the Household Hazardous Waste (HHW) Surcharge, which would be collected for Clatsop County and based on trash tons collected in 2009. The surcharge was scheduled to be added to the tip fee for waste disposed at Clatsop Transfer & Disposal, effective July 1, 2010, and would fund the County's HHW Collection program. Mr. Winstanley further stated WOW staff was available to answer any questions.

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

Mayor Larson asked for Council comments.

Councilor Barber stated he was concerned about the Household Hazardous Waste fund. The money was being collected for the HHW in advance before the facility was even built.

Mayor Larson stated he had the same concerns because the facility had not been designed and a site established but funds were going to be collected in advance.

Laura Leebrick, WOW Representative, stated the funds collected for the HHW in advance would go to the county and was calculated to be enough to hold a HHW collection event in the spring of 2011.

Councilor Barber stated if was absolutely in support of the HHW facility and events and with what Ms. Leebrick explained he was satisfied with the funds being charged in advance.

Council President Tolan asked in not knowing when a HHW facility would be built was there a possibility that two years from now the residents would still be paying the HHW fund.

Ms. Leebrick stated there was a possibility there would not be a permanent facility located within the next three years. In the mean time there would be a collection of funds adequate to cover an annual collection event that would alternate between the North and South County.

Council President Tolan asked if there was any studies to show how many people would take advantage of a HHW event.

Ms. Leebrick stated the consultant that was hired to draft the plan, provided information on how to project the number of participants. There was a projection that the HHW event next year would be a huge usage since there had not been a collection event for seven to eight years. There was pretty good data available.

Mayor Larson stated if there was an event planned for 2011 then he agreed with paying the money in advance.

Mr. Winstanley stated HHW was not allowed to go into the garbage stream but there was no other way of disposing of the HHW.

Motion to read Resolution #3701 by title only; carried unanimously. (Johnson/Tolan)

Motion to adopt Resolution #3701; carried unanimously. (Tolan/Barber)

**UPDATE –
NECANICUM NATURAL
HISTORY PARK**

Jason Boyd, Parks Advisory Chair Person, introduced the Parks Advisory Committee members and the Northcoast Land Conservancy members. Mr. Boyd stated there were seven groups involved which were the Parks Advisory Committee, Northcoast Land Conservancy, Clatsop Nehalem Confederated Tribe, Sunset Empire Parks and Recreation District, Seaside School District, Necanicum Watershed Council, Seaside Chamber of Commerce, and Jones and Jones. Mr. Boyd further stated the Necanicum Estuary Natural History Park would be the gateway to Seaside and the North Oregon coastal environment. Through celebrating and improving access to the estuary, restoring estuarine and riparian habitat, and interpreting the cultural history of the estuary, the park provided an opportunity for Seaside to define its identity as a city built on a foundation of deep respect for the natural coastal environment.

Over the last century, day trippers, overnight visitors, and residents had frequented Seaside's promenade and beaches, drawn to an easy-going and scenic coastal lifestyle. Increasingly, as Seaside's population and tourism had grown, people had been exploring the natural environment of the adjacent estuary, its contributing rivers, tributaries and the surrounding forests. The development of a city-wide natural history park must achieve a delicate balance between enhanced public access to the estuary and protecting those critical ecological resources on which the health of people and all other species depended. The Necanicum Estuary Natural History Park could be the gateway through which visitors and residents alike were invited to become a positive force in celebrating and enhancing the health of the estuary. Mr. Boyd further stated Jones and Jones was hired by the City for \$35,000.00 to help outline possible elements of the park with a vision plan that would include ecological and cultural influences. The natural history park would enhance Seaside's tourism efforts. Mr. Boyd further stated he had presented the information and requested Council's approval on the vision plan for the Necanicum Estuary Natural History Park.

Councilor Barber stated the potential of developing something other than the beach not only would serve the tourist but also educational field trips from the schools and other places. This would be a great asset to the City of Seaside and a great plan.

Councilor Johnson stated the citizens of Seaside and the tourist visiting would thoroughly enjoy.

Councilor Tolan thanked all those involved and stated he was very excited about the plan.

Mayor Larson thanked all those involved and stated the piece would be a new Seaside.

Councilor Lyons stated the plan would take some hard work and if pulled off would be bigger than even the aquarium in Seaside.

Motion accepting the vision plan for the Necanicum Estuary Natural History Park; carried unanimously. (Lyons/Johnson)

**APPROVAL –
SEASIDE COVE PATH**

Mr. Wallace stated approximately a year ago a landscape architect was putting together a sketch concept of what a multiple use path project in the Cove might look like. A multiple use path must be a minimum of 10 feet wide in order to support both pedestrian and bicycle traffic. The Council packet included sketches that showed a path that was mostly 14 feet wide with some wider areas that would allow for seating. The path as well as seating would need to be designed to handle the weather and surf conditions that prevail in the Cove. There would not be decorative lighting or railings and everything built would have to be low profile. Mr. Wallace further stated Chris Quackenbush, a local surfer/contractor who was also a member of the Parks Advisory Committee, had a group of people called the Cleanup Set, and they had adopted Seltzer Park and the Cove area. Mr. Quackenbush spent a great amount of time putting the sketches out in front of the surf community and the public in general. The following were comments and observations received from Mr. Quackenbush, "This had been an interesting process and he was happy to say that the overall comment from just about everyone was that it was a necessary thing for the Cove and in fact, would even go so far as to say that there was a 100% buy-in from everyone that had been talked to about the sketches. There were concerns and some doubts about the strength or the necessity, and after discussing the information with them and asking for their feedback, people really liked the idea". Mr. Wallace further stated the two questions that were asked the most were: would the area be destroyed by the winter swell? would sections be lifted or dropped when the water comes up in the winter, undermining the concrete? Would the natural look be taken away from the area? Mr. Wallace further stated in order for the path project to blend into the natural environment more, the entire sidewalk surface could be some type of stamped concrete, not with a brick look, but more like a natural stone, uneven, but seamless surface, using concrete dye to blend in a more natural color and look to the walkway. The next idea was that there were a lot of local artists who would love the chance to do something with those benches to make them cool, get their name on them for people to see, and to help keep the natural look or at least make them look less like concrete benches and more like something interesting to look at. Mr. Wallace further stated some of the more outstanding, yet realistic, suggestions heard from people were: to not take away the picnic table at the far end since it was constantly being used. In fact, another one might not be bad, secure trash cans to the sidewalk so they don't get tossed around, more dog poop mitts, use the round rocks from the Cove on the benches, did the walk need to be so wide, and what about water that drained off the road, would the drainage continue out under the sidewalk. Mr. Wallace further stated he also received comments from the Department of Land Conservation and Development (DLCD) and State Parks who indicated there could be support for the project. Laren Woolley stated in an email that increased public access to the beach areas in general was encouraged by Statewide Planning, and Mr. Woolley appreciated the City's desire to provide increased access in the area. Mr. Woolley encouraged the City to work with Tony Stein, Oregon Parks and Recreation Department (OPRD) and DLCD coastal management staff (and others as applicable) to develop a proposal that was consistent with Statewide Planning provisions in moving forward with any proposal in the area. Mr. Wallace further stated some considerations were that the local government and state and federal agencies regulated actions in beach and dune areas to minimize the resulting erosion like the destruction of desirable vegetation, the exposure of stable and conditionally stable area to erosion, and construction of shore structures which modified current or wave patterns leading to beach erosion.

Examples related to “minimal development” that could be authorized in beach and dune areas included beach and dune boardwalks, fences which do not affect sand erosion or migration, and temporary open-sided shelters. The implementation requirement was that the proposed structure should not be proposed with such size and bulk to be construed as a beach front protective structure which appeared to be prohibited in the area. OPRD jurisdictional issues and permitting stated some of the area proposed for an access structure appeared to be within the jurisdiction of OPRD and would need coordination with OPRD, and consistency and permitting subject to OPRD requirements. Local Comprehensive Plan Provisions did not see anything in the City’s Comprehensive Plan that would preclude a public access walkway but Kevin Cupples, Planning Director, would need to make that determination together with any necessary requirements and findings. Mr. Wallace further stated the work could be done together to identify a proposal that was consistent with the requirements. Mr. Wallace suggested the City put together some quick concepts, and discuss them further. Mr. Wallace further stated staff requested Council’s approval to apply for the Transportation Enhancement Program offered by the Oregon Department of Transportation (ODOT). The City would provide a letter of intent by June 30, 2010. There was \$16,000,000.00 available statewide and there was a minimum request of \$200,000.00. There would be a minimum matching requirement of 10.27%. Mr. Wallace further stated the number one entry for transportation enhancement activities was the provision of facilities for pedestrians and bicyclists. Given the background of general support and the current climate of cooperation for the project, staff was prepared to apply for the Transportation Enhancement Program for the Cove Path with Council’s approval.

Councilor Barber stated he walked that area quite often and the plan had the potential to save lives because many people walked behind the parked cars and there were many close calls with people backing their cars out of the area.

Motion approving staff to apply for the Transportation Enhancement Program for the multiple use path project at the Cove area; carried unanimously. (Barber/Lyons)

ORDINANCE #2010-04

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 115 OF THE SEASIDE CODE OF ORDINANCE REGARDING SOCIAL GAMES

Mr. Winstanley explained the Ordinance was an ordinance concerning Social Gaming and the current language chapter 115 dealt with the rudimentary items as far as social gaming was concerned. Staff believed the ordinance needed to be updated since it was first put into place thirty five years ago. There was language added to social gaming which was more up to date with the atmosphere that people lived in currently today.

Mayor Larson called for public comments and there were no public comments.

Mayor Larson asked for Council comments.

Councilor Barber stated he wanted to clarify that he was adamantly opposed to card rooms in the City but had no problem with businesses like the Elks, American Legion, and Catholic Church having fund raisers or with card games being played in homes.

Motion to place Ordinance 2010-04 on its first reading by title only; carried unanimously. (Haller/Lyons)

Motion to place Ordinance 2010-04 on its second reading by title only; carried unanimously. (Haller/Lyons)

Dan Van Thiel stated without the ordinance being updated the City had no control over social gaming because the state allowed social gaming.

ORDINANCE #2010-05

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 94 OF THE SEASIDE CODE OF ORDINANCE REGARDING FIRE PREVENTION

Dale Kamrath, Seaside Fire Chief, explained the ordinance would modify and make minor changes to the fire prevention code in the City. Primarily the changes made were to address the international fire code which changed every couple of years. There were changes to 94.05 and 94.06 which identified language that allowed tanks with fire department approval. There were also changes made to 94.13 with lock boxes and ordinance was modified for recreational beach fires making it unlawful to burn any garbage, leaves, trash, and household garbage on the beach.

Mayor Larson called for public comments and there were no comments.

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

Motion to place Ordinance 2010-05 on its first reading by title only; carried unanimously. (Haller/Tolan)

Motion to place Ordinance 2010-04 on its second reading by title only; carried unanimously. (Johnson/Lyons)

COMMENTS – COUNCIL Councilor Lyons stated the 4th of July parade was approximately three weeks away and the taffy and American Flags had been ordered.

Councilor Barber stated he would like to volunteer to answer the letter regarding the Seaside's Vacation Rental rules which protected the people who rented the vacation rentals but also the residents in the City.

Ms. Barker stated she tried to explain the rules of the Vacation Rentals to the person who made the comments.

Mayor Larson stated he had attended a luncheon at the Library for over thirty volunteers that helped with the Library.

COMMENTS – STAFF Russ Vandenberg, Seaside Convention Center General Manager, stated the All American City Ad Hoc Committee met last week and wanted to schedule a workshop with the City Council to come up with the vision statement for Seaside.

Mr. Wallace thanked Council for adopting the vision plan for the Natural History Park.

Mary Blake, Sunset Empire Parks and Recreation General Manager, stated it was a privilege for Sunset Empire Parks and Recreation to endorse the Necanicum Natural History Park.

Chief Kamrath stated Councilor Lyons was a great coach for the football game and did a fantastic job.

Mr. Winstanley thanked all those that attended the open house last week for the Transportation System Plan (TSP). Mr. Winstanley further stated it was election time and currently there were packets available for those interested in running for City Council. The Mayors seat was up for reelection this year as well as Council position and at large position for Mr. Haller in Ward 3-4 which was east of the highway, the vacant position for Ward 2 was up for election, and Mr. Barber in Ward 1 was up for election. Anyone interested in running could stop by City Hall to pick up a packet and speak to Kim Jordan.

ADJOURNMENT The regular meeting adjourned at 8:14 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR