

**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 Dana Phillips, Tim Tolan, and Tita Montero.

Absent: Council President Stubby Lyons, Councilors Don Johnson and Jay Barber.

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Reita Fackerell, Seaside Library Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Nancy McCarthy, Daily Astorian; and Jeremy Ruark, Seaside Signal.

**AGENDA** Motion to approve the October 10, 2011 agenda; carried unanimously. (Phillips/Tolan)

**SWEARING IN SEASIDE POLICE OFFICERS** Bob Gross, Seaside Police Chief, swore in Seaside Police Officer Johannes Korpela and congratulated him.

**PRESENTATION – SEASIDE CHAMBER OF COMMERCE** Chuck Minor, Seaside Chamber of Commerce President, stated on behalf of the Seaside Chamber Ambassadors and the Seaside Chamber Community Foundation Fund a check was being presented to the City of Seaside in the amount of \$30,000.00 which would help purchase one of the lights on Broadway Field.

Mayor Larson stated this was also another amazing group of supporters of our Chamber of Commerce. There were Ambassadors who put up the flags in the City among other things and there was also the Seaside Chamber Community Foundation Fund. Mayor Larson stated there were six lights needed at Broadway Park Field so there could be games played after dark. The Chamber Ambassadors and Seaside Chamber Community Fund have purchased a light and Mary Blake purchased a light and there were four more lights to go. Mayor Larson thanked the Chamber Ambassadors and Foundation and appreciated the donation.

**COMMENTS – PUBLIC** Mark Posalski, 7 Broadway, Seaside, stated he had been in Seaside for almost four years and has had his business on the first floor of the WorldMark Resort and there was a problem with the maintenance on the balconies of the Worldmark rooms. The last few years they had agreed to not clean those balconies when the shops were open so the debris and dirt would not fall on the customers. Mr. Posalski further stated this last week the resort had been cleaning off the balconies during the day when there were customers. The debris and dirt was falling on the citizens and visitors of Seaside and in addition the sidewalks were not being cleaned up after cleaning the balconies. Mr. Posalski further stated he had spoken with the general manger and was told Worldmark was allowed to clean the balconies. There was an ordinance in Seaside that things could not be thrown off balconies and the ordinance should be enforced.

Kevin O’Keene, 2525 Pine Street, Seaside, stated he wanted to touch base with the City Council and City Manager about the Venice Park Improvement District and where the project was at.

Mark Winstanley, City Manager, stated the project would go out to bid in the next week or two and that was the next step that would take place. The engineers were working on the final specs for the bid documents.

Angela Fairless, 846 10<sup>th</sup> Avenue, Seaside, presented Council with a declaration that was written by a group of people ‘Occupy Seaside’. Ms. Fairless stated there were approximately 112 signatures on the declaration from the last couple of days. The declaration stated “We the people of Occupy Seaside are standing in solidarity with Occupy Wall Street and all the other peaceful Occupations taking place across the United States. We are standing against global economic oppression and local elitism. We would ask that the people of Clatsop County please join us on Friday evening or Monday evening at City Council. Do what you can to educate yourself on the corporate control of our once-great country. Remember what buying power is and that this is a country of the people, by the people and for the people. Remember the lessons of Martin Luther King and Gandhi and ask yourself if you think your vote really counts. Move money to a local bank or credit union, learn about our fiat currency system and fractional reserve banking and take the time to care for yourself and your loved ones more. Ms. Fairless further stated she was sure everyone had read the papers and had seen what was going on at Wall Street. Originally Ms. Fairless hoped to join Occupy Portland but upon looking at her own home town and the issue’s she decided to instigate one in Seaside. Ms. Fairless further stated there were many people who were aware she had been part of the Skate Park Project and it was not government and Police Officers that the group was down on but was unfortunately the laws that the group wanted changed and certain things in the system that the group wanted changed. The law enforcers who were the front line of enforcing those laws and City Council often felt very defensive because it seems as though the group was attacking them but that was not the case the group was attacking the system.

Ms. Fairless further stated the City Ordinance the group took issue with specifically was the Illegal Lodging Ordinance that was passed in 1971 and amended in 1999 so it wasn't any of the present Council that had anything to do with that awful inhumane ordinance. Ms. Fairless was fully confident that since the ordinance was brought to the attention of Council they would do what could be done to take a look at the ordinance, realize it was absolutely inhumane morally and irreprehensible. Ms. Fairless further stated as someone who was from Seaside and wanted to leave this town and go off and do wonderful things in the greater parts of the world would like to leave feeling proud of her home town. As of right now she could not leave Seaside feeling proud. The law of illegalizing homelessness had unintended consequences that were just silly and the police officers should not have to enforce something so ridiculous. The ordinance was established to keep a resort like feel and the need to protect tourists. The group would like to have a compromise and that was for the lodging ordinance to only pertain to the area of the drug free zone and the Promenade area and that way reality could exist and if people needed they could live in their trailers, tents, cars, and the woods. Ms. Fairless further stated the vote that was made in 2007 that really effected housing in Seaside, hurt people and now there was more homelessness. Nobody wanted to see homelessness because it was sad but it was here and sweeping things under the rug was not a good way to address it. Ms. Fairless further stated she knows everyone was wondering if she was going to sleep outside again tonight or continue sleeping outside until the laws were changed. It was not fun to be homeless even if someone had shelter. There were discussions with many homeless people and they were not sure if they should be more scared of police officers or having to hide because they may be found by other homeless people that might be into drugs. The woman especially should be allowed to be in a visible place in public if they were homeless and sleeping. Ms. Fairless further stated even though in Seaside the focus was homeless people the issue was Global Economic Oppression. Please understand the Federal Reserve Program. State Senator Betsy Johnson was a former Federal Reserve Bank Manger and it was very interesting to know how many people do not quite understand that our money was not exactly printed by the government nor was it worth anything. Follow the occupation movements and Council please consider changing the law. Ms. Fairless further stated she would not be sleeping outside any time soon because she had a surgery but would be coming back in a couple of weeks to see if the ordinance was changed.

Laura Routh, 33788 Cullaby Lake Lane, Warrenton, stated she was speaking on behalf of Occupy Seaside and Reverend Michael Holt. Ms. Routh further stated when someone was arrested for being homeless it gave him or her a criminal record and made it even harder to get gainful employment, and a place with a roof over their heads. It was not cost efficient to use the money in the jail systems and prison systems for someone that was homeless instead of building a place for them to go so that they don't have to hide in bushes. It violates the constitutional rights of the homeless person. Courts have found certain criminalization measures unconstitutional. The first example was the first amendment: a City passes a law that places too many restrictions on begging, free speech concerns were raised as courts had found that places to be protected speech under the first amendment. The Second example was the fourth amendment: when cities destroy person's personal belongings or conducts unreasonable searches or seizures of homeless person's courts had found such actions violate the fourth amendment right to be free from unreasonable searches and seizures. The Third example was the eighth amendment: courts had found that a law that was applied to criminally punish a homeless person for necessary life activities in public like sleeping violates that person's eighth amendment right to be free from civil unusual punishment if the person has no where else to perform that activity. Ms. Routh further stated in addition to violating United State Laws criminalization measures can violate International Human Right Laws. United States has signed International Human Right Agreements many of which prohibit actions that target homeless persons living in public spaces. Ms. Routh further stated if you go to [www.nationalhomeless.org/publication/crimereport/summary.html](http://www.nationalhomeless.org/publication/crimereport/summary.html) there were several instructive alternatives to criminalization and many cities are found peaceful ways to work with the police department to get these people back on their feet, in homes, and part of the working society. In one city it stopped 2,400 arrests just to not turn the other way.

Logan Hoke, 208 N. Holladay Dr., Seaside, stated he agreed with Occupy Seaside and was representing the homeless vets because he had run into quite a few over the years since he had gotten out of the military. Two of the biggest causes he had seen were because they were a victim and they were trying to run from being a victim or the economy was so shot they could not even get a job. A lot of the jobs out there right now discriminate against homeless people because they think they don't want the homeless people stealing from their business. Mr. Hoke further stated he agreed with Ms. Fairless and Ms. Routh because it was an unfair act to take away what the homeless had left and he was willing to do whatever he could to help the homeless even if it was just as a support person or a support group. Mr. Hoke further stated he hated seeing homeless people and people who were pulled over by the police because they were sleeping in their car and the car was taken away. That was completely unfair and that was all they had because they could not afford to pay rent in the County.

Kindwyn Hoge, 360 Forest Ct., Seaside, stated she was here in support of Occupy Seaside. Ms. Hoge further stated it was very important for Seaside and Clatsop County to do something about the homeless problem as we know with the banks and everything with the Wall Street. Most people may not be effected now, do not care, and think that it does not matter to them but eventually it may have an impact on them or might be someone they know. There will be people losing their jobs and would be in situations where they might be homeless.

Ms. Hoge further stated it was very important for the City to have a plan to help people that were homeless. It was great to raise money for the football field lights but the homeless needed help also. If the homeless people were helped with jobs and to get back on their feet then they can start to contribute to Seaside also. Ms. Hoge further stated she had a young son and wanted him to grow up to be compassionate and caring and to have opportunities in Seaside and it was very important to support doing something about the homeless issue and was important to help the needy and not the greedy. Jesus wants us to be love, share, and be compassionate because Jesus was homeless himself.

Angela Field stated she moved to Seaside four and a half years ago when all the apartments had been taken and turned into condominiums. As a single mother she stayed in a single studio apartment with her four year old child. She lived without a refrigerator, stove units, and many more things. Things had gotten a lot better for her but here were a lot of people who had not gotten over that. Ms. Field further stated what Ms. Fairless was doing was remarkable and the supporters she had were impressive and wished everyone would take an account because it was important. There had been a huge hardship across the Country and there needed to be a solution figured out for Seaside. A good consideration needed to be taken to try and hopefully make an effort to be an example. The City should appreciate all that Ms. Fairless was doing and utilize her talents because she had more knowledge then the City could ever imagine and could help the community far more then anybody else could ever imagine.

Willow Clark, 1801 Pacific Way, Gearhart, stated she had a good job and warm bed to sleep in she felt the need to experience homelessness this weekend right in front of City Hall in Seaside. The public response was mostly positive thanks to Occupy Wall Street but the very limited response that was heard was get a job and people were very offensive. Not everyone had the opportunity or the education that Ms. Clark had and it was those with education and opportunities that needed to stand up for those who had nothing and no family and no friends to protect them and give them a warm place to sleep. Everyone needed to be there for each other and the group was here to ask Council for help with homelessness.

Teresa Parker, 1756 Franklin Avenue, Astoria, stated she took part in Occupy Seaside and knew a man who was homeless and had scars from being stabbed. In Astoria the Pioneer House was closed and the only people who could get shelter were drug addicts, drunks, and abused woman. The population of people had jobs and lost them through no fault of their own and they had no help.

Mayor Larson closed the public comments and thanked all of those people who spoke.

**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 \$475,624.89; and September 26, 2011, minutes; carried unanimously. (Montero/Phillips)

**VACANCY –  
CITY TREE BOARD**

Mayor Larson stated there was one vacancy on the City Tree Board with no applications received. Mayor Larson asked the press to advertise the vacancy.

**VACANCY –  
PLANNING COMMISSION**

Mayor Larson stated there were two vacancies on the Planning Commission with two term expirations from Ray Romine and Virginia Dideum who wished to be reappointed. Mayor Larson asked Council what they wished to do.

Councilor Phillips stated just for the fact that she was new to the Council and did not know either Planning Commission member she requested that a short interview be scheduled prior to the next Council meeting October 24, 2011.

Councilor Tolan stated that was fine with him and asked if the vacancy should be opened for other candidates.

Mayor Larson stated if the vacancy was going to be opened up there would be another issue because there were time constraints where two Planning Commission members would be lost for November and December. Mayor Larson further stated he agreed with Councilor Phillips in interviewing the members.

Motion to interview Ray Romine and Virginia Dideum who were members of the Planning Commission prior to the City Council meeting scheduled for October 24, 2011; carried unanimously. (Phillips/Tolan)

**VACANCY –  
TRANSPORTATION**

**ADVISORY COMMISSION** Mayor Larson stated there were seven vacancies on the Transportation Advisory Commission with six applications received from Dale McDowell, Bill Carpenter, Kathleen Teeple, Terry Hartill, and John Dunzer. Mayor Larson further stated Council would leave the vacancy open for more applications.

**CONVENTION CENTER**

**COMM. MEMBER APPEAL** Mayor Larson stated there was a Convention Center Commission member appeal for missed meetings. Mayor Larson explained that Mark Tolan had missed meetings and according to Council rules was no longer allowed to be a member but had the right to appeal the decision. Mayor Larson further stated Mr. Tolan was not present at the meeting to discuss the appeal. Mayor Larson asked Council what they wished to do.

Councilor Phillips stated Mr. Tolan did not attend the meeting to discuss the appeal and Council should open the vacancy on the Convention Center Commission and accept applications.

Mayor Larson asked press to advertise the vacancy on the Convention Center Commission.

**COMMENTS – COUNCIL**

Councilor Montero stated she brought presents back to Council from the League of Oregon Cities (LOC) Conference. Councilor Montero and Councilor Phillips spent four days at the LOC Conference and the meetings were very informative. Hillsboro 20/20 was a visioning process in 2000, and last year they reached their ten year point. There were pictures of several public events and also public fun types of events for the purpose of getting more people involved in the process. One person who was very active on the Visioning Committee which was separate then their City Council was now a City Councilor. One of the events they had was to Yo Yo and attempt to break a Guinness Book of World Records. Councilor Montero stated the Yo Yo's given to each Councilor had Hillsboro 20/20 printed on them and also had the website address for the 20/20 visioning. .

Councilor Phillips stated this was the first time for her to attend the LOC Conference which was a new experience since out of six hundred people she knew three people. Anytime people asked where Councilor Phillips and Councilor Montero were from they would say Seaside and overwhelmingly they heard 'Oh my gosh I love that City' and 'Oh my gosh you are so progressive' and 'Oh my goodness I can hardly wait to go back'. Councilor Phillips further stated everyone could be very proud of the Community. Councilor Phillips further stated she and Councilor Montero were sitting with a group from Goldbeach and had just came out of the Tsunami meeting and the group asked what Seaside was doing about Tsunami Preparedness. Councilor Phillips and Councilor Montero were able to tell the group what Seaside was doing for Tsunami Preparedness. This was all a reinforcement of how proud Councilor Phillips was with the Community. Councilor Phillips further stated there was a lot of time spent in a Social Media meeting which presented information about those of us who were older and dealing with facebook, twitter, blogs, and the media. The whole conference was very beneficial and Councilor Phillips really appreciated the opportunity to attend and represent the City of Seaside.

Councilor Montero stated that was true because every time Seaside was mentioned people had something to say. There was a gentleman that spoke about coming to Seaside in the 1930's and told us about buildings that had been in Seaside. The people had good experiences in Seaside and wanted to come back and they all knew where Seaside was.

Mayor Larson stated there was a good article in the LOC Bulletin about Medical Marijuana and there was a very good article about the All America Competition Trip written by Russ Vandenberg. Mayor Larson further stated the next article would hopefully be about the Seaside Football Field once it was finished.

Councilor Phillips stated her and Councilor Montero were getting the applications for all the awards that were handed out because two very deserving gentleman and projects were thought of when the awards were handed out.

Mayor Larson stated there needed to be a Council Representative appointed to the Community and Senior Commission and if a Councilor was interested they should let the Mayor know. Mayor Larson further stated he was planning to schedule a workshop next week but that did not work out. Council would conduct a workshop to discuss the bus service from Seaside to Cannon Beach and to also discuss Clatsop Economic Development Resources (CEDR). Mayor Larson further stated the meeting would take approximately 1 ½ hours and asked Council what night would work for them.

Mr. Winstanley stated if Council conducted a workshop on a Tuesday or Thursday that would work because there was not any court on those nights.

Mayor Larson asked if Thursday, October 27, 2011, would work.

Council consensus to conduct the workshop for Thursday, October 27, 2011.

Mayor Larson asked what time should the workshop start.

Councilor Tolan stated staff would need to check with Council President Lyons, Councilor Johnson, and Councilor Barber to see what would work for them.

Mayor Larson stated the workshop would be set up tentatively and a time would be selected that would work for everyone.

**COMMENTS – STAFF**

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, invited Council to attend the Convention Center Commission meeting Wednesday, October 12, 2011, 7:00 pm. Mr. Vandenberg further stated the Seaside Kids Pancake Feed was scheduled for Tuesday, October 11, 2011, 5:00 pm.

Reita Fackerell, Seaside Library Director, stated everything was great at the Library with a Quilt Show scheduled right now with many quilts from all over. On Wednesday, October 12, 2011, Trivia Night was scheduled at the Library.

Mr. Minor stated the Chamber of Commerce had its award ceremony scheduled for Friday, October 14, 2011, 8:30 am, at the Best Western. On Saturday, October 22, 2011, Seaside Talent was scheduled at the Convention Center and the proceeds were donated to the Seaside Food Bank.

Laurie Oxley, Seaside Downtown Association District, stated the Winter Coupon Books were coming out on Tuesday, November 1, 2011 and the Shop Seaside Campaign would start on November 1, 2011.

Bob Gross, Seaside Police Chief, stated over the last 2 ½ years the department had lost two Seaside Police Officer and one Seaside Communications position and several months ago there was a grant submitted for hiring a police officer and Seaside was notified that they received the police officer hiring grant. The grant would pay 100% of the police officers position for three years and the City would pay the fourth year.

Mr. Winstanley stated one of the things that the two Councilors who attended the LOC Conference had commented on was that other City's had problems also and this year 10% of the City Manager's had been let go and 18 Councilors and Mayors had been recalled. Seaside was looking pretty good. Mr. Winstanley further stated he attended a number of session pertaining to Social Media which was very enlightening and very interesting to see what a number of other City's were doing. Mr. Winstanley stated the auditors were at City Hall last week.

**ADJOURNMENT**

The regular meeting adjourned at 7:50 PM.

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JudyAnn Dugan, Secretary

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DON LARSON, MAYOR