

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

ROLL CALL Present: Mayor Don Larson, Council President Don Johnson, Councilors Jay Barber, Seth Morrissey, Randy Frank, Dana Phillips and Tita Montero. .

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Kevin Cupples, Planning Director; Joey Daniels, Seaside Fire Chief; Dave Ham, Seaside Police Chief; Steve Barnett, Seaside Police Lieutenant; and Katherine Lacaze, Daily Astorian/Seaside Signal.

AGENDA Councilor Frank stated he would like one item changed on the agenda. The Ordinance 2015-06 should deserve a workshop of some sort.

Councilor Phillips stated she would rather discuss it on the agenda.

Mayor Larson asked Councilor Frank if that was a motion.

Councilor Frank stated that was a motion.

Mayor Larson asked for Councilor Frank's motion.

Motion to put this on the back burner, to not address it now and have a workshop to talk about it; carried with Larson and Phillips opposed. (Frank/Barber)

Councilor Phillips stated she was opposed on the motion and would like to discuss the ordinance. Mayor Larson and Councilor Phillips were not at the last meeting. Councilor Phillips asked for a specific date for the workshop.

Mayor Larson stated he did not feel a workshop was important because the reason the ordinance was before the City Council was because there had been enquiries from people from the police department. Mayor Larson further stated Council was trying to help support the police and he would like to act on the ordinance tonight.

Councilor Barber stated he was anxious to proceed with this and was hoping in a work session to work on the structure, licensing fee, fine, and look at what was happening at other jurisdictions. Councilor Barber stated it was a good ordinance and we don't need to rush the judgment and Council could feel good about what we finally come up with.

Councilor Montero stated she agreed with Councilor Barber and do believe that Council not taking action right now, and putting it out for further discussion and changing, does not reflect anything for our regard for our police department. Councilor Montero further stated Council was looking to improve an ordinance that had been on the books for years and Council was trying to improve it and this has no reflection on what Council thinks of the work of the police department.

Councilor Phillips stated the ordinance was very important and she agreed with Councilor Montero and Councilor Barber and wanted to make sure that this meeting does not adjourn without a specific date for the workshop.

Mayor Larson stated he would schedule the workshop for August 31, 2015, 6:00 pm. The discussion would be the Downtown Maintenance District, and Ordinance 2015- 06 Itinerant Merchants.

Councilor Phillips stated she voted against the motion because she wanted the date included and asked if the motion could be amended.

Motion to see Ordinance 2015-06 tabled and we set a workshop on August 31, 2015, 6:00 pm to further discuss it; carried unanimously as amended. (Frank/Morrissey)

Councilor Montero stated she also had a change in the agenda and want to take the minutes out of the consent agenda.

Motion to take the minutes out of the consent agenda; carried with Phillips opposed. (Montero/Johnson)

Mayor Larson stated before asking for a second could Councilor Montero tell Council her reasoning.

Councilor Montero stated because I have corrections to the minutes.

Mayor Larson stated approval of the minutes – July 13, 2015, would now be agenda item Number 10 (a).

**INTRODUCTION –
SWEARING IN PATROL
OFFICER**

Dave Ham, Seaside Police Chief swore in new Patrol Officer, Nathan Tappert and he was congratulated.

PROCLAMATION

Chief Ham read a proclamation for National Night Out.

Chief Ham stated National Night Out would be held at Broadway Park and Cartwright Park on August 4, 2015, 6:00 – 8:00 pm.

COMMENTS – PUBLIC

John Dunzer, 2964 Keepsake Drive, Seaside, stated he hoped everyone had a chance to read the wonderful article in the New Yorker Magazine. Mr. Dunzer wrote a letter back to the New Yorker Magazine and presented Council with a copy of the letter.

Samuel Condron, 2149 S. Franklin Apt. 2, Seaside, stated he would like to address a couple of things today. The first was the anti begging Ordinance 131.21 which he presented Council a copy. Mr. Condron asked for a full repeal of Seaside Ordinance 131.21. Mr. Condron further stated the second item was Ordinance 2015-05 which was unconstitutional and Council was presented with a copy of rulings made considering the ordinance.

Kevin Widener, 381 S. Edgewood #6, Seaside, was opposed to Ordinance 2015-06 and asked Council to seriously reconsider the ordinance.

Steve Geiger, 1115 Avenue 'I', Seaside, stated he was listening minutes from last meeting already the beginning of this one Council was in a tough spot and to govern was much more difficult. Mr. Geiger further spoke about the image in Seaside and the Broadway Core of the City which Council represented more so then the base in the City who worked for less than a living wage. There was no where to live in Seaside and rent was expensive or not affordable. People were worried about the wrong things in the City and should be thinking about the future.

Jodine Hayward, 821 2nd Avenue, Seaside, asked what could be done to protect the children on 2nd Avenue with the cars speeding down the road. Ms. Hayward discussed the issue further with Council and asked if something could be done.

Mayor Larson stated Chief Dave Ham was taking notes.

Mary Eng stated she was opposed to the Itinerant Merchant License and discussed the issue of PIMP or pimping people out by charging for a license. Would the City profit off people in need because she hoped Council could find a different way around the license and maybe the workshop would provide some opportunities to explore alternatives and social programs.

Mayor Larson stated right now there was not an ordinance in effect but a workshop was scheduled.

Mary Blake, 1668 Whispering Pines, Seaside, stated in three days she would be out of the Sunset Empire Park and Recreation District and it was her thrill and real privilege to introduce the new Executive Director for Sunset Empire Park and Recreation District, Skyler Archibald. Ms. Blake further stated the Food Pantry was pulled together by approximately 250 people and a donation accumulation of over \$350,000.00 that brought the new food pantry together.

Zachery Zidell, 364 9th Street, Suite C, Astoria, stated he was opposed to Ordinance 2015-06, and encouraged Council to investigate positive means of improving the image and business environment in Seaside or surrounding area which would have a better economic impact for those who are affected by transient culture. Mr. Zidell further stated he would like to go into section B in speaking about marijuana as a drug and the 'S' street region in Seaside has been rumored as ghetto in his investigations and industrial which means a dirty industry could locate close by possibly creating pollution or a dangerous environment. Mr. Zidell further stated he was opposed to the growing of marijuana inside of a City.

Mayor Larson stated there would be public comments on the marijuana piece later.

Ann Daner, 1953 Spruce Drive #35, Seaside stated she was opposed to Ordinance 2015-06 and attended the last City Council meeting. Ms. Daner further stated it was easier for people to not look at the problem going on. Ms. Daner discussed the issue further.

CONFLICT

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

No one declared a conflict of interest.

CONSENT AGENDA

Motion to approve payment of the bills in the amount of \$250,618.46; carried unanimously. (Frank/Barber)

APPROVAL OF MINUTES
JULY 13, 2015

Mayor Larson further stated Councilor Montero had corrections to the minutes for July 13, 2015.

Councilor Montero stated she had several amendments to the minutes.

Mayor Larson asked if they were corrections.

Councilor Montero stated yes she would call them corrections. If Council would look at page 3 of the minutes down to where it says motion to table ordinance. I believe it is common practice that motions are transcribed in minutes verbatim and first of all that isn't verbatim, and secondly that was not what the motion was. The motion was to table the ordinance for us to review and digest and consider at a later date and was incorrectly reported in these minutes and I would like to have that corrected with verbatim motion.

Motion to table the ordinance for us to review and digest and consider at a later date and was incorrectly reported in these minutes which should be changed to verbatim of what was on the recording; carried with Larson and Phillips abstaining. (Montero/Barber)

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~~Motion to table the ordinance and bring back to the City Council meeting scheduled for Monday, July 27, 2016; carried unanimously. (Montero/Morrissey)~~

Motion to table this to a later date. Take the testimony that has been brought before us, digest it, understand it and come back and review it and see what Council's decision would be at a later date; carried unanimously. (Montero/Frank)

Councilor Montero stated she had one other one that is going to sound nitpicky but I really don't think it is. This is on page 5, Comments of the Council, the 4th paragraph down. Every one of those verbs needs to be changed from the past tense to the present tense because it really does reflect the present and not the past.

