

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.
- ROLL CALL** Present: Mayor Don Larson, Council President Don Johnson, Councilors Jay Barber, Dana Phillips, Seth Morrissey, Randy Frank, and Tita Montero.
- Absent: None
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Kevin Cupples, Planning Director; Dale McDowell, Public Works Director; Russ Vandenberg, Seaside Civic and Convention Center and Seaside Visitors Bureau General Manager; Dave Ham, Seaside Police Chief; and R.J. Marx, Daily Astorian/Seaside Signal.
- AGENDA** Mayor Larson asked for a motion for approval of the agenda.
- Councilor Frank so moved with a second from Councilor Morrissey; carried unanimously. (Frank/Morrissey)
- STUDENT REPRESENTATIVE** Taylor Barnes, Student Representative, stated the winter sports are concluding with the boy's basketball team finishing first in the league. The girl's basketball was tied for second and would play in Clatskanie tomorrow night for the tie breaker. Swimming competed at State this last week and did not do as well as hoped. Wrestling also competed at regional's. The Seaside High School Musical which is "Urinetown" would be playing the first weekend in March. Students from Seaside High School Student Council would be going before the Emergency Preparedness Committee in Salem and would be presenting to them. Suzanne Bonomici came down last Tuesday for the Seaside High School Assembly and she was very impressed. The Dance Team placed first in the small school category. Band will be competing at districts in March.
- COMMENTS – PUBLIC** John Hagerty, PO Box 605, Seaside, read a letter to the City Council that he was presenting. The letter read: Why do golf courses have 18/9 holes? Because in 1858 a senior member of the Old St Andrews golf course in Scotland noted that it took 18 shots to finish a 5th of scotch. Golf courses were designed so golfers could drink a single shot from the bottle for each hole. Saves a trip back to the club house, I guess. You have a serious problem in Seaside that, I doubt effects any of you, but has a very dramatic effect on the citizens you are responsible for. There are not enough apartments in the city of seaside to provide housing for its residents, who are unable to afford to purchase their own home. The result of that shortage is that apartments that do become available are over priced in this seller's market. Making them unaffordable for the people who work the minimum to low wage jobs that support this town and put money in all your pockets. I am not talking about people who are homeless as a result of addiction, mental health issues, bad behaviors or even general poverty. These are also serious issues. But what I am talking about are people (again that you are responsible for) who are homeless through no cause or fault of their own. I came to town in July of 2015. I came to town with a full time job, good credit, a pocket full of money and 'absolutely golden' references from all my previous land lords. It took me a month of serious hustle to find anything available. I devoted almost as much time and energy to seeking an apartment as I did to my employer at my job. And I got lucky to only have to wait a month. My 6 month lease is up the end of February. On the 17th of February I was given a 30 day eviction notice, to be out by March 19th. Not for anything I had done. But so my landlord could move into the apartment. Currently I can find only 1 apartment for rent in the city of Seaside, and it is a 3 bed room for over \$1000.00 a month. I actually have people who are supportive and helpful with networking and acting as references for me. The company that currently manages the place I live in is working hard to find me an affordable alternative. I am on first name basis with every landlord in this city who will allow me to talk to them. I may now have to quit my job, apply for unemployment (and try to explain this to them); and then move away into the charity of relatives on the other side of the state, if I cannot find a place to live. And again this is not because I have been irresponsible or negligent or caused any problems for my land lord. I have not been late with my rent, anywhere I have lived, since 1990. They like me at my job. I love my job. I am old and broke down. There are not that many jobs I can physically do. But I am still an asset to this community and go out of my way to conduct my life in a way to maintain that status, where ever I live. I know there is nothing you can do to help my current situation. But the city of Seaside needs to do something for its citizens. Is there some way the police department could figure out how much money it costs to roust, cite, arrest, impound and chase off homeless people in this city. People who sleep in their cars or in doorways or parking garages or on the beach. If such an accounting could be made, then maybe the city could match that expense with monies devoted to providing affordable housing for its citizens. With the understanding that more available and affordable housing, would have some impact on reducing not just the homeless problem in this city, but also reduce the cost and expense of running off good people who have no place to live through no fault of their own.

And keep in mind, that this is February. It is going to get worse. Traditionally, I suspect, the working poor have not been a high priority for local, county, state or national governments. But this city, more than most, needs its working poor. This city and its businesses survive on the labor of its working poor. If people with jobs are unable to live here they will take that labor somewhere else. A shortage of available work force drives up the costs of labor that local businesses will have to pay, without having any corresponding impact of the quality of work. Does anyone on the council know what percentage of the city's work force is minimum wage? Thank you for the services you provide. Thank you for our fire department and our police department and the sidewalks and bridges and roads. Thank you for the parks and the public restrooms. But what good are those services if significant portion of your citizens have no place to live. The public restrooms maybe... I understand there are no easy fixes to this serious problem. I would like to offer a suggestion that you may not have thought of yet. Creative thinking, outside the box may be the only way to find a workable solution. There may be land that the city currently owns that could be better used for affordable housing then for what it is currently used for. Having entered into the public record of this meeting, that the tradition of 9 or 18 holes on golf courses serves no more purpose then to accommodate a bottle of liquor... Why not take just one of those holes and use the land to build affordable housing to provide one of the basic human survival needs; shelter, for the citizens. Not just for the sake of the working poor, but to also reduce costs to the community of policing a section of the homeless population who are homeless through no fault of their own, other than wanting to be a part of and contribute to, this beautiful city we live in. That housing availability will then result in access to a larger work force at less expense to local business owners, so the seller's market of housing will have less impact on the buyer's market of labor. The costs of building and maintaining apartment housing is not cheap. If the land could be provided to potential developers at little or no cost, trust me, there would be no shortage of builders. As I understand the tenants of 'eminent domain' it is perfectly acceptable and legal to seize some one's property if you can show that you can make more profit from it then it's rightful owner. Why can't the city apply eminent domain to a far more honorable purpose of providing housing for its working poor and then subsequently reduce labor costs for local businesses, in a kind of `trickle up economics'. I am new to this city, but I understand this problem is not. Thank you, the members of this council for the work you do in service to this community. I know the compensation does not begin to make up for the time and effort you put in. But, come-on guys! Help!! Help us, the citizens of seaside. What do you want this community to be known as: The city that acknowledged a problem and made hard choices to provide access to the basics of survival for its citizens? Or the city that thought it was more important to finish a bottle of scotch. Mr. Hagerty further stated he wanted to let Council know there was a pothole that was a foot deep on 'I' Street between Beach Drive and Columbia.

Mayor Larson stated that would be fixed right away.

Dale McDowell, Public Works Director, stated public works was at the pothole today and it was coned off and would be dug up tomorrow, it was a sink hole.

Mayor Larson stated there were 34 apartments being built behind Coast Hardware and there was an organization looking at 70 some apartments further down and they were trying to get it penciled in

Councilor Barber requested copies of the letter to the Council.

Mayor Larson stated he received a card today from the City Council of Long Beach Washington extending his condolences on the terrible loss of Officer Goodding. Mayor Larson further stated he would open the floor for comments after the meeting.

CONFLICT

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

No one declared a conflict of interest.

CONSENT AGENDA

Mayor Larson asked for a motion and second to approve the consent agenda.

Consent Agenda: Payment of the Bills - \$309,181.80; Approval of the Minutes – February 8, 2016; and Seaside Civic and Convention Center Donation – Wheel Chair Lift to the Seaside School District.

Councilor Montero so moved with a second from Councilor Barber; carried unanimously. (Montero/Barber)

AUDIT CONTRACT

Mark Winstanley, City Manager, explained with City Council's approval Kern & Thompson, LLC., had been the City of Seaside Auditors for some time and would be conducting the City of Seaside Audit for the period beginning July 1, 2015, and ending June 30, 2016, the amount of the contract was \$44,000.00. The contract price would not be increased and was the same price as last year. The City of Seaside audit contract for the year beginning July 1, 2014, and ending June 30, 2015 with Kern & Thompson, LLC. was \$44,000.00.

Kern and Thompson were very experienced auditors with Senior Partner Rick Proulx who has been in the municipal audit for over thirty years. Staff was recommending Council approve the contract for the same price as last year, \$44,000.00.

Council President Johnson moved we accept the contract for \$44,000.00 with a second from Councilor Frank; carried unanimously. (Johnson/Frank)

ORDINANCE #2016-02

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CODE OF SEASIDE ORDINANCE CHAPTER 110.04: UNLAWFUL, ILLEGAL, OR PROHIBITED BUSINESSES NOT AUTHORIZED AND AMENDING CHAPTER 118: MEDICAL MARIJUANA DISPENSARIES AND LICENSE RECREATIONAL RETAILERS

Kevin Cupples, Planning Director, stated the Oregon Liquor Control Commission has established administrative rules that regulate four different types of recreational marijuana facilities (retail, wholesale, processing, & production). Although the City's business license ordinance indicates only medical marijuana facilities can be licensed in Seaside, the Oregon Liquor Control Commission (OLCC) has indicated they do not believe our current regulations are sufficient to be considered an opt out that would prohibit retail establishments. Staff is concerned the limiting provision of our business license ordinance could lead to legal challenges if OLCC approves a retail business even if we have stated our ordinance restricts the activity. Prior rule making by the Oregon Health Authority has already allowed retail sales of recreational marijuana from licensed medical marijuana facilities. In an attempt to regulate recreational marijuana retailers to the same extent currently recognized under our limitations for medical marijuana dispensaries, staff has prepared an amendment to Ordinance Chapter 118 (attached). If this is acceptable to the Council, similar amendments to Chapter 119 can be prepared in order to address the licensing process for the other recreational marijuana activities regulated by OLCC. A resolution addressing a potential fees schedule has not been prepared at this point; however, that can be reviewed at a future date if the ordinance is acceptable to the Council. As with any new ordinance, adoption is at the discretion of Council and the proposed text can be modified in order to address any additional concerns. Recommended City Council Action: Following public testimony, review the proposed ordinance and consider beginning the adoption process for the new regulations intended to establish new licensing requirements for recreational marijuana retailers.

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

Mayor Larson asked for Council comments.

Councilor Frank stated Council was kind of handcuffed and had a certain desire and the state now says other wise. Council was just following good advice from the staff.

Mr. Cupples stated in looking at the ordinance there was a typo found in 118.04 there was two t's on the third line in that section.

Dan Van Thiel, City Attorney, stated people don't really care what we do the State was going to tell us what to do and would regulate it, unfortunately.

Council President Johnson moved that we read ordinance 2016-02 as amended by title only with a second from Councilor Phillips; carried unanimously. (Johnson/Phillips)

Council President Johnson moved by second reading by title only with a second from Councilor Phillips; carried unanimously. (Johnson/Phillips)

RESOLUTION #3864

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AMENDING RESOLUTION #3828, ADOPTING CITY FEES FOR CITY SERVICES

Mr. Winstanley explained this was a resolution that set the miscellaneous fees that the City of Seaside charges for like copies, faxes, and liens. There was information added that had to do with credit cards at City Hall, Planning Department, and Convention Center. Right now there were no fees charged for the use of a credit card. This would allow the City to charge a fee to the customer to pay the fee the credit card company charged the City and at this time only larger fees would be charged. Mr. Winstanley stated water bills and library fees would not be charged the fee. Mr. Winstanley stated Mr. Van Thiel brought up the effective date of the resolution and it was explained the credit card companies require a thirty day notice for charging a fee and that would be thirty days.

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

Mr. Van Thiel stated he would prefer to kick it in tomorrow and start collecting now.

Councilor Montero stated a notice should be given ahead of time.

Mr. Van Thiel stated the defendants responsible for the payment of fines were pushed out for thirty days anyways. The payments don't start for thirty days.

Mr. Winstanley stated he would suggest Council strike Section 2 and staff would implement the fees as soon as possible.

Mayor Larson stated there were no more Council comments.

Mayor Larson asked for a motion to read by title only.

Councilor Frank so moved as amended with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

Council President Johnson made a motion to adopt as amended with a second from Councilor Frank; carried unanimously. (Johnson/Frank)

**UPDATE – 2015 NORTH
HOLLADAY PROJECT**

Mr. McDowell stated prior to Council's arrival he added paperwork on their desk. Council did not receive the information in the packet because the North Holladay Drive Improvement Project meetings were Thursday afternoons and the packets were prepared and sent out Thursday mornings. Mr. McDowell further stated the first page was a two week schedule of the project and shows where the work was at. There were A's on the page and those were all actual and the contractor was right on schedule. The second page was more impressive because the paving date was May 24, 2016. In the next couple of weeks the utilities will fade off as they finish the water, storm sewer, and catch basins and then sidewalks and curbs will disappear as they prepare for the new sidewalks and curbs. The electrical conduit would go under the sidewalks. The project was going very well with three crews still out there and in a couple of weeks there would be only two crews. Mr. McDowell further stated he would give updates at the next Council meeting. There was a meeting with Tapani every Thursday and there was a staff person onsite all day long to answer any questions. This was an extremely tight schedule and the City did not want any delays.

Mayor Larson asked how deep the sewer line was.

Mr. McDowell stated the sewer line was ten feet deep.

Councilor Morrissey asked if there had been many complaints from the residents or has everything gone pretty smoothly.

Mr. McDowell stated it was going actually very smooth. There was a lot of communication with the residents and everyone seemed to be happy.

COMMENTS – STAFF

Russ Vandenberg, Seaside Civic and Convention Center and Seaside Visitors Bureau General Manager, stated the convention center would have the Jazz Festival in the buildings this weekend.

Dave Ham, Seaside Police Department, stated there has been mail received from all over and the police department thanks everyone for the support. The officers were off for several days and were covered by many different agencies through this county and the Portland area. The dispatchers had a little bit of support but not much availability to cover the shifts. The dispatchers were working quite a bit while the officers were off and they deserve an extra thank you for what they did. The officers were back on the streets as of February 15, 2016, and seemed to be in good spirits. Chief Ham thanked everyone for their support adding that the community has just been amazing.

COMMENTS - COUNCIL

Mayor Larson stated the Elks will host the Jazz Festival on Thursday evening and was charging \$10.00 a person.

Councilor Montero stated on Friday there would be a pair of musicians playing at the Community Center for lunch.

Mayor Larson stated Chief Ham you are a strong man and there is not one of us that would want to be in your shoes. Chief Ham was there and Council sincerely thanked him for it. There were a lot of thanks, cards, prayers and support. Mayor Larson further stated he wanted to thank the staff during his absence and he thanked the Council and spoke with Council President Johnson often. The Mayor had received many cards, and many messages. Mayor Larson further stated there was a City Council workshop scheduled Monday, February 29, 2016. The Council would discuss the Itinerant Merchant Ordinance, church building, and a position at City Hall. Mayor Larson asked Council what time the meeting should be.

Mr. Winstanley stated since court was at 1:00 pm Council could select an earlier time for a workshop.

Council consensus to schedule the workshop for 5:00 pm on Monday, February 29, 2016.

Councilor Montero stated she had to commend Mr. Hagerty on his comments. She looks at two issues and that was homelessness, and workforce housing. That was something being talked about all over the county. The Clatsop Economic Development Resources (CEDR) was speaking about the housing in Clatsop County with active things that were going on.

Councilor Montero further stated Thursday, February 26, 2016, at 6:00 pm the Seaside Brewing Company will be discussing "History in Hops" which was sponsored by the Seaside Museum. The third Thursday of each month the Bob Chisholm Community Center had a craft sale.

Councilor Phillips stated she would like to request that Mark Winstanley contact Doug Dougherty to schedule a future workshop between the City Council and the Seaside School Board to discuss the upcoming school bond issue to make sure Council was informed and the school board was informed.

Council consensus to schedule a workshop.

Councilor Phillips stated she wanted to make sure that when all of this goes away that Amy Goodding and the girls were not forgotten. It was easy for a community to move forward and forget what happened and they will never forget but will learn how to cope.

Councilor Frank stated Council had long talked about affordable housing and System Development Fees and how they needed to pay their part. Can there be some type of subsidy for low income housing or a grant through the State.

Mr. Winstanley stated the Council controls the System Development Fees and Council has the ability to mitigate the fees if it chooses to do so. The System Development Fees were not made up and were calculated numbers based on capacity.

Councilor Morrissey stated in speaking with contractors he knows for a fact that a lot of projects have been moving to other cities because the fees are the lynchpin holding them back. This should definitely be looked at as a City.

Mr. Winstanley stated he wanted to remind Council that System Development Fees were in place so that the current population would end up subsidizing the expansion of the current utilities. The water and sewer rates would be raised to make up the difference in fees and those rates would be passed onto the homeowners and that becomes the problem.

Councilor Morrissey stated if the other communities were lower, then a lot of those projects go to those communities.

Councilor Frank stated he was referring to low income housing. Councilor Frank further stated there was a development on South Edgewood by the Seaside Golf Course and there were probably sidewalks that were supposed to be put in along that development. There was some existing sidewalk but it needed to be finished.

Councilor Montero stated CEDR had a housing summit where they had developers, people from the cities in the County attended, people from CEDR, and people from Col Pac. There was two to three hour spent discussing the problems regarding workforce housing. There was a workshop that should be scheduled sometime in March. There was a discussion about North West Housing Authority who was looking into developing a mini house community in Seaside where there was land owned. Councilor Montero further stated she would like groups to come and discuss the information with Council.

Councilor Barber stated it was good to have the Mayor back. Councilor Barber further stated the Helping Hands Re-entry Program is having an open house on Saturday, February 27, 2016, at the Port of Tillamook. This will be an example of what the organization was planning to do in Seaside in the future. The facility would be opening at the end of February to provide shelter. Councilor Barber further stated he was moved at the memorial for Officer Goodding and a close friend who was the Assistant Police Chief for the City of Portland had stated he really felt the warmth of the Seaside and this would be the place to work if he were starting his career.

Council President Johnson stated it was important for Council to work on the workforce housing as a group and he looked forward to the information that Mr. Cupples would be putting together.

ADJOURNMENT

The regular meeting adjourned at 7:57 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR