

**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 Tita Montero; Councilors Dana Phillips, Seth Morrissey, Steve Wright, Randy Frank, and Tom Horning.

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Dale McDowell, Seaside Public Works Director; Dave Ham, Seaside Police Chief; and RJ Marx, Daily Astorian/Seaside Signal.

**AGENDA** Mayor Barber stated he would entertain a motion to approve the agenda.

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

**RECOGNITION – POLICE CITIZEN’S ACADEMY GRADUATION** Jason Schermerhorn, Cannon Beach Police Chief, introduced the other departments that were part of the Clatsop County Citizen’s Academy. Chief Schermerhorn introduced Dave Ham, Seaside Police Chief, Matthew Workman, Warrenton Police Chief, Warrenton was a new department this year to the Citizens Academy, and Geoff Spalding, Astoria Police Chief, Astoria was a new department this year to the Citizens Academy. Chief Schermerhorn stated this was the Clatsop County Citizen’s Academy and it was a great opportunity to give citizens more knowledge about what goes on in our County with law enforcement. Chief Schermerhorn briefly discussed what takes place with the Police Citizen Academy. Chief Schermerhorn introduced the Clatsop County Police Citizen’s Academy Graduation class of nineteen students.

**COMMENTS – PUBLIC** Mayor Barber stated he would open the floor to public comments to anyone who wants to speak on any issue not on the agenda. Please come forward and identify yourself and please keep your comments to four minutes.

David Posalski, 11 Broadway Street, Seaside, stated he came before Council maybe a month ago, maybe a little longer, regarding parking in the downtown corridor and we were still having issues with the same people. It has been brought to the police volunteer and to the ordinance officer and it still is continuing. We continue to have a local business that continues to park on Broadway up by the Turnaround.

Mayor Barber asked how Mr. Posalski feels in the public meeting giving the business name.

Mr. Posalski stated it was Five Star Hanna and they had a van with their name and everything plastered on the side of it and they park up by the turnaround up to the three hour mark and then drive around the block and park in another spot. It clearly is for advertising but Mr. Posalski was told by the officers that they really can’t enforce that ordinance, it doesn’t allow for parking for the purpose of advertising. Mr. Posalski further stated he would like to have the issue addressed at some point.

Jeff Ter Har, PO Box 8, Seaside, stated for his business he wanted to echo David and this seemed to be an issue on Broadway and we really want those spaces available for customers and everyone on this block has been pretty good. Mr. Ter Har further stated the other thing that seemed to be resurfacing in the press was the Street Vendors that type of thing and he wanted to bring up the point since he worked on the committee that created the current ordinance in place about not having them in the core area. There were people here twelve months out of the year renting spaces, paying taxes, paying the maintenance district fees and it takes a lot of money and effort to keep a business open now and to allow them to come in three months out of the year and set up and sell merchandise was not right. Mr. Ter Har wanted Council to keep this all in mind when making a decision.

Patrick Duhachek, 407 S. Holladay, Seaside, stated the growth of private business is essential to the health, welfare, and prosperity of any city. When tax funded entities are funded with tourism dollars to compete with private sector businesses, it disadvantages those business. The Seaside Tourism Advisory Committee approved a grant to Sunset Empire Parks & Recreation for the purchase of 7 Stand Up Paddle boards. In addition to being utilized for pool activities, the boards are available to rent. There are currently 3 businesses in Seaside that provide Stand Up Paddle board sales and/or rentals; Seaside Surf Shop, Cleanline and Wheel Fun Rentals. Why would the Tourism Advisory Committee believe that providing paddle boards to a Park and Recreation district benefit tourism? Park and Recreation Districts are created for the benefit of inhabitants, not tourists. (see ORS 266.110) Sunset Empire Park & Recreation doesn't need to realize a return on their investment, show a profit or pay taxes on profits.

Their fees and services only cover 18% of their \$2.7M revenue stream and they operate at a continual loss. Private business fees and services cover 100% of their revenue while providing an income for the owner and their employees. Sunset Empire doesn't appear to be subject to the same regulations as the private sector competition. My business operates on General Commercial zoned land with a conditional use permit for rental activities. SEPR is operating on Medium Density Residential zoned land. Allowing SEPR into the commercial rental business with zero investment, no risk, no need for profit, and limited regulation puts local businesses on unequal footing. Would Seaside Surf Shop, Cleanline or Wheel Fun Rentals be given the same opportunity for free paddle boards if they applied for a grant? If so, sign me up. If the concept was to offer local residents the opportunity to paddle board at a reduced cost, they missed the mark there too, we're less expensive. It economically disadvantages small business when local government utilizes taxpayer money and tourism dollars to create enterprises. JAW ORS 266.110: A community may form a municipal corporation to provide park and recreation facilities for the inhabitants. No where in the provisions of ORS 266 does it give the district power to establish business entities that compete with private enterprise. One the contrary, park & recreation districts should create facilities that cannot be accommodated by private business. ORS 266 lists lakes, parks, recreation grounds, swimming pools, and recreational facilities of every kind. The key word is facilities. What is next? Will Sunset Empire be applying for grants for bicycles, surfboards, mopeds, surrey bikes and paddle boats? I would ask that the paddle boards to be limited to pool use and for Sunset Empire to cease any rental activities. Recommend they partner with local businesses if they wish to conduct paddle board tours. I would ask that any tourism grants be vetted for their ability to promote tourism instead of funding the local tax supported park and recreation organization.

**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 he would entertain a motion to approve the consent agenda.

Consent Agenda: Payment of the Bills - \$634,150.97; and Approval of Minutes May 28, 2018.

Councilor Frank so moved to pay those bills with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

**PUBLIC HEARING**

This was the duly advertised time and place to hold a public hearing regarding an Ordinance of the City Council of the City of Seaside, Oregon, Pursuant to ORS 223.112-223.132, Setting a Public Hearing, Extending the Term of the Assessment District for Economic Improvement, Known as the "Downtown Maintenance District"; Repealing Ordinance No. 2017-05, and all Ordinances in Conflict, and Declaring an Emergency.

**ORDINANCE #2018-08**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, OREGON, PURSUANT TO ORS 223.112-223.132, SETTING A PUBLIC HEARING, EXTENDING THE TERM OF THE ASSESSMENT DISTRICT FOR ECONOMIC IMPROVEMENT, KNOWN AS THE "DOWNTOWN MAINTENANCE DISTRICT"; REPEALING ORDINANCE NO. 2017-05, AND ALL ORDINANCES IN CONFLICT, AND DECLARING AN EMERGENCY.

Mark Winstanley, City Manager, explained Ordinance #2018-08 was an annual event brought before the Council and extended the term of the assessment district for economic improvement in the Downtown Maintenance District. Mr. Winstanley stated this year we went out and re-surveyed the downtown maintenance district and added three properties into the district and it actually made it so the current people were being asked for slightly less than they were last year. The Downtown Maintenance District handled the contract for taking care of all the gardens in the downtown area and also for the sweeping of the sidewalks. There were no increases in the rate for the maintenance in the downtown core area this year. All the Downtown Property owners had been notified and a public hearing is being held. There was an emergency clause put on the ordinance because it needed to be in place by June 30, 2018.

Mayor Barber opened the public hearing.

Mr. Ter Har stated he had no complaints about it and was so happy the City of Seaside does this and keeps out downtown clean and the people doing it were doing a fantastic job.

Mayor Barber stated he received a lot of great comments from visitors coming to town about the gardens it is a great thing the merchants and city were doing together.

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

Mayor Barber asked for Council comments.

Councilor Frank stated he had the pleasure of paying for it for seventeen years and the downtown is nice and not only with this but what the Seaside Downtown Development Association does with the flower baskets it is very attractive to anyone visiting families included.

Councilor Wright stated look at how many pages it took to recalculate to spread all that around for the Downtown Maintenance District and Mark explained that all to me and Councilor Wright was fine doing the emergency.

Mayor Barber stated he would entertain a motion for first reading.

Councilor Frank moved to read Ordinance 2018-08 by title only with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

Mayor Barber stated he would entertain a motion for second reading by title only.

Councilor Frank moved for a second reading of the ordinance with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

**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 #3919**

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

Mr. Winstanley explained the resolution declared the City's election to receive State Revenue Sharing. The Budget Committee held a hearing for State Revenue Sharing and the City Council was now holding a public hearing. The City would receive funds from State Revenue Sharing and all those dollars were used to support public safety police and fire and was in the budget as a revenue line and we were expected to receive approximately \$97,500.00 next year and all of that is going to public safety.

Mayor Barber opened the public hearing.

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

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

Mayor Barber stated he would entertain a motion to read by title only.

Councilor Morrisey so moved with a second from Councilor Wright; carried unanimously. (Morrisey/Wright)

Mayor Barber asked for a motion to adopt.

Councilor Morrisey so moved to adopt with a second from Councilor Phillips; carried unanimously. (Morrisey/Phillips)

**UNFINISHED BUSINESS:**

**VACANCY -  
CITY TREE BOARD**

Mayor Barber stated there was one vacancy on the City Tree Board with one application received from Arnie Olsen who had been interviewed prior to the City Council meeting. Mayor Barber asked Council if they wished to appoint.

Councilor Phillips move to appoint Arnie Olsen with a second from Councilor Morrisey; carried unanimously. (Phillips/Morrisey)

The term expiration for Arnie Olsen would be June 30, 2021.

**VACANCY -  
AIRPORT COMMITTEE**

Mayor Barber stated there were two vacancies on the Airport Committee with no applications received. Council was still accepting applications for the vacancies. There were applications out there he heard.

**VACANCY -  
PARKS ADVISORY  
COMMITTEE**

Mayor Barber stated there was one vacancy on the Parks Advisory Committee with one application received from Pam Bierly. Mayor Barber asked Council what they wished to do.

Councilor Wright nominated Pam Bierly with a second from Councilor Morrisey; carried unanimously. (Wright/Morrisey)

Mr. Winstanley asked for clarification if the vacancy is closed and when the interview would be conducted.

Councilor Wright stated the vacancy has been open a long time.

Mayor Barber asked for a motion to close the nominations.

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

Mayor Barber stated the interview would be at the next meeting which was June 25, 2018.

**NEW BUSINESS:**

**RESOLUTION #3920**

**A RESOLUTION OF THE CITY OF SEASIDE, OREGON, INCREASING THE SEWER SERVICE USER RATES**

Mr. Winstanley explained Resolution #3920 is a resolution that will increase sewer rates. Mr. Winstanley stated he wanted to make sure we were clear. When customers get their water and sewer bill it all comes as one. The water rates were not being raised and were adequate as far as the city is concerned. There was quite a bit of discussion with the Budget Committee this last time around and we have not raised sewer rates for two years and prior to that five years. Sewer rates unfortunately were not keeping up with the cost associated with running the sewer department and the sewer department has went through most of its reserves and this was not a good place to be. Mr. Winstanley further stated we are asking for a 4.4% increase in sewer rates and this will result in the residential customer paying a \$1.50 increase in sewer and commercial rates are based on water usage and he did not know exactly what that would be but would be a 4.4% increase on commercial rates also.

Mayor Barber asked for public comments and there were no comments.

Mayor Barber asked for Council comments.

Councilor Morrisey stated he was always somewhat hesitant to raise any rates when the city is in such good financial position but Mark explained the sewer system needs to be self sustaining and currently it was not so with that said he would be in favor. Councilor Morrisey further stated but hopefully in the future we can maybe lower water rates when we get more capital in that reserve.

Mr. Winstanley stated it was possible. It was one of the things they would look at whether we have adequate reserves as far as the water department was concerned and certainly next year we can look at seeing if lowering water rates would be appropriate. Mr. Winstanley emphasized water rates were one thing and sewer rates were something totally different and he could not use money from one to balance the other.

Councilor Morrisey stated he appreciated Mark leaving the door open to a possible rate decrease though.

Mayor Barber stated he would entertain a motion to read by title only.

Councilor Horning so moved to read by title only Resolution #3920 with a second from Councilor Frank; carried unanimously. (Horning/Frank)

Mayor Barber asked for a motion to adopt.

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

**COMMENTS –  
CITY STAFF  
AND OTHERS**

Dave Ham, Seaside Police Chief, stated last Friday he went to Salem for Officer Justin Gagnon graduation from the academy so he will be back and trained and solo by the end of summer. Chief Ham further stated this weekend many things are going on and at the Elks Lodge was the annual Jason Goodding Cornhole Tournament to raise money for a scholarship program. Chief Ham had the privilege to name a student the other day for a \$1,000.00 scholarship.

Dale McDowell, Public Works Director, stated Thursday, June 14, 2018, 6:00 PM in the Council Chambers there will be the Source Water Protection Plan and review for the community and everyone is welcome. There will also be discussions on timber management at the meeting. The Prom Rail Project is going very well and you may have seen some of the Facebook comments and some like it and some don't and it is the same color that was used in the past.

Brien Owen, Chamber of Commerce Director, stated they have been working on the 4<sup>th</sup> of July and one thing that is really cool about this area is the business community who steps up and helps fund the 4<sup>th</sup> of July event. The cost was around \$60,000.00 and with a grant from the Tourism Committee for about \$20,000.00 that leaves \$40,000.00 to raise. Mr. Owen further stated he was asking the local population especially the visiting population to help donate and we are going to use a product called donateme.com and will give the opportunity to ask for donations of \$5, \$10, \$15, \$20 dollars and take some of that off of our businesses and keep this fantastic show year after year. It is one of the three largest firework shows within Oregon and was twenty-seven minutes long and was one of the very few shows simulcast to music.

Skylar Archibald, Sunset Empire Park and Recreation District Manager, stated he wanted to thank the city for their cooperation and to announce to everyone that next Wednesday, June 20, 2018, was the first Seaside Farmer's Market and every Wednesday through the summer and this year there were over fifty committed vendors and more food vendors than ever before and we were really excited about it. The Farmers Market is at the Broadway School Parking Lot.

Dan Van Thiel, City Attorney, introduced his wife of sixty years Renee.

#### COMMENTS – COUNCIL

Councilor Horning stated he was happy the weather has cleared up and he was looking forward to good weather all the way up to the 4<sup>th</sup> of July.

Councilor Frank stated this weekend hotrod is in town and Friday night all the streets were open and Saturday however 7:00 AM to 6:00 PM the cruise will begin at 5:00 PM.

Councilor Phillips stated she had a question because this has now come up twice with this parking on Broadway by a business owner and she knows there is an ordinance in place during the summer because there is an officer that goes around and checks parking on the streets. Councilor Phillips asked how this was being addressed.

Chief Ham stated it was not necessarily a summer thing for the parking but that is when we are primarily able to focus on the need at that time compared to the winter. We are talking about the parking and they are basically moving every three hours which the ordinance states and amongst business owners it was always known that employees did not park on Broadway and so visitors would have parking to shop and dine but the business is not breaking the law. The ordinance states that as long as the vehicles move every three hours they are in compliance and there are many vehicles in town that have advertisements on their vehicles and is that the main idea that they park there to advertise the business and that would be the argument before a judge. The other unique thing and he was not saying that this was happening but the business right now is being obscured by other construction going on down there and there has been approved parking and one thing being said is that they are parking there because of the construction. They are not in violation as far as it comes to the letter of the law but the spirit of the law is a little different.

Councilor Phillips stated the SDDA and Chamber of Commerce were working to make sure the businesses were not parking on Broadway and trying to work together as good neighbors.

Mr. Posalski stated there has been a couple of situations where someone will be out there to enforce it and realized they couldn't park on the same block and no ticket was given and then they called dispatch to find out the information.

Mayor Barber asked if the Chamber of Commerce and SDDA could possibly work on this as well because he did not know if there were any options with the ordinance.

Council President Montero stated there have been times in the past where businesses have parked their cars on Broadway to advertise. What if the city were to say no business owners or employees were allowed to park on Broadway.

Mr. Posalski stated the issue was not about parking.

Councilor Morrissey stated he has been contacted a lot privately and publically and he wanted Council to set up a workshop to discuss local logistics and liability of food carts on private property. This is different than the street vendors and would be food carts.

Mayor Barber stated he looked at the calendar with Councilor Morrissey and a workshop scheduled prior to the City Council meeting July 9, 2018, at 5:00 PM. Would that be a possibility.

Council consensus for a workshop on Monday, July 9, 2018, 5:00 PM.

Councilor Wright stated Goodman Park was dedicated and was a tremendous looking park now and he was impressed going down Broadway from Highway 101 how many businesses were going in.

Councilor Wright further stated he was on a Pacifica Project panel and those students did an amazing job and our future with our students is in good hands.

Council President Montero stated she would talk about the citizen's academy and she has wanted to do this class and it has taken her fourteen years and she wishes she would have done this earlier because it was such a fabulous experience. The class toured every police department, Clatsop County Jail, Clatsop County Courts, and the district attorney. The class was able to learn about guns and the safety of the guns. There were experiences talked about and it does take a very special kind of person to dedicate their life to serve and protect. Council President Montero further stated she was totally impressed with the people but the other thing that really impressed her and this was in a negative fashion is that every single one of the police departments and jail do the best with what they have in terms of space. Not a place that every one of us would to use as a place to work. The officers are put in danger by not giving them the right space. Council President Montero further stated every elected official should have a tour of every one of these facilities. Council President Montero thanked Chief Ham and all the other chiefs and she was hugely impressed with our officers.

Mayor Barber stated he always gets the last word and he wanted to say how impressed he is with the community. Mayor Barber stated he and his wife Jan attended the Meet The Contractor and he didn't really know what that was about and what it was about was all of these subs were invited in to hear how they can get a piece of the business in building the new school. Mayor Barber further stated the Convention Center \$15,000,000.00 project and the \$100,000,000.00 project with the school on the hill, the economic impact was tremendous and it was great to see the local business owners meeting with the contractor. Mayor Barber further stated he had a quote but was not going to share it tonight.

**ADJOURNMENT**

The regular meeting adjourned at 7:55 PM.

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Kim Jordan, Secretary

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JAY BARBER, MAYOR