

**CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Barber.

**ROLL CALL** Present: Mayor Jay Barber; Council President Randy Frank; Councilors Tita Montero, Steve Wright, Seth Morrissey, Dana Phillips, and Tom Horning.

Absent: Councilor Dana Phillips

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Jon Rahl, Assistant City Manager; Dale McDowell, Seaside Public Works Director; Kevin Cupples, Seaside Planning Director.

**MAYOR STATEMENT** **OPENING STATEMENT FOR MONDAY, JUNE 8, 2020 COUNCIL MEETING**

Mayor Barber stated thank you. For reasons of broadcast, we all need to be really speaking, like I am right into our microphone tonight, but who comes to speak here, needs to do the same thing. I have a statement to read at the beginning of the meeting. Tonight's meeting represents a return to the Council Chambers at Seaside City Hall. Thank you for joining us. If you are tuning in, on our online service stream, you may have become accustomed to a new process that was actually quite abnormal for a public meeting prior to the COVID pandemic. For the past two months, electronic meetings have provided us the opportunity to allow for public comment via telephone or through the electronic zoom meeting platform. With meetings returning now to in-person gatherings. The public now has two ways to participate in public comment periods, public comment method, number one, up to 25 people will be allowed into city hall during the meeting that's during this phase for those wishing to speak, a microphone will be set up with social distancing in mind. If capacities reached, participants will be able to wait outside until it's their time to speak. The microphone is way in the back there, when we get to that point in the meeting. Public comment, number two, citizens can also submit public comment and writing in one of two ways. First by submitting a copy via email to publiccomment@cityofseaside.us or dropping off their written comment to city hall no later than 5:00 PM, on the Monday before a Council meeting starts. City Hall reopened this afternoon and will remain open moving forward with regular business hours. A full agenda of tonight's meeting as well as all meetings can be found on the city's website at cityofseaside.us. Thank you.

**AGENDA** Mayor Barber stated now I will entertain a motion for approval of the agenda as circulated.

Councilor Horning so moved with a second from Councilor Morrissey; carried unanimously. (Horning/Morrissey)

**COMMENTS – PUBLIC** Mayor Barber stated I'll now open the floor to any comments from the public on any item, not on the agenda. Is there anyone who would like to address the Council this evening? Hearing none and seeing none. Thank you all for being here tonight. I'll close that portion of our meeting.

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

No one declared a conflict of interest

**CONSENT AGENDA** Mayor Barber stated I'll entertain a motion to approve the consent agenda.

Consent Agenda: Payment of the Bills - \$1,931,326.09; and Approval of Minutes May 11, 2020.

Council President Frank so moved we approve the consent agenda, including the payment of almost two million dollars with a second from Councilor Wright; carried unanimously. (Frank/Wright)

**REPORTS AND PRESENTATIONS:** Mayor Barber stated we have no reports or special presentations tonight.

**UNFINISHED BUSINESS:**

**VACANCY – PARKS ADVISORY COMMITTEE** Mayor Barber state under unfinished business. We're still looking for an applicant for the parks advisory commission. I think we had a couple of people pick up applications, but haven't come back in. They may be playing it safe with the social distancing or something. We'll hopefully hear from them soon.

**NEW BUSINESS:**

**PUBLIC HEARING**

This was the duly advertised time and place to hold a public hearing regarding A Resolution Declaring the City's Election to Receive State Revenue Sharing.

**RESOLUTION #3963**

**A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE SHARING**

Mayor Barber stated under new business, public hearing, Resolution #3963, having to do with receiving State Revenue Sharing. Mark, you want to give us a little background on that?

Mark Winstanley, City Manager, stated thank you, Mr. Mayor. Each year the city is required to hold public hearings first before the budget committee. And then second at the meeting with the Council, before it adopts its budget, each year. The purpose of both those hearings is to allow for the public to comment on how State Revenue Sharing should be spent each year. We receive a little over \$100,000 in State Revenue Sharing. This year State Revenue Sharing dollars are budgeted in public safety to support police and fire, as they have been over the last 15 to 20 years, and Mr. Mayor, you need to have a public hearing and if anybody would like to speak to that, tonight's the night.

Mayor Barber stated okay, very good, thank you. At this point, I'll open a public hearing regarding Resolution #3963. Is there anyone here that would like to speak regarding that resolution? Hearing none or seeing none I'll close that portion of the resolution and, ask if there are any Council comments. Hearing none, I'll entertain a motion to read by title only.

Councilor Montero moved to read Resolution #3963 by title only with a second from Council President Frank; carried unanimously. (Montero/Frank)

Dan Van Thiel, City Attorney, read Resolution #3963, by title only.

Mayor Barber stated I'll entertain a motion to adopt.

Councilor Montero moved to adopt Resolution #3963 with a second from Council President Frank; carried unanimously. (Montero/Frank)

Mayor Barber stated we wouldn't be opposed to getting a \$100,000 from the state, would we Mark.

Mr. Winstanley stated no Mr. Mayor and thank you very much for passing the resolution.

**LICENSING AGREEMENT  
2624 NEAWANNA STREET**

Mayor Barber stated we have a unique item on the agenda tonight, a licensing agreement, on the City of Seaside right of way property located at 2624 Neawanna Street. You want to Kevin, give us a little background on that.

Kevin Cupples, Seaside Planning Director, stated sure Mr. Mayor and Council, this is a license agreement for Maria Mitchell. Maria applied for a conditional use permit in order to operate a Vacation Rental Dwelling out of her home at 2624 Neawanna Street. Because the home is actually built within the public right away, not the entire home, but a portion of it. The portion that is covered under the license agreement, and that actually covers a portion of the, house, their porch, some landscaping in there and their entry walkway, really. It's covering the area that is encroaching. Marie actually owns a large portion of property because she owns both sides of the, of the street. But when she came into talk to city staff, we explained that usually street vacations are frowned upon in the city because once you lose them, you don't get them back. And what's happened in the past is that's been done through a license agreement. And that was one of the conditions of approval for their vacation rental was that they would have to either vacate the street or, I mean, there were a couple of options that they had open to them, but, the license agreement seemed like the easiest and most direct way to address that. This license agreement is just too really cover, the, portion of their house that sticks within the Neawanna Street right of way.

Mayor Barber stated I think several of us have driven out and taken a look at that piece of property. I doubt if we'll ever have a street, go through that right of way, but I understand the situation.

Mr. Cupples stated well, in, the future because of the, amount of vacant land that's there sometime that may happen. But at, the moment, Maria's just looking at trying to have some revenue on the, property in order to keep the house in the family. And then that can be something in the future.

Mayor Barber stated Dan, would you comment on this? Is this a normal practice in other cities?

Mr. Van Thiel stated it is, it accommodates a property owner, but if you read the agreement to it, allows us to cancel it at any time at our discretion. And it takes care of the kind of issues that Kevin was talking about. It's a common agreement.

The Mayor is familiar with this agreement and the Poole's as a matter of fact. And so Kevin, plagiarized, one of mine, I think he's ready to take the bar examination.

Mr. Cupples stated Mark told me early on in my position, if I didn't know how to cut and paste, he'd fire me.

Mr. Van Thiel stated it's a common agreement that allows us to accommodate people. But, I've always taken the position that I don't frequently. These are the kinds of people that want to buy the property. They want us to vacate the road to accommodate them and I'm against us giving up any city property. Because we really don't know in the future when we may ever need it. Granted, we may never need it, but I don't want us to give up our properties is my advice.

Mayor Barber stated comments from the Council.

Councilor Morrissey stated I would just like to say that I'm a big fan of the license agreement, just like we did with the Poole's property, you know, in the future, we might need to access through there and we definitely don't want to give it away, but I think it makes sense. Obviously the property was probably built not knowing they were on the street at the time. We don't know when it was built probably 30 years ago or so.

Mr. Cupples stated I think the house was originally built in 1934.

Councilor Morrissey stated okay, so a hundred years ago or so. I think it makes a lot of sense. I'm all for it.

Mr. Van Thiel stated I knew Bob Poole very well. All the Poole family I've known for years. And of course he put his swimming pool in our street. And that was interesting because Wayne and I had some discussions about whether he should remove the swimming pool or not. And we finally decided, you can leave the pool there. We don't think we're going to need that street. But if we do, then you're going to take it out.

Mayor Barber stated not while he's swimming though. We'll give them some notice. Other comments.

Councilor Montero stated it makes total sense. It gives everybody what they want currently and still preserves the future.

Mr. Van Thiel stated in an old city like this, people didn't know where their boundary lines are, to be perfectly frank. They weren't surveyed, you know, nobody knew where their boundary lines were and they just built. If you knew Bob Poole like I knew Bob Poole, he wouldn't ask for a permit, even if the law required it.

Councilor Wright stated but we're also not encouraging people to go out and do this. That's exactly something from 1914 and 1934.

Councilor Montero stated I don't think people could do it today. Probably because the way we survey and everything is a lot tighter, but we're dealing with things that happened in the past. And how do we make it work for everybody now?

Council President Frank stated was this brought up because of being used as a rental property.

Mr. Cupples stated right, up until the time they had applied for the vacation rental dwelling, it wasn't really an issue. It, got brought up in the process of doing the review and in doing the conditional use. When I had discussions with Mark, he's like, well, we can't just say yes, you're going to be able to operate this conditional use permit within the public right of way. And so the condition that was applied to the request was an effort to address that.

Mr. Winstanley stated I do think it's important to know that a number of people, in the City of Seaside, as well as in all cities, are encroaching on the cities right of way. Normally that encroachment takes place with a fence or yard or, things like that. And they just assume that that's where their property goes, out where their yard is and out where their fences and things like that. But it's not unusual for us to find at the time that we're doing some type of improvement or some type of land use action that through time people have encroached on the right of way. That doesn't mean that it's a problem, in fact, in some cases, we should be thanking those people for the great care. They're taking care of our right of way, but, in some cases it can be a problem, and that's why a licensing agreement is an appropriate document because it allows for the city to reclaim the property in the future, if for some reason we should need in the future.

Councilor Morrissey asked approximately how many such license agreements do we have. Just a ballpark.

Mr. Winstanley stated to be honest with you, I really don't know, not near as many as we have people encroaching on our right of way, I can tell you that. There are a number of them and certainly I'm sure there's a number of them that, even though I've been here now for almost 35 years, I've never seen them. They are, put away, upstairs, somewhere, gathering dust until the day comes that we need to find them. So as I might comment, these will come back. People will have to revisit them when they sell or when they finance or refinance.

Mr. Van Thiel stated these are not documents that are recorded, but Tita is correct, in most real estate transactions today, the lender is going to require a survey and the survey is going to disclose the encroachment and then it's going to be brought to everybody's attention.

And it'll have to be dealt with, for instance, if this lady was to sell her property, it may very easily surface. And those people, they're going to have to come back to us and take a look at the agreement, because it may or may not affect the sale. It might affect some lenders.

Councilor Montero stated I was thinking that it was somehow attached to the deed or attached kind of like a lien on the property, is that right?

Mr. Van Thiel stated it's not recorded. You see. The city does a record them, so that, you know, and that's the danger that you've got. If you're buying a piece of property from somebody and you indeed don't know where the boundary lines are, that's a fertile field for lawyers on adverse possession claims. And you can never adverse the interests of the city you could build on the city property. And if it's ever discovered you got to remove it, you can't adverse a claim against the city or a government.

Mayor Barber stated very interesting. I'll entertain a motion to approve that licensing agreement.

Council President Frank so moved with a second from Councilor Horning; carried unanimously. (Frank/Horning)

Mayor Barber stated thank you, Kevin and Dan.

**CITY REIMBURSEMENT  
TO SEASIDE SCHOOL  
DISTRICT FOR  
CONSTRUCTION  
PROJECT**

Mayor Barber stated City of Seaside reimbursement to the Seaside School District. Mark, give us a little background.

Mr. Winstanley stated well, Mr. Mayor, when the school district passed their bond issue and, got approval from the voters to, build their school that was, not just a big deal for the school district, but it was a big deal for the City of Seaside. Also, that's a large piece of property that was brought into the city, and it's a large piece of property. That's going to need a lot of different services, up on, the property, not only for the school, but it also allowed the city to expand a lot of its infrastructure into that area. And in the future, as the City of Seaside expands up into, the Eastern Hills. This was an opportunity for us to take advantage of the school, doing a lot of development, and how we could work with the school district in order to improve the services that the City of Seaside can provide. For those of you who, either know people or possibly have property, up in the Eastern Hills in Seaside. You can get up far enough where providing water into those areas, a lot of times there's some pressure issues. There can be sewer issues up in those areas. There's certainly roads in those areas. I'm not often distracted by cleaning taking place. As the school went through development of its property, not only did the school have to provide what they needed for the school, but we also worked with the school district to expand our infrastructure up into that area, and, initially we took a look at expanding our infrastructure by, looking to see whether we needed to hire contractors and have them go up and do work in that area. But it quickly became obvious to us that one of the more reasonable and financially better ways for us to do this would be to work with the school districts contractor, in order to get a lot of this infrastructure work done, they were going to have to put water lines in the ground. They were going to have to put sewer lines in the ground. They were going to have to build roads, all the same things that we were going to need. They also were going to need to put conduit in the ground and we were going to need to have conduit in the ground. And, quickly, it became obvious to us that teaming with the school district and their contractor would be financially advantageous for the city, as well as the school district, then the issue became, how do we divide up the costs and who's going to pay initially the bills. Who's going to reimburse, how all of that was going to work itself out. We've been going through that, now for, over a year, working on all of these issues to make sure that by the time we got all done, that it was equitable, not only for the city, but also for the school district. And that's why we're here tonight. The school district incurred all the costs that was involved in, doing this work, and maybe the best example I can give to people, is to talk about a water line and water lines. Obviously everybody's got to have water and the school district, had to have water also, but to provide water for the new school complex, would require a big water pipe. But, not a giant water pipe, maybe a six to eight inch water pipe at the largest, but we chose to go ahead and build a brand new, water tank up above them, at the same time that the school district was building their property. And for us to get water up to that new reservoir, requires a very large water line to get water up to that, to that reservoir. And not only have that, but the school only needs to get water up to the school. We need to get water all the way up to the reservoir, which is quite a ways farther than, where the new school complex is. The cost of putting in, a very large water line and running it all the way up to where, the new reservoir is, was quite expensive. The school would need to pay just to get a water line up to their school, but now is the time for us. We wanted to get that work done. We wanted to build that reservoir, and we wanted to get that much larger water line in the ground. They can feed off of that waterline, but we wanted that waterline in the ground now. We wanted to take advantage of, the opportunity since all that construction was taking place. We agreed that we would pay for all the costs associated with oversizing the waterline and running it, the extra distance that it had to run. And that's just one of the examples that took place. We also are sharing, conduit lines that run up there so that, things like phones and, internet and all those kinds of things can get up there. And we also need those up at our water tank, there's also a necessity to be able to, oversize on some of the sewer system that's up in that area. And obviously the road that goes up there, they needed a road to get to the new school, but they don't need a road to get all the way past the school and up to where our new water reservoir is.

These are costs that, they incurred on our behalf, and now we need to reimburse them for these costs. Tonight, Mr. Mayor, we've actually, we've spent a lot of time conversing with the school district over this, as you might imagine, there are places in there where we looked at it and we said, well, we think you benefited as much as we did on this. And we should split it. And we went round and round on some of these issues, but we have come to an agreement on this. We think it's equitable. We think that, by the time, we're all done that both sides will benefit, proportionally to the, to the projects that that was going on, and we are suggesting to you tonight, that you approve reimbursing the school district \$830,804. I've outlined where that money's going to come from. As you can see, the majority of it will come from the water department. The water department is the big beneficiary, because, of the new reservoir that we have built in and the road and the piping and all the things that, go to service that reservoir. And in addition, I think it's important to note that, the school district, has agreed that they will contribute the land to us and where that new reservoir is. These are important factors, but the water department certainly is the major payer here to the tune of \$605,189.90. I'm still looking for where we spent the 90 cents Mayor. The sewer department is going to pay \$104,628, and the road a road system will pay \$120,985 for a total of \$830,804.

Mayor Barber stated thank you, Mark. Any questions from the Council regarding that?

Council President Frank stated I have a couple and possibly three. But first of all, Dale you happy with, what's happened up there.

Dale McDowell, Seaside Public Works Director, stated Jim Henry from DAYCPM, here in the audience both he and I worked, on this project, the entire time. In fact, we both started out with a full head of hair and going back and forth on the, but I am happy and remember this, the project site up there where the tank is, is a future, emergency shelter area. We also set everything up for that. All the utilities are set for that. We'll have a new repeater pull up there shortly here, in about three weeks. We're always looking into the future to what, how can we get the most bang for our buck on this stuff.

Council President Frank stated good. Number two. Are we okay to do this before we actually own the property? You know, you sort of, somewhat referred to that, but, do we wait for that.

Mr. Winstanley stated well Mr. Van Thiel and I were having this conversation prior to the meeting starting. These are things that still need to be finished, with the school district, obviously. There are, a couple of different areas that we are still talking with the school district, concerning, getting appropriate title. One would be the land under the, the new water reservoir. I'm pretty sure the school district doesn't want to have the liability of owning a two and a half million gallon water tank. And, yes, I think moving forward, but I, guess Councilor, one of the things I want to make sure is I, talk about this is that, I'm not suggesting that the school district is going to do that. That's not, certainly what I am when I'm saying, is that we have not gotten there yet. We don't have deeds in hand yet for that property. Pardon me? Letter of intent to wait. I, again, I know Mr. Van Thiel probably could give you a little bit better background on this. He's had conversations with the school districts attorneys in this area. And, I'm, as I said, I'm certain that moving forward, that we will receive those. It's just that at this point, we have not yet. The other piece of property that certainly I know is of interest to the Council. And, we continue to have conversation, with the school district is the property that the chamber building sits on. And, the city is, certainly very interested in retaining, that property. Because we have a building that we obviously have a financial interest in, on that property, as well as, the restroom that's in that area is partially on city property and partially on school district property, which is certainly not, at this point, an acceptable situation. This kind of takes us back to, the couple has left, but it kind of takes us back to the issue that they had, years and years ago, actually back in the early eighties, when the chamber building was built, in that location. An agreement was made between the city and the school district, that they would allow for that building to be located there. No one at that point ever really considered the idea that someday, the school district would be looking at selling off Broadway School. It's the kind of thing that I think, as you talked about a little bit ago, any reasonable person would look at it and say, it's never going to happen. Or at least not in my lifetime, is it ever going to happen, and we're just at the, at the point where, it is happening now, and we're just working out the details of trying to get that transfer to take place.

Council President Frank stated do we ask Mr. Van Thiel to weigh in on this?

Mr. Winstanley stated I don't know. He just keeps smiling at me.

Councilor Montero stated you know, I'd like to make a couple comments on that. It does make, I'm going to look at only the part of the water tower. If I remember back correctly, it was even on the front page of the local newspaper. That the land that the water tower sits on was going to be deeded over to the city. And, I can certainly see where Greenwood who gave the land to the school district, doesn't want to see that the city then ends up making a profit and selling the land, et cetera, et cetera. But I'm a little concerned that now we get to the spot where we have a completed water tower. The school could really not open in the fall without that water tower. And yet we don't have any kind of agreement. We don't even have a letter of intent that confirms what they have verbally said to us. And I know I've been taught all my life that a contract is as good as the paper it's written on. That's the lawyer part that I know of. I'm really concerned that we would go ahead and sort of close this with the school district without having full closure on the land part of it. I really think that, those things need to go hand in hand

Mr. Winstanley stated what I would agree with that this point is, and, like, I, do want to reiterate again that we are not at this point in any kind of contentious situation with the school district. That's not the case and I that's correct. And I, don't want to suggest that we are, but, certainly the project for the school district is rapidly coming to a close, and these final issues, as far as property is concerned are certainly issues that we do need to finish addressing and, and get those taken care of. Having said that the work has already been completed and the costs that, the school district already has incurred, they have incurred that cost on our behalf. And, I would, in no way suggest that, the City of Seaside would be saying, they're not going to pay this money until they receive, what else we still need to receive?

Mr. McDowell stated if I may, I just pulled up the, we do have from September 11th, 2019 an Intergovernmental Early Work Agreement between Seaside School District and the City of Seaside for the workup that is in place. It's a 14 page document.

Mayor Barber stated my comment, and I, hear what you're saying is that we're not dealing with Walmart here, or, the, Target store coming in. We're, working with another, entity in our community. That's governed by elected board and responsible people. And I think its good business to get those documents in place, but I feel a little more comfortable knowing who we're dealing with here.

Mr. Winstanley stated the good news is we know the school district will be there tomorrow.

Mayor Barber stated we know where to find the trustee.

Councilor Wright stated I agree completely. It's, you know, its two large governmental agencies here that are just, it just takes forever to get paperwork done.

Mr. Winstanley stated it does, it, takes a long time to make, and certainly it is my responsibility as well as, Sheila Roley's responsibility. And it's your responsibility as the governing body of the city. And it's the school district's responsibility to make sure that these deals are done correctly, inequitably. I'm sure Mr. Van Thiel would agree with that. Although I think we are at a point where it's important that these final agreements get done.

Councilor Montero stated we keep moving forward. We pay the money, but we keep this on the top of the table and we keep moving forward so that we don't lose track of it.

Mr. Winstanley stated and maybe Mr. Mayor, the answer to that would be that from this point, on out, we could, report back to the Council on a monthly basis as to our progress on finishing up these final items.

Mayor Barber stated I'd like to hear from the other two Councilors before I do call on our city attorney to tell us what he thinks, Seth.

Councilor Morrissey stated is there a value to the land that's under the water tank? Has that been assigned yet, or any kind of estimate on that?

Mr. Winstanley stated no, I know we're actually in the case of the, land under the water tank, we actually asked the school district to provide that. This is it's a piece of property at the very edge of their, section of land that they, that they acquired from Greenwood. And, it well away from their complex. And we asked them to provide that piece of land to the City of Seaside, because, we would be building a \$5,000,000, two and half million gallon water reservoir that would directly benefit them as well as the rest of the city.

Councilor Morrissey stated I would just say, that's an important piece of this equation that would be nice to have. And then my only other comment, Mr. Mayor is just, I'd like to hear Dan Van Thiel, just tell us that this is an appropriate thing to make, getting this reimbursement done before we acquire that land.

Mayor Barber stated okay, Tom, any comment?

Councilor Horning stated well, only that, I believe the, tank is resting on a couple of acres, which has a certain price, but it's had some additional costs to clear it and grade it, that increases its value. Your numbers are in the hundreds of thousands of dollars, but the rest of it, I'd like to hear what Dan has to say.

Mayor Barber stated Mr. Van Thiel.

Mr. Van Thiel stated I did not participate in the apportionment of these expenses, I saw them for the first time here. And Mark's had ongoing discussions with school district people as to how to break these up. I want to assure you that legal fees of \$18,309, not a nickel that went into Dan Van Thiel's law firm. There's a very large law firm in Portland.

That's involved with the school district on these matters and well representing the school district. Mark and I've had discussions and we'll have continued discussions about this as I will caution him. I'm sensitive of the issues that have been raised is I don't want over \$800,000 of this city's money going out without receiving assurances. And I've had discussions with the attorneys for the school district as to what needs to be done. We had issues over the suggestion that all the land use decisions have not been made at one juncture. And that was a few months back.

And I checked with Kevin and, I think Dale or whoever, but I was being advised, they said they'd done everything that it needed to do from whatever land use decisions had to be made. These are things that were still ongoing. And so Mark and I, can assure this Council before I tell anybody to put out this kind of money. I want to know where we are. And if I have any sense that there's, going to be a hangnail over these things or the inability to reach an agreement, then I'll be back in talking to you about this, and Mark and I will have discussions about it. I'm probably not going to say, let's just cut a check and then let me talk with them about the agreements or what needs to be done or that kind of thing. I have some discussions, I don't know when Mark says that there are several, two or three things that need to be done. I don't know what those two or three things are for instance.

Mr. Winstanley stated and really, at this point, Dan, it deals with, the city's acquisition of property at this point.

Mr. Van Thiel stated that's it. I mean, I can have discussions, and they weren't ready to move ahead at that juncture.

Mr. Winstanley stated and that's why I referenced you. Certainly, I think Dan has much better knowledge of as far as the acquisition of the land that the reservoir is sitting. I know Dan has had a lot more discussions with their attorneys, certainly than I have. As far as the chambers, the land under the chamber, that's a little different, I don't think Dan's had an awful lot to do with that.

Mr. Van Thiel stated he had not been a party to that or had those discussions, not that I couldn't be, but I haven't, but the city needs the title to this property, that's a given, we have to receive it. We now know what it is that we have to pay. That's the quid pro quo that we've heard in the news so much sometime back, you know, you give us the deed to the property, we got money for you. And that's kind of where we are, but we're all getting along well with one another.

Mr. Winstanley stated we're not having issues though.

Mayor Barber stated we've got a representative of the school district. Do you want to come and speak to us? Please give us your name and your address for the record.

Jim Henry, 1801 South Franklin, Seaside, is my work address in Seaside and, concerning the ownership of the property. I'm not an attorney, but I guess I'm speaking for the district and with knowledge of, what has taken place, as, we all know that, Greenwood or Weyerhaeuser had donated, the land to the district and, has a reversionary clause. If the school district were, did not build a facility, I believe by the year 2041. And, I believe from the planning, process that, we were required to provide, easements to the city for the water line up to the reservoir, as well as the land, where the reservoir sits on. Later in the process, there was a request from, the city that, includes the ownership, which then, we brought to the attention of, Greenwood Weyerhaeuser as they had deeded the property over to the district as a reversionary clause. And, we've worked with them, on getting their approval. And, our firm in Portland, Miller Nash, has been consulting with their attorneys. And I think, Dan you've been involved in peripherally to those. I've had discussions with warehouse people, and they were most receptive. The last time I discussed with them, they understood exactly what we were doing and they were on board. I believe the district is on board with continuing with this process, as well as the easements for the water lines up to the property. Right now we have an Intergovernmental Agency agreement, as well as an Early Work agreement. It's in draft form, the agreement outlines all of the aspects that we've been talking about tonight as well. We're on amendment five and it expires in two weeks and, we'll be extending that at least one more time, as we move forward.

Councilor Montero stated what expires in two weeks, the IGA.

Mr. Henry stated the amendment five to the IGA. As we've proceeded with work, we've extended the deadline just to go with the property.

Mr. Winstanley stated I think one of the, aspects of all of this is that in the end, right now there's a, what's the best way to label Jim, a 14 page work agreement, if you will, for everything that is taking place in the end, there'll be, basically, an intergovernmental agreement that, the city and the school district agreed to that says, okay, you know, if a water line breaks, in this section of the property, who's responsible for taking care of those things. And if the road, has a pothole, who's going to fix the pothole. And, those kinds of things all have to get ironed out as we go through this process. But in the end, there'll be a document that, gets approved by both the school board and the City Council that says, this is all of our understanding on how these things all get taken care of in the future.

Councilor Montero stated and part of that document is also the, deed to the actual couple of acres.

Mr. Winstanley stated well, those, things will have been addressed by the time that takes place.

Mayor Barber stated thank you so much.

Councilor Montero stated well then, can I just jump to the next thing? Am I correct that, the school board, well, let me ask another question?

Where has the school board, indicated their willingness to, separate out the piece of land that the, visitor center building and the bathroom and the parking lot, they all sit on. I think I remember something coming that said that they had agreed that they would separate it out, but I could be wrong.

Mr. Winstanley stated I am without telling you you're wrong because I don't know whether they actually have made that statement or not. Where I'm really hesitant at this point is to say what it is, the school district, what the board has, what they've said. I don't have conversations with the school board. I have conversations with the superintendent. I know the things that, the superintendent and I are talking about. I'm not, nor would I even try to suggest that I know what it is the school board is saying to the school superintendent. All I know is that, superintendent has been more than willing to, work with me, to try to figure out all these issues. And, and, just like, it's my responsibility to come to you as I work these things through, it's her responsibility to go to her board and talk with her board. And, and I think that, I have no indication that, there are problems, shall we say, we just, we're not there yet. We have not gotten that far. I can tell you that, just like any good property owner, that's the most valuable piece of property that they have, and, I know that certainly is one of the things that they look at. But, you know, there are, going to be those kinds of things that come up as we work our way through this. So in essence, they have not split the two pieces of property, they're still advertising for sale, one whole big piece of property. They are, as far as I know, I don't know of anything that they have changed from that standpoint, but, they've been advertising, I guess from our standpoint, they've been advertising their properties for a while now.

Council President Frank stated well, it'd be nice to hear from them on that, but getting back to this, matter before us, it seems like it would be prudent to wait, maybe one more meeting for a comment on what is happening with this at least.

Mr. Winstanley stated Councilor I understand your position. I'm certainly, and from a staff standpoint, we will do whatever you choose to do. I actually, would like to have the Council approve, the payment of this amount now. If you want the city to hold until, we've received, the deeds for the property, for the water tank before we distribute those dollars, you know, that those kinds of things are your call, but I would like to see the approval of, the payment. I think the message we should be sending to the school district is we've come to an agreement on this. We, will pay you, we just like to see a little more progress on the, property.

Mayor Barber stated that is exactly the motion that I was going to ask for.

Council President Frank stated and for them to understand that, you know, we represent the city and the taxpayers, and it would be, I think in my mind that the right way to go about it.

Mayor Barber stated \$830,000 is not pocket change, it's a lot of money.

Mr. Winstanley stated it is not. And nor is the, you know, \$5,000,000 reservoir that we have sitting currently on their property. And like I said, I'm pretty sure that the school district doesn't want to be the owner of a two and a half million gallon water tank, there are liabilities to that, and they're not in the water business like we are.

Councilor Morrissey stated I was just going to say, Mr. Mayor that's my concern too, is that we have the water tank that we've already taken bonds out and we've almost completely built. And now we're moving into reimbursing the construction for the utilities. And I feel like we're kind of getting the cart in front of the horse. I would be in support of that motion that once the deed for the land is acquired, then we release these funds. I think that makes a lot of sense. Not that I don't trust the school district or the school board, it just makes prudent sense financially to do it in that order.

Council President Frank stated that we approved this amount.

Mayor Barber stated is that your motion Seth?

Councilor Morrissey so moved with a second from Council President Frank. (Morrissey/Frank)

Mayor Barber stated I think we're pretty clear on what that motion is Kim, are you there?

Kim Jordan, City Recorder, stated sure.

Councilor Morrissey stated should I restate? Councilor Morrissey moved we approve the release of \$830,804 upon?

Mr. Van Thiel stated to receive or assure, or whatever it is going to be so that I can report back to you and tell you that we've either got a deed, or I have assurances from the attorneys representing the school district that a deed will be delivered to us. There are no disagreements. What I will do in view of this conversation with Mark's permission. I'll just contact the attorneys for the school district and say, I was present at the school district meeting or the City Council on June 8th and 800 and some odd thousand dollars was approved for payment to the school district. You and I have talked before about the title of this property and so forth, the rubber has hit the road. We need to talk about that title.

Councilor Montero stated okay, we're approving the amount for payment but we're not approving the immediate payment.



Mr. Van Thiel stated the distribution of funds.

Mayor Barber stated Steve didn't make a comment on this, did you?

Councilor Wright stated no, that sounds reasonable to me. In fact, I think it gives Mark a little more leverage that he can probably use. Not just for this property, but for what's across the street as well.

Mayor Barber stated are we ready to vote on the motion.

Councilor Morrissey stated did we get a second.

Councilor Montero stated yes we did get a second.

Mayor Barber stated we're clear on the motion. Those in favor, say aye.

Councilors all stated aye.

Mayor Barber stated motion is unanimous. Good discussion. Thank you very much.

**HOLLADAY DRIVE  
AVENUE 'C' TO 1ST  
AVENUE PROJECT  
CHANGE ORDERS**

Mayor Barber stated next item. I think you're up again, Dale, regarding the Holladay Project. Avenue 'C' to First Avenue.

Mr. McDowell stated thank you, Mayor. In your packets tonight, we have some change orders. These I've actually, had for a while since we were going through this COVID 19, it was a little easier. We had some, around our existing light poles that weren't scheduled to be removed. We discovered a lot of concrete that was real thick, concrete back then must have been free. But we needed to get that out of there so that we could, pour the sidewalks. We also replaced the old force main piping at the pump station on First Avenue, which is right on the end of River Tide Condo and the reason we did it at this time is we had the hole wide open, we saw that it was probably from maybe fifties or sixties. They used a lot of fittings in there. We wanted to simplify it. And now that there's a vault there, it would be a lot more difficult to try to dig through there and replace it, if we had an issue. We also have some, we extended electrical conduits based on, Pacific Power and Lights. They had us go up the street a little further, and sometimes they have us come down the street. We also took out a couple of trees, right at, River Tide to get the vault in and getting the stumps out and all that too. The contractor did all the work for us that force main we actually were able to help them with that with our own staff to try to save some money. But at this time I'd like to recommend that, we compensate the contractor Big River Construction, for these changes in the amount of \$18,825.86.

Mayor Barber stated any questions or comments? I'll entertain a motion to approve.

Council President Frank stated so moved with a second from Councilor Montero; carried unanimously. (Frank/Montero)

Councilor Morrissey stated Dale, when are the light poles going to come down? Do we have an estimate?

Mr. McDowell stated we've been put on hold by Verizon right now is our, stickler on that because of the cell tower, that's up in the alley behind the rock shop they're supposed to be here in the next couple of days to get the rest of their wires down and the new wire connected. What that tower does is it affects, Seaside Police, Seaside Fire, and city hall. Warrenton Fire and Warrenton City Hall and Warrenton Police. We've got to try to organize this to get everybody on board because it will also affect the downtown hotels. You know, and now that they're all opened up and everybody wants to use their, internet. The other thing too is with the, opening of the convention center, you know, we're going to be having even more people that need to use that. We're working very closely with them, to get this thing, switched over as quickly as we can. And then we have about a week and a half worth of concrete, to finish up the corners where we have current anchors and wooden poles right now.

**LIQUOR LICENSE  
APPLICATIONS**

**LIQUOR LICENSE APPLICATION – JENSEN'S GROCERS LLC., GROCERY OUTLET INC., 825 AVENUE 'N' (Owner – Thomas Jensen).**

Mayor Barber stated we have a liquor license application from Jensen's Grocers that happens to be Grocery Outlet, which we're excited to have come into our community. Introduce yourself your address and your name please?

Thomas Jensen, 825 Avenue 'N', Seaside, stated he was the owner of Jensen's Grocers, LLC.

Mayor Barber stated wonderful. Good. You've applied for a liquor license.

Mr. Jensen stated Yes, I did.

Mayor Barber stated according to the research that we've done, our detective sergeant checked things out and they didn't state any problems with your application. Anybody would like to ask a question or make a comment.

Councilor Montero stated I'm curious, are you still on for opening on Wednesday?

Mr. Jensen stated Thursday, June 11th. A few more days but we will be ready.

Mayor Barber stated you're a busy man these days.

Councilor Wright stated the interview in the paper said, you're going to have room for 30 employees, 30 jobs.

Mr. Jensen stated right now we have hired around 29 or 30.

Councilor Wright stated great, amazing. Thank you very much.

Councilor Morrissey stated I just want to say Mr. Mayor, that it's just great to have another grocery store in town. I think it's a huge asset to our community and welcome to Seaside.

Mayor Barber stated are the new employees, a lot of them from Seaside or are people coming in from outside?

Mr. Jensen stated I believe there are a couple that followed me from Idaho but the rest are local.

Mayor Barber stated I'll entertain a motion to approve the application.

Councilor Wright so moved with a second from Council President Frank; carried unanimously. (Wright/Frank)

Mayor Barber stated welcome. Brian, do you want to make any comments about, the liquor license and the grocery outlet.

Brian Owen, Seaside Chamber of Commerce CEO, stated at the chamber excited like Seth, for options here. Especially retail wise, especially in the grocery vector, it is a challenge at times. And this is, really going to open the opportunity, not only for employment, but also for another offering of sustainable. I just appreciate them coming to town and putting in a little bit of a left hand turn.

Mayor Barber stated that's great to say that as well. Good. Thank you, Brian.

**COMMENTS –  
CITY STAFF  
AND OTHERS**

Mayor Barber stated we're at the end of our agenda and, we have a few city staff here this evening. Dale, do you want to add any comments.

Mr. McDowell stated Mayor as you can tell, the street departments during this COVID-19 has been busy getting as many projects down as we can. Obviously your city hall lobby our newest target, we've got just a couple of little tiny things left to do here and we'll get those as soon as the mowing slows down. Is always a very busy time for us, trying to get things all in early summer, with our right of ways. And there was recently a story in the Daily Astorian, the Seaside Signal that RJ Marx did. He came to our Airport Committee and we talked about golf balls being out on the runway. Saturday night, I received a voicemail from a gentleman that told me who it was and where they lived. Our police chief today, and also lieutenant told to maybe pay a visit and explain to him that golf balls don't belong out on an airport. It was a very fast response Saturday, which is great, because then we don't have to go door to door, and find the issue.

Mayor Barber stated Kevin, any comments?

Mr. Cupples stated I wanted to make sure that the Council's aware that you have the new Transient Rental Compliance Officer on board. He's been working, actually with Jon dealing with Airbnb reimbursement to the, vacation rental dwelling owners. We did get word from the RARE Program, but we're on standby. If someone drops out then qualify. We did submit the application. We qualified for an interview. We were reviewed and then after that process, there's a possibility we could still get a RARE participant this year, but it's not guaranteed, which has happened before, but, better than just a no.

Mayor Barber stated Jon, any comments. Brian, anything more you'd like to add. These guys clean house very well.

Mr. Owen stated the only thing that I would like to bring up is, potentially I'd like to see a conversation about an opportunity for our businesses down on Broadway to expand out into the street. Not necessarily a street closure, but maybe something of the nature where in front of a business, if they're able to put up a semi-permanent structure that keeps traffic and pedestrians and customers safe, the status that's, something that, we could, probably work on. Looking at a shortened season for our businesses, any kind of margin that we can help create for them is going to be vital.

Being very, open to the conversation, I think is pertinent for, us all. Just really like to the state that, you know, this is something that doesn't need to live beyond COVID, but maybe this year is something that we look at and if it, does work and we, want to make it into a seasonal approach. Great. But for right now, let's just look at how we can help our businesses for the next three to four months.

Mayor Barber stated thank you.

Council President Frank stated Brian, you're speaking of restaurants, right?

Mr. Owen stated testaurants, correct?

Council President Frank stated have you spoken to any that are for that idea?

Mr. Owen stated I've spoken to both, sides, people who are and people who are against it. And that's why I don't think a street closure is, really appropriate, but, the opportunity for a business to. I've had conversations with individuals talking about what would be, one of the hurdles is our weather. If you've got a customer seated out front, and the weather changes, that customer's going to want to come inside, well maybe there isn't a table, or maybe if there is a table, then, the person waiting in line has to wait even longer. That would be a personal choice whether they wanted to expand out into the street. But if, in fact we do have the entity for someone to make that choice, that's what I like to give them.

Councilor Frank stated sure. What I want to know is how many specifically business restaurants you've talked to and how many were for and against.

Mr. Owen stated right now, I probably have four and four. I, haven't made a big push because, I want to kind of feel out what people are thinking and as we're starting to open, businesses are still figuring out how they are going to open and what is working. This may not be an approach that works at all, but having a conversation, is, something that I would like to say at least, bring some people together on what could work and what couldn't, and then leaving it up to the businesses. But again, trying to create just a little bit more margin on each one of the businesses would be helpful.

Councilor Morrissey stated hey, Brian, can I make a suggestion to dovetail on what Randy said. I think it'd be appropriate for the businesses that do want to do this, maybe to reach out to us, put together a plan and give us some better ideas on how this would work. So we can decide if it is something that we could work with.

Councilor Montero stated I'm not so sure we need them to give us a plan. I would prefer that we do something that gives people an opportunity to do it or not to do it. They, we still leave it in there, ballparks, so to speak. But we also give some guidelines that if you want to do it, this is what the expectation would be so that you don't have somebody coming with, well, I'll do it this way and I'll do it this way and I'll do it this way. But, for instance, I, think you've probably all seen in Astoria where they have a, there's a couple of restaurants that actually go out into the street and they have, like barriers with a rope around it around two parking spots. Maybe that's something that we could figure out, that that would be allowed. I would also make the suggestion that whoever wants to do it would need to register with the city. You'd know who was going to be doing what and it wouldn't cost anything. I also think we really need to look past downtown. We need to look at 'U' Street Pub, they've got a parking lot. Lower some of those requirements as to how many parking spots you have to have or whatever, being able to use the parking lot, to put some tables out. And then also thinking about this, isn't a plan to expand your capacity. It's a plan to reach your capacity as often as you can. I think some discussion amongst us and, and with the input, but rather than having just amongst us or just amongst them, if you will, and have a proposal made it's, I think it puts the businesses in a bit of a vacuum, but I think we need to really be open to this.

Mayor Barber stated my suggestion is that we put this on the agenda for our next meeting and have a discussion and invite the restaurant and a retail business to come in and talk to us about it and, see the other issue that we need to talk about before we make any approvals have to do with liability issues, where the city would stand in terms of liability exposure and where the businesses would really deal with that.

Councilor Morrissey stated Mr. Mayor, I guess I just wanted to clarify my point. I would just like to know what kind of demand is out there to get this done. I mean, if there's one restaurant that wants to do it, maybe it's not us putting this together, but if there is a big demand, that's just what I'd like, Brian, maybe to bring to our attention.

Mr. Cupples stated Tita as a follow-up businesses have actually come into the office already and said that, OLCC has done modifications of how they will do their licensing and allow people to actually move out and use their seating. I'm not talking about the downtown core area. Now I'm talking about the U Streets or Osprey Café. What I've told the business owners that have expressed an interest in that is I've said, I need some evaluation of a site plan indicating what you have in basically equal seating space, inside, and how much that seating space is going to be used. And I've already said to them, I would look at a reduced requirement for, in conjunction with that, but that's not lately throwing away all the parking and U Street probably a good example where it doesn't have a lot of off street parking authority and does have some outdoor seating. Osprey cafe is one that has a little bit of outdoor seating, and they may be able to go into their parking lot if they can document to me that look, we're having to use that part of our interior.

And we get a reduction in that required part. And I've already said that I'm willing to do that on a temporary basis with that understanding. In fact, the SEA came in, they have a whole plan to do a portion of their parking lot. They have excess parking and in fact, it's going to wind up with them improving where there is a handicap accesses into the building. So in that case, they're not just going to be providing seating outside, but they'll be moving where their ADA parking is and actually making it more compliant than it is right now. Staff is already doing that with business owners, not talking about moving in to the public right away but moving into the parking.

Council President Frank stated does this require anything from the Council really?

Mr. Winstanley stated well, I don't know that it does right now. I, think it would certainly if you were going to allow businesses to move in to the right of way. Mayor, I have two thoughts. One, I would have concerns. I don't know whether they're founded or not at this point. But, I would have concerns about, restaurants using the public right away, for their business, especially if they were serving alcohol. And then the second thing I want to make sure you're aware of is your agenda for the next meeting is huge.

Councilor Wright stated we have a Fifth Monday this month.

Mr. Winstanley stated that's what I wondered if you wanted to move to a workshop of some kind for this, if you wanted to have this discussion, because.

Mayor Barber stated it might be better.

Mr. Winstanley stated to invite, people here, when you have limited space to an agenda, that's huge where they're going to have to sit through lots of things that have to get done. I just wonder whether there might be a better, forum in this case.

Mayor Barber stated that fifth, Monday would be perfect.

Councilor Wright stated I have hesitations when he says there's, it's evenly split. That makes it really tough because then you're going to have half the people happy with you and half the people against you, which I think we already know about. You know, it just seems like that's, you know, I'd like to see that a lot more interest in this before we move too far into it. I think a workshop would be the best.

Council President Frank stated I think part of that Steve was, some people were talking about complete closure Broadway, which I'm totally against and, and others were then throwing out the idea of just something in front of their restaurant or maybe in the parking spaces, which maybe doable, I don't know, on Broadway, it's going to be really tough

Councilor Montero stated and the parking spaces over the sidewalk. I don't think anything can really happen on the sidewalks. Our sidewalks are too narrow.

Council President Frank stated and busy.

Mayor Barber stated well, let's set up a workshop on the last Monday of this month and invite the business community to come. And Brian, maybe you can help us with that.

Ms. Jordan stated what time would that be? 6:00 PM.

Mayor Barber stated that's right during the busy, dinner hour, but.

Councilor Wright stated maybe we should make sure that there will be enough businesses here first to make sure it's worth having a meeting. Brian, you're in charge of that. I assume Laurie, from SDDA is working with you.

Mr. Owen stated no, at this point they are not.

Councilor Montero stated she's laid off.

Mr. Owen stated and yes, most of my notes were those to the closure of Broadway.

Councilor Wright stated and those were strictly from restaurants or from the other stores.

Mr. Owen stated I'll go back to him and get a much more, active plan. And, Carn from Doogers has been working with, me and a few others. We will, bring together.

Councilor Montero stated and have there actually been retailers who want to put retail out.

Mr. Owen stated not really, that is a big challenge.

Councilor Wright stated but if, somebody is talking about closing Broadway, and it's going to affect the retailers too.

Councilor Montero stated I don't think we're closing Broadway. I don't think any of us are talking about that.

Mr. Owen asked what the fifth Monday was.

Mayor Barber stated the last Monday, the 29th. Jon, do you have anything to add?

Jon Rahl, Assistant City Manager, stated only on behalf of Esther, our Library Director, wanted me to let you all know that, if you didn't know, the library opens tomorrow morning at 9:00 AM and they will be open Tuesday through Saturday from 9:00 AM to 4:00 PM for the duration of this phase.

Mayor Barber stated Mark, anything that you want to add?

Mr. Winstanley stated really not Mayor, but, Jon did kind of remind me that we do have, a number of our public buildings that, we're looking to try to get, reopened in some capacity. And I'm sure we'll be talking about that at staff meeting tomorrow.

Mr. Rahl stated Visitor's Bureau.

Mr. Winstanley stated yes the Visitors Bureau is also trying to get open.

Mr. Rahl stated they are opening tomorrow.

Mr. Winstanley stated we were trying to work our way through the different, issues that each building has in order to try to make sure we can open them, and open them appropriately.

Mayor Barber stated good, thank you. Dan, anything you'd like to add?

Mr. Van Thiel stated no, I don't think so. Just on that last conversation, there are liability issues with some things you'd start moving into the public right of way and especially where there's going to be the use of alcoholic beverages. It also strikes me that if you, and I understand there's a strong desire to help restaurants and that has merit, but if you allow restaurants to move into the public right of way, that may affect other retail stores, they may not want a restaurant operation that impacts on their parking or access to their businesses. I think you can talk to the two, one segment of the group. Aside from that, it's good to be here. I'm glad to look at you in person other than just a little one inch square.

Mayor Barber stated glad to have you here. Jon.

Mr. Rahl stated I'm sorry. I wanted to add, if you all weren't aware, we did have another water rescue, by our crew here, this one actually in Cannon Beach, this past Wednesday, June 3rd. I think from, I actually got to see the rescue video and from the time they put the jet ski in the water to when they were able to, pull this young person out of the water was about less than two minutes. And they were able to get her breathing again and, amazing team that we have here and kudos to them for them that.

Mayor Barber asked Kim, anything you'd like to add.

Ms. Jordan stated Mayor no I do not.

#### COMMENTS – COUNCIL

Mayor Barber stated let's hear from the Council, Steve, let's start with you.

Councilor Wright stated well I'm glad to be back. This is our new normal now, to live with it. And I, like being back in the chambers. All that's going on in the, the nation right now. It just makes me more and more thankful for our police department that, you know, really act, more like, guardians for us. And then also for our, you know, our, water rescue, the fire department and our public works, you know, doing their best to keep up with all that's going on. So, thankful that we live in a great city. And we're still trying from the state level League of Oregon Cities to see if we can get some of that federal money that the state's still holding on to, down to our level and to our businesses. We won't give that up.

Mayor Barber stated go ahead, Seth.

Councilor Morrissey stated ditto to what Steve said about the first responders. We have some of the greatest. And then I also just wanted to mention how pleased I was with how quickly tourism came back to our community. And then seeing all the businesses back open and most of them doing pretty well. That's great to see. I, had concerns that it would move slower and it wouldn't come as quick, but it came quickly and everyone seems to be doing well.

Mayor Barber stated it's good to see, Tita.

Councilor Montero stated oh gosh, I just lost my train of thought. Yes. I was thinking about that. But, you know, when I did the, Citizens Police Academy that was one thing that was very, talked about a lot is the community policing philosophy and, building a good relationship with the community. I'm, very glad that we have that here and I, feel completely safe. I personally think that some people coming out here from Portland are coming to, feel safer, and that kind of thing. With regards to our conversation about restaurants and, business in the public right of way, it might be a good idea since Cannon Beach and Astoria is already doing this and Astoria has been doing it, I think for several years, that we might check with them to see how this is working for you and how are you, you know, sort of rather than try and reinvent the wheel. And I'm very glad the library service has been wonderful even with the closures, but I'm certainly glad to have the doors open.

Mayor Barber stated yes, wonderful. Tom.

Councilor Horning stated I wanted to, comment that I think we made good decisions for the Mitchell's on their problem of resting part of their house on the right of way. I didn't, participate much because I'm friends with the family and I've been friends with the family for over 60 years. It was 1962 when they added that addition on, I can tell you that. The other is, I appreciate the motion, with the, with regard to paying the city, the city paying the school district, outstanding fees, but with clarity of understanding, I think under the present circumstances with, uncertainty about, tax revenues, the high costs of construction, budget shortfalls, and always the, desire to advocate for students foremost and above all else that we don't get lost in the shuffle, and through miscommunication. And I think that, was a well, framed, motion that we voted, we passed.

Mayor Barber stated thank you, Tom. Council, President Randy.

Council President Frank stated as usual, I love what, all of our Council has to say. I think even though we have varied backgrounds and interests, we come together and we get things done. I mean, we do it in a really nice manner. A lot of that, comes from a great city staff and management. Tonight, Seth, I'm surprised you didn't mention the graduation. Well, it's happening on Broadway? That's how our high school is handling it, which is, hopefully a great event for them. I'd love to meet our compliance officer, if we have the opportunity.

Mr. Winstanley stated we will, have him come by and, we'll introduce him at, hopefully it's your next Council meeting. I can't think of a better place to bring him than what looks like about a three hour meeting. I think it would have been great.

Council President Frank stated and then, just to, like Seth said, I'm excited about seeing the people in town. The clamming has been wonderful. I've got clams all over.

Mayor Barber stated and, clams for dinner tonight.

Council President Frank stated and, that is all.

Mayor Barber stated alright. I'm going to make a statement that I've written and I ask for your patients to listen. It's a bit long, but I feel like this needs to go on the record and I wanted to say this. Please listen. As your Mayor, I've been reflecting and grieving the incident that resulted in the death of George Floyd in Minneapolis. I feel compelled to make a personal statement. I acknowledge the pain, trauma, and frustration that have resulted from this incident that has been felt by the Black community and other communities of color. The question that continues to circulate in my mind and heart is "Where was the justice and due process for Mr. Floyd and the scores of Black and Brown citizens who have died at the hands of the very people who have sworn to defend and protect us all?" Saying all of that, I also want to see justice and accountability and due process for the police officers who were involved in the incident. Why am I grieving and heart sick about this incident? Part of my response is the sense of helplessness I feel in being able to prevent this kind of one-sided "justice" that is being all too often meted out on my Black and Brown brothers and sisters. All I know to do at this point is to speak out against it. Staying silent is in many ways giving ascent to these travesties. As the father of a son who has been in law enforcement for the past 30 years I also grieve for the scores of honorable and caring law enforcement officers and first responders who are being painted with a broad brush of a negative stereo type. There is more to do about all of this than "talk", we've done that in the past. The beginning thing that I can do (and I'm currently doing it), and I challenge each one of you to join me, that is to look into my own heart and ask for help to root out my own cultural prejudices that often are pushed way back in my conscience but never the less still reside there. Also believe it is time for city leadership (that's all of us) to do some self-introspection regarding how we are addressing issues of diversity in our city, in hiring; in our boards, committees and commissions. We also need to stand against any-attitude of "supremacy" that pits one group of people against another in our community. I am reminded of the quote of Dr. Martin Luther King Jr. who wrote from a Birmingham, Alabama jail in 1967 (and still true today), "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of Mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly." Clearly, there continues to exist systemic injustice. Saying that aloud is recognition of a wrong, but it will only compound that wrong if we do not act, collectively and individually, to bring about change. With that, we're adjourned.

**ADJOURNMENT**

The regular meeting adjourned at 8:25 PM.

---

Kim Jordan, City Recorder

---

JAY BARBER, MAYOR