Motion to correct page 5, Comments of the Council, the 4th paragraph down. Every one of those verbs need to be changed from the past tense to the present tense because it really does reflect the present and not the past; carried with Larson and Phillips abstaining. (Montero/Barber)

Mr. Winstanley stated this was Councilor Barber's comments and asked Councilor Barber if he wanted the comment corrected to the present tense.

Councilor Barber stated that was correct, we are all volunteers not were.

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~~Councilor Barber stated the City Council was volunteers and were not out to categorize or discriminate against people in the City. Councilor Barber was a board member on the Helping Hands Board and there was help available in the City and the County. Councilor Barber was a practicing Christian and believed in charity and it was his responsibility to take care of his neighbor. This was a decision Council needed to weigh carefully in terms of making sure everyone had the opportunity to survive in the community and he appreciated the input.~~

Councilor Barber stated he appreciated the input as well. I'm troubled by it in many ways. First of all he would like to say all of us sitting in these chairs are volunteers. We were not out to categorize, discriminate any particular group of people in our City. Councilor Barber further stated he was personally involved in addressing solutions to the homeless problem in our community. He served on the board of directors of Helping Hands re-enter programs now for two years. It's been very encouraging to me to see a program that was helping people get out of homelessness and into transitional programs, get into permanent housing. There were resources in the community for people who really did need help. One of the troubling things is some people preferred to be on the street corner panhandling will not go to Helping Hands for support and maybe we need to work on that problem. I am a practicing Christian, I believe in charity and believe it was my responsibility to care for my neighbor and I do that on a daily basis. This was a decision that I think we need to weigh carefully in terms of making sure that everybody has the opportunity and right to survive in our community.

Motion to approve the minutes as amended; carried unanimously. (Montero/Frank)

ORDINANCE #2015-07

AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, AMENDING, CODE OF SEASIDE CHAPTER 110.04: UNLAWFUL, ILLEGAL, OR PROHIBITED BUSINESSES NOT AUTHORIZED AND CREATING A NEW CHAPTER 119: MEDICAL MARIJUANA GROW SITES

Kevin Cupples, Planning Director, explained at the last meeting Council reviewed the draft chapter 119 an amendment that basically set up a review authority for medical marijuana grow sites and production sites.

Currently the way the business license was written growing would be prohibited activity regardless what the zoning ordinance stated this would actually clear the way so that could be an allowed activity in the production zone. The Planning Commission previously reviewed the ordinance because of a property owner that was interested in doing a medical marijuana grow site.

Mayor Larson asked for public comments.

Mr. Zidell stated the 'S' Street region was not a viable area for growing. He had a condition that required medical marijuana and would like high quality marijuana. Mr. Zidell was opposed to the location.

Ms. Eng discussed the concept of bioaccumulation which was simple. In California there were fields around toxic smog and pollutions. All growing in commercial areas would be indoor growing.

Mayor Larson asked for Council comments.

Councilor Barber stated he would vote in favor of the ordinance. Many of the issues that had been raised are important to hear but all growing in the commercial area will be in a controlled climate and would only be indoors and that provides security which was a major issue in the growing of marijuana and provided for fire protection. The state was the one that measured the quality of the product.

Councilor Morrissey stated while I agree with both the speakers I believe it was Ann and Zachery that stated marijuana would be grown best on farmland, well removed from population centers. Unfortunately Seaside had no farmland or very little so I think it was a nice compromise to put this in an industrial zone and if people want to grow outside City limits I'm sure they can figure out how to do that as well.

Motion to place Ordinance 2015-07 on its second reading by title only; carried unanimously. (Barber/Johnson)

LIQUOR LICENSE

Mayor Larson stated there was a liquor license application received from Pendleton Outlet Store, 1111 Roosevelt Drive, #410. Mayor Larson further stated the application was for a Off - Premises Sales License, and was for a new outlet. Mayor Larson asked if the owner or representative was present and Dan who was a representative was present for Council questions.

Councilor Montero stated you would be selling it in bottles and people would be carrying it out.

Dan stated that was correct and bottles to go would be sold.

Motion to approve the Off-Premises Sales License for Pendleton Outlet Store, 1111 N. Roosevelt Drive, #410; carried unanimously. (Johnson/Phillips)

FINAL – SEASIDE FIRE & RESCUE OFFICE SPACE REMODEL

Joey Daniels, Seaside Fire Chief, stated Jason Kraushaar Contracting had completed the office remodel at the Seaside Fire Station. The bid received for the remodel was for \$32,984.00, with an additional \$6,399.08 in change orders because of unforeseen issues that took place during the remodel. The total cost of the fire station office remodel was \$39,383.08. Chief Daniels was pleased with the work that was completed, and would like to recommend the City Council release the retainage of \$1,969.15 to Jason Kraushaar Contracting, LLC.

Motion to approve the final for the Seaside Fire and Rescue Office Space Remodel and release the retainage of \$1,969.15 to Jason Kraushaar Contracting, LLC; carried unanimously. (Frank/Johnson)

COMMENTS – COUNCIL

Councilor Phillips stated due to her mother having multiple strokes she wanted to reiterate how special this community is. Councilor Phillips thanked Chief Daniels and all of the EMT's and Police Officers that showed up to help my brother and sister to take care of her mom. Councilor Phillips further stated this community was a family and she thanked them all.

Councilor Frank stated there was an Airport Committee meeting Tuesday, July 28, 2015, at the Seaside Airport.

Councilor Montero stated Council heard this at the last Council meeting and also tonight, why the City was not doing something about homelessness in this community. Councilor Montero talked to several people who are involved in the help of the homeless. There was Helping Hands and the Food Bank both of which tell her that the homeless don't come there for help or not enough of the homeless but they reach out to them. The City supports all of that through grants to both of those organizations and other organizations that help the poor and the homeless, etc.

Councilor Montero further stated I guess I'm going to push back a little bit on that, that the City doesn't do enough or the community doesn't do enough because we do even for the senior citizens that have the lunches at the Community Center. I know there are people who when they see somebody who's homeless or somebody who's got a sign will give them food and are rebuffed. Councilor Montero further stated I think we need to look at this from all the angles and for me it's not a bad image in this town at all because you see the same kind of activity in every city and the state and probably in the Country.

Mayor Larson stated tonight he was appointing an AdHoc Committee to take a look at possible uses of the church building on Broadway. Jeremy Goldsmith, RARE Representative, has gone through all these people and talked with all of them and every one of them is very anxious to be a part of this. Mayor Larson further stated the AdHoc Committee will consist of: John Burke, Melyssa Graeper, Kristin Tschannon, Richard Basch, Lori Wilcox, Darren Gooch, Pam Fleming, Denise Fairweather, Veronica Russell, and John McAndrews. The first meeting would be Wednesday, August 5, 2015, 12:00 pm, at the church building on Broadway.

COMMENTS – STAFF

Chief Daniels stated the Seaside Volunteers have their fundraiser on Saturday, August 8, 2015, 11:00 am to 4:00 pm. Life flight will be joining us in the parking lot.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated there was a landscaping project on the east side of the facility and there was a newly installed bench.

Mr. Cupples stated there were plans turned in for the 26 unit apartment complex back behind Coast Hardware.

Ms. Blake reminded Council and the public that Seaside had a really active Farmers Market with twelve booths and all sorts of activity on Wednesday's from 3:00 pm to 7:00 pm. There was also a really big Volleyball Tournament coming up and the Chamber of Commerce needed volunteers.

ADJOURNMENT

The regular meeting adjourned at 8:07 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR