

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, and Jay Barber.

Absent: Larry Haller

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Kevin Kamrath, Planning Director; Russ Vandenberg, Convention Center General Manager; Neal Wallace, Public Works Director; Bob Gross, Seaside Police Chief; Max Milander, Seaside High School Representative; Jeremy Ruark, Seaside Signal; Jeff Nelson, KAST; Rebecca Herren, The Coast Times; and Nancy McCarthy, Daily Astorian.

Mayor Larson stated Councilor Dave Moore passed away last week and will be missed by all. There was a memorial service Saturday, May 8, 2010, at Arcadia Beach and afterwards everyone met at the Pizza Harbor which had been started by Councilor Moore thirty years ago.

AGENDA

Mayor Larson asked to have a Proclamation for Peace Officers' Memorial Day added to the agenda.

Motion to approve the May 10, 2010, agenda as amended; carried unanimously. (Barber/Johnson)

PROCLAMATION

Mayor Larson read a Proclamation on Emergency Medical Services Week.

Susan Agalzoff presented the City of Seaside and the citizens of Seaside with a plaque from Medics Ambulance. Ms. Agalzoff invited the City Council to the endless barbeque at Medics Ambulance.

Mayor Larson thanked Ms. Agalzoff and stated he appreciated all that Medics Ambulance does for the City of Seaside.

Mayor Larson read a Proclamation for Peace Officers' Memorial Day.

COMMENTS – PUBLIC

David Crabtree, 87509 Lewis and Clark Rd., Astoria, stated he wanted to update Council on the Citizens for a Sludge Free Lewis and Clark River Valley. Mr. Crabtree distributed information to the City Council which included the City of Seaside Sludge Disposal Agreement, a discussion of soil and data information, the law of the County of Clatsop stating that on high value farm land and existing facility (sludge disposal facility) can be maintained, enhanced, or expanded, but no new facilities may be developed. In the EFU zone, new solid waste disposal sites may only be approved on land which was not high-value farmland, and if the City of Seaside sprayed on the site then a crime would be committed and no amount of governmental circling of the wagons could stop the City of Seaside from answering to a jury. The citizens for a sludge free Lewis and Clark River Valley would not only ask the jury to have the City of Seaside desist but also to go back in and clean up anything that had been sprayed. Mr. Crabtree further stated he had a nursery downwind not even two-hundred feet from the EFU site. There was information distributed for a Site Authorization Request Documentation Checklist from the Department of Environmental Quality (DEQ). Mr. Crabtree further stated he had asked for a record that Public Notification was completed and from the list that was received not one person had been notified.

Kevin O'Keane, 2525 Pine Street, Seaside, stated in light of the article the Daily Astorian did on the Pine Street Improvements that were needed he wanted to follow up. Mr. O'Keane stated he was not sure if he understood everything right and asked if Council had made a decision about the requirements of sidewalks and curbs.

Mark Winstanley, City Manager, stated there would be information sent out to property owners in the Venice Park area and Council had advised staff that there may not necessarily be a need to add sidewalks to the area.

Mr. O'Keane thanked the City of Seaside for sending out the cards and moving forward on the street improvements in Venice Park area.

Milton Gruhlkey, 707 39<sup>th</sup> Street, Astoria, stated he owned acreage in the Lewis and Clark Valley and were also part of the Citizens for a Sludge Free Lewis and Clark River Valley. Mr. Gruhlkey was concerned about the area being sprayed with sludge especially with the water table being so low, and also because he was trying to start an Organic Garden in the area.

Fred Maloon, 87813 Lewis and Clark Rd., Astoria, stated there had been concerns expressed previously and the spreading of sludge was allowed as an agriculture application. The approval of one million gallons spread on land in one year was not an agriculture application but was a dump site. There had not been anything with the sludge application that had taken place in a positive manner.

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 \$300,467.39; and approve the April 26, 2010, minutes; carried unanimously. (Lyons/Johnson)

**PUBLIC HEARING –**

This was the duly advertised time and place to hold a public hearing regarding an Ordinance amending the comprehensive plan referenced in code of Seaside Ordinance Chapter 151 establishing criteria for expansion of the Urban Growth Boundary (UGB) for hospitals and public schools.

Mayor Larson read instructions for the public hearing.

Kevin Cupples, Planning Director, explained the applicant had requested a comprehensive plan amendment that would revise the City of Seaside Comprehensive Plan's approval criteria for expansion of the City's Urban Growth Boundary (UGB). The proposed criteria would apply to any proposed expansion necessary to accommodate hospitals and public schools. The need to establish unique criteria for these particular uses was explained in the applicant's submitted justification document. Basically, when the need for additional land was documented for these uses, the City would only consider lands that met certain characteristics such as: adjacency to the city limits, size, topography, access, soil, and geologic stability, elevation above the tsunami inundation, and utility service capability. Mr. Cupples further stated the applicant was not presently proposing any expansion of the current UGB. The proposed amendment would simply make any future UGB expansion process easier by eliminating some lands for consideration at the beginning of the process instead of at the end of an arduous evaluation. Staff considered the analogous to a family of five eliminating two, three, and four passenger cars from their list of potential purchases before they started shopping for a family car. The proposed amendment would avoid needlessly evaluating lands that would not meet pre-established requirements for the specified uses. Mr. Cupples further stated in accordance with the Comprehensive Plan, the City Council could make a final decision on the proposed text amendment after holding a public hearing and consider the recommendation made by the Seaside Planning Commission. Mr. Cupples further stated the following recommendation was based on the assumption that the public hearing did not reveal any well substantiated reason to consider modifying the proposed text. Approve the Comprehensive Plan Text Amendment 09-053ACP based on the Commission's recommendation and make a motion that Ordinance No. 2010-03 to be read by title only. The ordinance was the document that would formally recognize the Council's approval of the request and authorize the change to the Comprehensive Plan. The decision was supported by the record and the Planning Commission's recommendation referenced in the ordinance. Following the first reading, a motion for a second reading by title only would be needed. The third and final reading by title only and final adoption would be scheduled for the next City Council meeting on May 24, 2010.

**ORDINANCE #2010-03**

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE COMPREHENSIVE PLAN REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 ESTABLISHING CRITERIA FOR EXPANSION OF THE URBAN GROWTH BOUNDARY (UGB) FOR HOSPITALS AND PUBLIC SCHOOLS.

Mayor Larson opened the public hearing.

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

Mayor Larson asked for Council comments.

Councilor Tolan stated he was very impressed with the steps that had been taken prior to the meeting and was in support of the ordinance.

Councilor Barber stated he heard many comments in the community that pertained to moving schools and hospital out of the tsunami zone and the ordinance was an early step in plans to have that done. Councilor Barber congratulated the hospital and school district for taking the steps for the future.

Councilor Lyons stated if the City was looking at expanding the UGB then a Comprehensive Plans number one priority was the hospitals and schools.

Mr. Cupples stated if in fact there were plans to expand the UGB which was not currently on the table, then the ordinance was a precursor to any potential growth of the UGB.

Councilor Johnson stated he commended the applicants, Planning Commission, and staff for the long range plans for the future. There was a great deal of information provided in the packet of information.

Motion to place Ordinance 2010-03 on its first reading by title only; carried unanimously. (Lyons/Barber)

Motion to place Ordinance 2010-03 on its second reading by title only; carried unanimously. (Lyons/Tolan)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, PURSUANT TO ORS 223.112 – 223.132, SETTING A PUBLIC HEARING EXTENDING THE TERM OF THE ASSESSMENT DISTRICT FOR ECONOMIC IMPROVEMENT, KNOWN AS THE “DOWNTOWN MAINTENANCE DISTRICT”; REPEALING ORDINANCE NO. 2009-02, AND ALL ORDINANCES IN CONFLICT

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

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

Motion to place Ordinance 2010-01 on its third reading by title only; carried unanimously. (Tolan/Johnson)

Motion to adopt Ordinance 2010-01; carried with the following roll call vote: (Lyons/Tolan)

YEAS: LARSON, LYONS, JOHNSON, BARBER, TOLAN  
NAYS: NONE  
ABSENT: HALLER  
ABSTAIN: NONE

**REPORT –  
SEASIDE CONVENTION  
CENTER COMMISSION**

Randy Frank, Convention Center Commission Chair, introduced the Convention Center Commission who attended the meeting and stated he had served on the Convention Center Commission since 2003, served on the Convention Center Marketing Committee, had been a resident of Seaside since 1965, and owned a business in Seaside since 2001. Mr. Frank commended the City on the contingency fund and the decision to hire Russ Vandenberg as General Manager of the Seaside Civic and Convention Center. Mr. Frank further stated he had asked to give a report on the state of the Convention Center since the center was a vital part of Seaside’s economy and a great revenue generator. Too often positives were taken for granted or over looked as the urgency of other problems were addressed. The Convention Center was a wonderful up to date facility that every member of the Commission was happy to represent. Mr. Frank further stated he would address the highlights for the last four years of the Convention Center. The Convention Center received in 2006: new backdrops for the trade and vendor shows, new laptop for the trade and vendor shows, new scheduling and booking program which took eighteen months to fully facilitate, new stairs for the main stage, painted the exterior of the building, launched a new web site, new curtains were added for the concession stand, and new skirting for the front of the stage. The Convention Center received in 2007: installed 42” Plasma information screens and a 32” screen for the west lobby, renamed the main & exhibit halls Pacific and Necanicum Rooms, installed new stage flooring, installed a new sound system in the Pacific Room, upgraded lighting in the Pacific Room, installed third side on the new LED Reader Board in the parking area, installed baby changing stations in the restrooms, developed a new logo and matched stationary, replaced metal railing on balcony with new glass enclosures, purchased new acoustical shell below the balcony wall. The Convention Center received in 2008: dropped ceiling and added a new dimmable lighting fixtures in the Pacific Room, installed theatrical lighting in the Pacific Room for stage performances, purchased one thousand new chairs, painted both the Necanicum and Pacific Rooms, installed a new light and sound control booth in the Pacific Room, modified the lobby registration to include a new business center, installed new interior signage, installed new trash compactor, purchased environmentally friendly floor scrubber, painted ceiling above stage for better lighting and theatrical effects, installed a new motorized stage curtain in the Pacific Room, relocated sound system and lighting system in Necanicum Room, developed a new logo. The Convention Center received in 2009: installed a new registration booth in the lobby, purchased the final one thousand chairs, installed two new drop down video screens, projector, and High Definition Cameras in the Pacific Room, purchased new table skirting, purchased new pipe and drapes, re-lamped interior lighting fixtures with high efficient T-8 fluorescent lights, installed new drapes in Necanicum and Seaside Rooms. Mr. Frank further stated for 2010 the Convention Center received a 500 KW Generator to power the Convention Center. The Convention Center was now vibrant and healthy with leadership that was able to listen and react to the clients needs which helped to generate the Capital Improvement Project List. The ability to listen and react to staff suggestions had greatly increased efficiency and team work. The Convention Center had a ninety-five percent customer service rating which was excellent. Mr. Frank further stated on behalf of the Convention Center Commission he wanted to say keep up the good work.

Councilor Johnson asked how the Reader Board Sign was holding up.

Mr. Frank stated the Reader Board Sign was doing great even with all the weather the City was having the last couple of years.

Mayor Larson stated there was a discussion in the Convention Center Commission minutes on a hotel/ motel survey and the Commission decided to not pursue the survey.

Mr. Frank stated if hotel/motels surveys were done there would need to be correct wording since the Convention Center could not impact what the lodging industry did. There could be feedback received and given to the individual properties but the wording on the survey would need to be done correctly.

Mayor Larson stated there was a resignation from Gloria Linkey on the All American City Committee and Mayor Larson was appointing Veronica Russell to fill the vacancy.

**AGREEMENT –  
HAZARDOUS WASTE  
MGMT. PLAN**

Neal Wallace, Public Works Director, stated the Clatsop County Household Waste (HHW) Plan was established by participants from Clatsop County, local cities, state agencies, and Western Oregon Waste (WOW). The plan was adopted by the County on April 8, 2010. The plan included one permanent HHW facility that could be located at the existing transfer station, but the final location had not been decided. The facility would host eight collection events per year that would be six hours long for one day during eight different months in a year. The facility could be made available to respond to particular needs or an event such as a storm. The permanent facility would serve four primary purposes: waste acceptance, waste identification, waste packaging, and waste storage. The facility would also include one small building suitable for handling HHW, a metal canopy to protect the site from weather, sealed concrete flooring, and security fencing. All scheduled events were for Clatsop County Residents. Mr. Wallace further stated in addition to the permanent site there would be one satellite collection event scheduled each year that would last four to six hours. Once the permanent facility was open the satellite event would be scheduled to alternate between city locations at least twenty miles from the permanent facility such as Seaside, Cannon Beach, and Jewell. Mr. Wallace further stated according to the agreement the County was the administrator of the HHW Plan and would determine selection and public procurement processes, negotiate and administer contracts, manage accounting, record keeping, budget, and coordinate public outreach and education. All participating parties agreed to pass through rate increases July 1, 2010, to allow for the implementation of the plan by April, 2011. Based on the cost estimate completed for the plan, monthly cost per residential rate payer with thirty-five gallons of weekly garbage would be forty-two cents. The funding for the program would come from the rate increase plus a grant from the Department of Environmental Quality (DEQ) for approximately \$77,000.00. When there was a satellite event held in Seaside, the City would be responsible for promoting the event, provide staff/volunteers to direct traffic, provide a suitable location for the event, provide traffic control such as cones and barricades, provide safety vests for staff/volunteers, and provide restroom facilities. Mr. Wallace further stated the Clatsop County HHW Plan and Agreement would be in force until the year 2015 at which time the agreement would be renewed automatically each year.

Councilor Tolan asked if the agreement would be reviewed on an annual basis since the agreement was through the year 2015.

Mr. Wallace stated he did not have enough information to answer the question.

Councilor Tolan asked if each City needed to approve the agreement.

Mr. Wallace stated that was correct each City needed to approve the agreement.

Councilor Tolan stated what if a City did not approve the agreement.

Mr. Wallace stated if the agreement was not approved by all Cities' then there may not be an agreement.

Mr. Winstanley stated the City of Seaside was entering into an agreement between the City and Clatsop County and the fee that was being charged would be placed on the garbage bill but the dollars would be passed from Western Oregon Waste to the County. The County would be responsible for handling the Household Hazardous Waste Program.

Councilor Barber asked if he had hazardous waste to dispose of, where would he go in Clatsop County.

Mr. Wallace stated there was not any place to go right now.

Mr. Barber stated without the hazardous waste program the waste was going into the sewers or elsewhere.

Mr. Wallace stated people were dumping the waste into the woods or dumping waste down drains.

Mayor Larson stated the agreement was a very good plan but the Mayor was not anxious for rates to be raised and money collected a year in advance. Mayor Larson further stated he would not vote against the agreement.

Motion to approve the Clatsop County HHW Plan and Agreement; carried unanimously. (Barber/Tolan)

**AGREEMENT –  
AUDIT CONTRACT**

Al Peinhardt, Finance Director, stated at the City Council meeting on February 8, 2010, Council approved a one year extension with the audit firm DeLap. Two weeks later the City of Seaside was notified the firm would downsize their staff and there would be very little staff left for conducting audits for governmental agencies. The firm agreed to release the City of Seaside from the contract and if the City stayed with the firm the City of Seaside audit would be contracted out with another firm.

Mr. Peinhardt further stated the audit firm Kern and Thompson emerged as a possibility as they had local government audit experience and one of the partners on the staff Rick Proulx was employed with DeLap in the past and was familiar with the City of Seaside audit. With further discussions and a proposal from the firm, staff recommended Council accept the audit contract for the City of Seaside with Kern and Thompson in the amount of \$37,500.00.

Motion to approve the Audit Contract from Kern & Thompson, LLC, in the amount of \$37,500.00, for the year ending June 30, 2010

**BID PROPOSAL –  
NORTH HOLLADAY  
ELECTRICAL PROJECT**

Mr. Wallace stated there were seven plan holders for the North Holladay Electrical Project. The bid opening was held on April 22, 2010, of which there were five bids submitted. The City received bids from M & M Electric, Inland Electric Inc., Clatsop Electric, Borland Coastal Electric, and Wadsworth Electric. There were two bids rejected from Borland Coastal Electric and Wadsworth Electric, due to not meeting security requirements of ten percent of the submitted bid. Staff recommended the project be awarded to M & M Electric for the total amount of \$35,147.00.

Motion accepting the North Holladay Electrical Project bid from M & M Electric for \$35,147.00; carried unanimously. (Lyons/Johnson)

**RES. #3700**

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, EXTENDING SEASIDE'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF SEASIDE

Mark Winstanley, City Manager, stated the resolution was an annual event before the Council. The City of Seaside insurance firm required that a resolution be approved to cover all of the volunteers with the City of Seaside.

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

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

Motion to read Resolution #3700 by title only; carried unanimously. (Johnson/Lyons)

Motion to adopt Resolution #3700; carried unanimously. (Johnson/Lyons)

**COMMENTS - STUDENT  
REPRESENTATIVE**

Max Milander, Seaside Student Representative, stated the May 24, 2010, City Council meeting would be the last meeting he would attend before graduating from Seaside High School.

Mayor Larson thanked Mr. Milander for being a great representative from the Seaside High School.

Councilor Lyons asked Mr. Milander to help select a student that could be a representative from the Seaside High School for the City Council in the fall.

Mr. Milander stated he would help find a representative for the City Council in the fall.

**COMMENTS – COUNCIL**

Councilor Lyons stated there would be a very special lady visiting Seaside on Memorial Day. There were seven World War II Fly girls living in Oregon and the youngest one lived in Manzanita and her name was Dorothy Hagen Wunsch. Councilor Lyons further stated he found a WASP patch which would be presented to Ms. Wunsch on Memorial Day along with a plaque. Councilor Lyons further stated there would be an All American City meeting Thursday, May 13, 2010, 3:00 pm, at Seaside City Hall.

Councilor Tolan thanked the Mayor for doing such a great job handling the Memorial Service for Dave Moore. Councilor Tolan encouraged the public to get their ballots in and to support the Seaside Police Department.

Mayor Larson stated there would be a City Council/Planning Commission workshop on Thursday, May 13, 2010, at 5:30 pm, at Seaside City Hall. Mayor Larson reminded Council of the budget meeting Tuesday, May 11, 2010, 6:30 pm, at Seaside City Hall.

**COMMENTS – STAFF**

Russ Vandenberg, Convention Center General Manager, stated there was a Convention Center Commission meeting on Wednesday, May 12, 2010. Mr. Vandenberg thanked Mr. Frank and the Convention Center Commission for attending the meeting and for the report Mr. Frank gave. Mr. Vandenberg invited Council and the public to visit the Convention Center Monday, May 17, 2010, 5:00 – 6:00 pm, to meet the final candidates for the Director of Tourism Marketing.

**ADJOURNMENT**

The regular meeting adjourned at 8:10 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR