

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

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

Absent: Council President Don Johnson

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Neal Wallace, Public Works Director; Esther Moberg, Seaside Library Director; Joey Daniels, Seaside Fire Chief; and R.J. Marx, Seaside Signal.

**AGENDA** Motion to approve the June 22, 2015 agenda; carried unanimously. (Phillips/Montero)

**RECOGNITION – SEASIDE FIRE & RESCUE** Jason Schermerhorn, Cannon Beach Police Chief and Rob Sox, representing Seaside Rotary.

Rob Sox stated every year the Seaside Rotary Club had the distinction of selecting an individual or organization within the community that represented the highest ethics that could be acknowledged and bestowed upon an individual or organization. Mr. Sox further stated he had the privilege of being associated with the organization and now for two and half years as their chaplain. Mr. Sox further stated he wanted to make sure the nomination had some substance to it and he asked Jason Schermerhorn who happened to be a Rotarian and member of the Seaside Volunteer Fire Department to help with the recognition. Mr. Sox wrote: Rob Sox and Jason Schermerhorn hereby proudly nominate the Seaside Fire and Rescue Department for the 2015 Rotary Club of Seaside high ethics and standard board for an organization based on personal experiences associated with the department. The department was comprised of three full time staff and an average of thirty-five volunteer trained staff. During the year of 2014 the department set a record for responding to 1,140 service calls which was an increase of 37.9% since 2008 with an average of nine personnel. The paid and volunteer trained staff responded twenty-four hours a day, seven days a week, often leaving family, friends, and jobs to serve the City. While three of the volunteers were members of the Seaside Rotary Club all others only subscribe to the Rotary model Service Above Self as a matter of vocation. Mr. Sox further stated he could go on and read but the rest of the information was on the Rotary Website. The plaque presented stated: Such committed and dedicated services as mentioned above by the professionally trained men and woman of the Seaside Fire Department are a testimony to the community of Seaside that they are truly promote, honestly practiced, and genuinely provide occasional life giving, life saving, and life sustaining services that build good will and friendships that benefited all.

Council thanked the Seaside Fire and Rescue.

Mayor Larson stated the Seaside Fire Department was the best in the County and he appreciated all they do.

**COMMENTS – PUBLIC** Alan Evans, 1010 3<sup>rd</sup> Avenue, Seaside, stated for the last thirteen years Helping Hands had served the homeless in the community. The last three years they had been looking at a project that would be expanded called the Hayek Project and for nearly three years tried getting into that location with several obstacles in the way. Mr. Evans further stated there had been a piece of property purchased in front of Necanicum Village and he would be working on a capital campaign the next couple of years to build a new facility. One way that could be done was with the support of several people in the community and put together supporters in law enforcement, corrections, County, housing authority, NOAH, and several other agencies that had been partnered with over the last twelve years. Mr. Evans further stated they were looking into the new build and the reason he was approaching Council was to inform them that in July, 2015, he would come back and ask for Council's support for the Community Development Block Grant which had to be hosted by a City Government. Mr. Evans further stated he would come back before Council in a month with a plan that would be researched with goals set in place, how they planned on getting where they were going, and what would it take to get there.

Mayor Larson asked if this was the way things were done was to buy property and build instead of buying an existing used building.

Mr. Evans stated that was correct and the property was researched to make sure it was going to fit instead of cramming themselves into something else that already existed. Building something that would fit around what it was that needed to be provided was a much better option and gave some goals and opportunity.

David Posalski, 1659 Whispering Pines, Seaside, stated he was here on behalf of his two businesses in town The Crabby Oyster, 150 Broadway and Tsunami Sandwich Company at 11 Broadway Street. Mr. Posalski stated he had a conversation with Chief Ham several weeks ago about the homeless and vagrant population hanging out in different locations in the City.

In the last few weeks the vagrants seem to have disappeared maybe because of all the tourists. The support of the Seaside Police Department speaking with the businesses on how to handle the homeless had really helped. Mr. Posalski further stated another ongoing issue on Broadway was the skateboarders and bicyclist on the sidewalks and it was dangerous for everyone and when making comments to the skateboarders or bicyclist it was just blown off. There needed to be some additional signage on the sides of the street which would allow for all people to know that the skateboards and bicyclist were breaking the law. Mr. Posalski further stated last weekend was the Muscle and Chrome Car show which the Seaside Downtown Development Association (SDDA) put on. The event was wonderful and brought many people to Seaside and he was disappointed the event was for only one day. Closing the far end of Broadway down was obstructive to business at the end of the street because people did not want the sand blowing on their cars etc. If the event could be expanded into the Convention Center Parking area then Broadway and Columbia could be left open for other traffic coming into Seaside. Mr. Posalski further stated two years ago he had a conversation with Mr. Winstanley about notifying the businesses when the streets would be closed. If supplies needed to be unloaded for the business it was difficult to plan for unloading if the streets were closed. Mr. Posalski further stated the crosswalk at Columbia and Broadway was a huge hazard for pedestrians and drivers. If there could be police patrol or a service officer out there to give warnings or tickets it would help.

BriAnn Denoyer, 1 Broadway, Seaside, stated she was the business owner of the Turnaround Market across from the Shilo and it was brought to her attention that it may be a possibility to discuss with the Kiwanis Club to put their trailer for wood in another location for the 4<sup>th</sup> of July. The reason was as a business owner their product was important and firewood was the number one non-consumable selling item and was just in competition to something that was a huge seller.

Mayor Larson stated Police Chief Ham was the Kiwanis President and heard the comments.

**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 \$303,927.43; June 8, 2015, regular minutes; and Resolution #3847 – A Resolution of the City of Seaside, Oregon, Adjusting the 2014-2015 City of Seaside Budget; carried unanimously. (Frank/Johnson)

**ORDINANCE #2015-05**

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CODE OF SEASIDE ORDINANCES CHAPTER 118.04 (A) CREATING A BROADWAY CORE EXCLUSION FOR MEDICAL MARIJUANA DISPENSARIES

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

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

Motion to place Ordinance 2015-05 on its third reading by title only; carried unanimously. (Phillips/Frank)

Motion to adopt Ordinance 2015-05; carried with the following roll call vote: (Phillips/Barber)

YEAS: BARBER, FRANK, LARSON, PHILLIPS, MORRISEY, MONTERO, JOHNSON  
NAYS: NONE  
ABSENT: NONE  
ABSTAIN: NONE

**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 #3848**

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

Mark Winstanley, City Manager, 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 hearing.

Mayor Larson opened the public hearing.

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

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

Motion to read Resolution #3848 by title only; carried unanimously. (Barber/Phillips)

Motion to adopt Resolution #3848; carried unanimously. (Johnson/Barber)

**PUBLIC HEARING** This was the duly advertised time and place to hold a public hearing regarding A Resolution Adopting and Appropriating the 2015-2016 Seaside Road District

**RESOLUTION #3849** A RESOLUTION ADOPTING AND APPROPRIATING THE 2015-2016 SEASIDE ROAD DISTRICT

Mr. Winstanley explained the resolution was adopting and appropriating the 2015-2016 Seaside Road District Budget. The City Council acted as the governing body for the Seaside Road District as well as for the City of Seaside.

Mayor Larson opened the public hearing.

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

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

Motion to read Resolution #3849 by title only; carried unanimously. (Montero/Morrissey)

Motion to adopt Resolution #3849; carried unanimously. (Frank/Barber)

**RESOLUTION #3850** A RESOLUTION OF THE CITY OF SEASIDE, OREGON, SEASIDE ROAD DISTRICT, LEVYING AND CATEGORIZING AD VALOREM TAXES FOR THE TAX YEAR 2015-2016

Mr. Winstanley explained the resolution was a companion to resolution #3821. The resolution would levy and categorize ad valorem taxes for the road district. The road district had a tax base for the tax year 2015-2016.

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

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

Motion to read Resolution #3850 by title only; carried unanimously. (Barber/Montero)

Motion to adopt Resolution #3850; carried unanimously. (Barber/Montero)

**PUBLIC HEARING** This was the duly advertised time and place to hold a public hearing regarding A Resolution Adopting and Appropriating the 2015-2016 City of Seaside Budget

**RESOLUTION #3851** A RESOLUTION ADOPTING AND APPROPRIATING THE 2015-2016 CITY OF SEASIDE BUDGET

Mr. Winstanley explained the resolution would adopt and appropriate the 2015-2016 City of Seaside Budget. The budget was for next year and was approved by the Budget Committee.

Mayor Larson opened the public hearing.

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

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

Motion to read Resolution #3851 by title only; carried unanimously. (Frank/Phillips)

Motion to adopt Resolution #3851; carried unanimously. (Johnson/Phillips)

**RESOLUTION #3852** A RESOLUTION OF THE CITY OF SEASIDE, OREGON, LEVYING AND CATEGORIZING AD VALOREM TAXES FOR THE TAX YEAR 2015-2016 AND CATEGORIZING THE 2015-2016 ASSESSMENTS ON THE PROPERTIES IN THE DOWNTOWN MAINTENANCE DISTRICT

Mr. Winstanley explained the resolution would levy and categorize ad valorem taxes for the tax year 2015-2016 for assessments on properties in the Downtown Maintenance District.

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

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

Motion to read Resolution #3852 by title only; carried unanimously. (Frank/Morrissey)

Motion to adopt Resolution #3852; carried unanimously. (Frank/Barber)

Mr. Winstanley explained the ordinance was a rewrite and was currently on the books. There currently was an Itinerant Merchant Ordinance which was an ordinance that regulated the buying and selling of merchandise by individuals or companies that did not have a fixed location. There was an ordinance on the books that allowed for an Itinerant Merchant license or people with temporary locations. Mr. Winstanley further stated what had been done was to rewrite the ordinance to be a permissive ordinance meaning this could be done with certain guidelines. This was an old ordinance that was prepared in 1984 and there were changes made that brought it up to date. In the rewrite of the ordinance there was wording added to regulate some of the things that were seen today which had to do with services or entertainment. The Itinerant Merchant could only work during the daylight hours and no work was allowed from 10:00 pm to 8:00 am. There was also a suggestion that every Itinerant Merchant needed to have a license to carry on the activity. Currently under the ordinance every Itinerant Merchant would come before the Council for approval and that was changed to state the Council or a Council designee. Mr. Winstanley stated the fees in place were \$50.00 a day for an Itinerant Merchants license. In addition there was wording added into the ordinance that stated during certain times of the year like 4<sup>th</sup> of July and Hood to Coast with too much congestion already the City could deny the license. The penalty was being changed from a maximum of \$500.00 to \$700.00 which was consistent with other ordinance penalties.

Mayor Larson asked for public comments.

Mr. Posalski stated he was not sure if the Farmers Market would fall under a charitable organization and wording may want to be changed so that a Farmers Market or a garage sale could still be allowed. Mr. Posalski further stated the Itinerant Merchant license should be displayed when working so that other businesses and people in town could see that they were licensed and if not could call the police.

Mayor Larson stated the garage sales do not need a license and was a separate ordinance.

Councilor Montero asked if the Farmers Market had a variance.

Mr. Winstanley stated the garage sales and Farmer Market were licensed under different ordinances.

Mayor Larson asked for Council comments.

Councilor Montero stated she really liked the part that was a reiteration of the original ordinance that the permit would not be in effect from 10:00 pm to 8:00 am. Councilor Montero stated in the ordinance there was wording regarding solicit and when speaking about solicitation it was verbal as in asking for money, or signs asking for money, and a jar or container people could put money into.

Dan Van Thiel, City Attorney stated he believed that was how it would be interpreted until the City was challenged. There was quite a history with the ordinance.

Councilor Montero stated she really liked the idea of having the permit on display at the location.

Councilor Barber stated the ordinance really addressed the pan handling issue in the City. If someone was going to stand at the Safeway exit and ask for money then a license would need to be obtained at \$50.00 a day.

Councilor Morrissey asked if the previous ordinance included private property or was that an addition to the ordinance.

Mr. Winstanley stated the previous ordinance did include private property and what was added was public because the original ordinance stated the Itinerant Merchant had to be on private property. Public property included all properties and could be enforced.

Motion to place Ordinance 2015-06 on its first reading by title only; carried with Morrissey opposed. (Frank/Montero)

Motion to place Ordinance 2015-06 on its second reading by title only; carried with Morrissey opposed. (Barber/Montero)

**FINAL – LIBRARY  
CARPET INSTALLATION**

Esther Moberg, Seaside Library Director, stated Carpet Corner had completed the installation of Milliken Coir Revolution Whirling Wheat Carpet Tiles throughout the Seaside Public Library, replacing all existing carpet with Milliken carpet tiles. Ms. Moberg further stated she was pleased with the work that was done and requested City Council release the final payment of \$24,615.20 to Carpet Corner, 3470 Highway 101 North Suite 102, Gearhart.

The total cost of \$61,093.00 included additional tiles for future replacement needs, of which \$36,477.80 had already been paid.

Motion to approve the Seaside Library Carpet Installation with Carpet Corner and release the retainage in the amount of \$\$24,615.20; carried unanimously. (Montero/Frank)

**FINAL –  
SCADA PROJECT**

Neal Wallace, Public Works Director, stated the Supervisory Control and Data Acquisition (SCADA) Project for the sewer block stations and treatment plant was now complete. This project had been a long time coming but Council should appreciate the resourcefulness and perspicacity displayed by Lars Best from Best Electrical. The bids were opened thirteen months ago and Best Electric's base bid was \$251,897.00. The next closest bid was \$352,035.00 and the high bid was \$571,799.00. June 2014, the electrical inspector made serious changes to what he would permit and presented Council with change orders totaling \$60,000.00. Mr. Wallace further stated the rest of the project went well and the final project cost was \$320,564.75. The system was working well and Mr. Wallace hoped to have a demonstration for Council in the near future. Mr. Wallace further stated in addition to the work, Lars had been very helpful with some pump station issues in the water department and in rebuilding the control system on the dryer to work with the new system. Staff recommended accepting the SCADA project and to release the retainage in the amount of \$16,028.24.

Motion to approve the SCADA Project with Best Electric and release the retainage in the amount of \$16,028.24; carried unanimously. (Johnson/Frank)

**COMMENTS – COUNCIL**

Mayor Larson presented Neal Wallace with a plaque that stated: "In appreciation of more than seventeen years with the City of Seaside as the Senior Surveyor and Public Works Director. Committed to the citizens of Seaside, anticipated the needs of the City, and was public information oriented. Neal, you have been responsible for a variety of outstanding projects that had been completed within the City of Seaside. The City Council and Community thank you for all you have accomplished and you will be missed".

Councilor Phillips invited everyone to participate in the Miss Oregon Program on Wednesday, June 24, 2015 to Saturday, June 27, 2015. The Miss Oregon Parade will be held on Saturday, June 27, 2015, 2:00 pm. Councilor Phillips stated after forty-four years she was retiring on Monday and would be turning the pageant over to four of her Miss Oregon ladies. The pageant would always remain here in Seaside and Councilor Phillips was very proud that her and her husband had written over \$2,000,000.00 worth of scholarships the last twenty years. Councilor Phillips further stated she would do foundations and was learning how to write grants.

Mayor Larson stated it was an extremely marvelous program and thanked Councilor Phillips for what she had done for the young ladies.

Councilor Barber stated he wanted to add his kudos to Dana and Steve Phillips for their contribution to the community.

Councilor Montero stated the City was really lucky to have people like Neal Wallace, Dana Phillips, and Steve Phillips that stuck around. Councilor Montero further stated she was very proud of the fire department and all the volunteers. Councilor Montero stated a couple of weeks ago she was changing the reader board for SDDA and saw a vagrant who was in the doorway of the Carousel Mall. There were two police officers that came up and the respect and way they treated the man was so good and she stood there so she could hear it all. Councilor Montero congratulated the police officers on how they dealt with the man. Councilor Montero further stated there was a problem with skateboards riding downtown against traffic in the middle of the road and riding on the sidewalks which was dangerous.

Councilor Frank congratulated Chief Daniels and the fire department, thanked Neal Wallace for all of his years of service and was glad he was staying around, and congratulated Councilor Phillips on her retirement.

Councilor Morrissey stated he was downtown last weekend at the Muscle and Chrome Car show and then watched the Soccer Tournament and it was very busy with summer here. Councilor Morrissey further stated regarding the Itinerant Merchant license the fines and penalty increase was too high.

Mayor Larson stated he attended the Clatsop Community College ground breaking which was well done.

**COMMENTS – STAFF**

Councilor Daniels stated the remodel was somewhat back together with the crew repainting the inside of the fire station. Councilor Daniels stated there was a big concern around the State of Oregon with fire. Do not burn any fires after 10:00 am and in burn barrels only.

Dave Ham, Seaside Police Chief, stated he was not making excuses but right now the department was down three officers and it was hard to have the time to take care of skateboarders and bicyclist at this time.

Ms. Moberg, Library Director, stated the Summer Reading Program was going well and this week would be the Carnivorous Plants at the Library.

Mr. Wallace stated there was a new swing set in Broadway Park and Seaside was one of the first cities to have an Expression Swing which was set up so an adult and toddler could sit together facing each other and swing.

Mr. Winstanley stated he had the honor to have Mr. Wallace as his first hire as a department head. In this case hiring Mr. Wallace was a brilliant job and he really appreciated all the time and effort that has been put in over the years. Mr. Wallace had truly done an excellent job and was someone the City would really miss.

**ADJOURNMENT**

The regular meeting adjourned at 7:55 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR