

- 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, Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Neal Wallace, Public Works Director; Dave Ham, Seaside Police Chief; Joey Daniels, Seaside Fire Chief; Jeremy Goldsmith, RARE Representative; Taylor Barnes, Student Representative; and R.J. Marx, Seaside Signal.
- AGENDA** Motion to approve the June 8, 2015 agenda; carried unanimously. (Phillips/Frank)
- INTRODUCTION – SWEARING IN PATROL OFFICER** Dave Ham, Seaside Police Chief swore in new Patrol Officer, Jess Vaughan and introduced him to City Council.
- COMMENTS – STUDENT REPRESENTATIVE** Mayor Larson stated agenda item 7, Comments from Student Representative, Taylor Barnes would be moved to agenda item 6 as Mr. Barnes needed to attend the Seaside High School Graduation to play in the band.
- Taylor Barnes, Student Representative, stated students were at the end of the year with two and a half days of school left. The seniors were graduating tonight with the graduation party going all night long. There was over \$300,000.00 scholarships handed out to students. There were new ASB Officers representing the student body elected and sworn in and all the class officers representing the classes were also elected and sworn in. There was an ASB Car Wash on June 20, 2015.
- VACANCY – CITY TREE BOARD** Mayor Larson moved item 10, Unfinished Business: Vacancy – City Tree Board to item 7.
- Mayor Larson stated there was one vacancy on the City Tree Board with one application received from Taylor Barnes. Mayor Larson asked Council what they wished to do.
- Motion to appoint Taylor Barnes to the City Tree Board; carried unanimously. (Phillips/Montero)
- Term expiration for Taylor Barnes would be June 30, 2018.
- COMMENTS – PUBLIC** John Dunzer, 2964 Keepsake Drive, Seaside, stated the newspaper did a wonderful job describing the Tsunami Project being done by the County and he attended the meeting and received information that was distributed at the meeting. Basically the County was creating an overlay over everything that was less than sixty feet along the ocean and restricting different types of building in those areas. Mr. Dunzer presented the paperwork to Kim Jordan, Secretary, to make copies for Council.
- Melyssa Graeper, Coordinator for the Watershed Council for the Necanicum Watershed, stated she was attending the meeting to present the City with a reimbursement check for a grant that was received for the Watershed Council along with the City. This was for the dock that was installed down at Broadway Park with the canoe and kayak easy launch. There was a \$40,000.00 grant received from the Oregon Department of Fish and Wildlife (ODFW) and the City received \$39,200.00 and the Watershed Council received \$800.00 for administration fees.
- Steve Geiger, 1115 Avenue 'F', Seaside, stated he represented the business Highway 420 which was at 1803 South Roosevelt. Mr. Geiger wanted to address a vicious rumor that had been brought forth by somebody that told him three years ago they would do everything in their power to drive Mr. Geiger out of the City and he believed this had been happening in a bunch of covert ways for three years now. Mr. Geiger further stated the rumor was that he had started or gone outside the mandate of the ordinance for Medical Marijuana Dispensaries and it was false and a lie and they had not. There was a social media campaign to let people know that Highway 420 was preparing for a grand opening and there was no date or anything that said the business was open and operating. Mr. Geiger further stated he was under the impression after the thirty day mark, he would be able to begin business and was reminded by people that there were background checks that still needed to be completed. A month ago Mr. Geiger went to the City and tried to find out how to get the process started and was told there was nothing put in place and it could not be done. Mr. Geiger went to the City again the other day to find out what he could do and was told again that the paperwork could not be done yet.

Every day Highway 420 was not operating was more and more financial losses and there were not good reasons given of why this was happening. Mr. Geiger further stated he had done nothing and he repeated nothing against the law or against the ordinance. Mr. Geiger invited the City Council or any City official to his place of business anytime, he was there seven days a week, ten hours a day and he would give a complete tour of anywhere in the facility . Mr. Geiger further stated he would be happy to see anyone come to Highway 420 because the more that came to take a tour, would see he had a lawful, good, straight forward, organization and was doing everything within the law. Mr. Geiger further stated he was anxious for anyone to come and visit and ask about any questions concerns and he was here to tell Council they never operated, and were never going to operate. Mr. Geiger further stated he thought the City was in violation of the law. The League of Oregon Cities had taken the position of using the home rule thing which ultimately the Oregon Supreme Court would not go with so those of you that had been led to believe you can deny the moratorium and the City would not have any financial liability you may ultimately be right but nobody knew that answer yet. Mr. Geiger pointed out that every day that this moratorium extended and he was unable to operate could be financial liability for the City but he was not saying it was and he did not have those answers yet but neither did anyone else because the legislature could intervene. There was a bunch of things that could happen in between now and when that was a possibility. Mr. Geiger had no interest in a fight with the City, none what so ever, was done with that, and all he wanted to do was start his business and be treated fairly and without all the covert rumor mongering evil stuff going on behind the scenes from a competitor who was trying to get us out of the town. Mr. Geiger further stated we all know who it was and no names would be mentioned but this was not right. Again, if anyone had any concerns or anything about his business he welcomed anyone to come and see and ask questions.

Mayor Larson stated he usually did not go back and forth with public comments. Mayor Larson asked Mr. Geiger if he was stating that his business Highway 420 on May 31, 2015, at 3:270 pm was not his advertisement.

Mr. Geiger stated no he was not.

Mayor Larson asked Mr. Geiger if that was his advertisement.

Mr. Geiger stated of course it was his advertisement.

Mayor Larson stated it seemed he was announcing a grand opening.

Mr. Geiger stated he was announcing a grand opening but he did not list the date and he never opened. Mr. Geiger further stated he thought that he would be good by this Thursday because that was thirty days after and then found out that no he had to wait beyond that and it could be months depending on how long the background checks would take. Mr. Geiger further stated he was beginning a social media campaign to let people begin to know he was preparing to open. There was never a date or time announced for the opening.

Mayor Larson read information he received which stated “finally opening after over a year” with the prices and hours given. Mayor Larson stated that was all the questions he would ask because he did not want to argue with Mr. Geiger anymore.

Mr. Geiger stated he did not want to argue either. There was never anything illegal or against the ordinance and no one could say that he had.

Councilor Barber stated part of what people contacted him for was the cross sign in the window which was illuminated and that caused some people to think you were operating.

Mr. Geiger stated that had been brought to his attention and it was turned off and covered up and he also took down the Craig’s List advertisement and also reposted in social media to make sure if there was any confusion he was not operating yet and he wanted to make sure everyone knew that. Any confusion was on part of people that had an interest in trying to promote the idea that he was doing something wrong and that did exist in the City.

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 \$1,026,468.99; May 11, 2015, regular minutes; Resolution #3844 – A Resolution of the City of Seaside, Oregon, Adjusting the 2014-2015 Seaside Road District Budget, and Resolution #3845 – A Resolution of the City of Seaside, Oregon, Adjusting the 2014-2015 City of Seaside Budget; carried unanimously. (Frank/Barber)

PUBLIC HEARING

This was the duly advertised time and place to hold a public hearing regarding A Resolution Adopting and Appropriating Supplemental Budget Increases and Reductions of Greater than 10% for the 2014-2015 City of Seaside Budget.

Mark Winstanley, City Manager, explained the resolution that provided for a supplemental budget for some of the funds the City had.

For the current year 2014-2015 there were adjustments being made each year to make sure the budgets were in line with what actual expenditures looked like and that was taking place in the resolution. These were increases greater than 10% and the majority of these adjustments taking place were because the economy had been much better.

RESOLUTION #3843

A RESOLUTION ADOPTING AND APPROPRIATING SUPPLEMENTAL BUDGET INCREASES AND REDUCTIONS OF GREATER THAN 10% FOR THE 2014-2015 CITY OF SEASIDE BUDGET.

Mayor Larson opened the public hearing.

Mr. Dunzer stated there was an extra \$350,000.00 and he was not talking about the sewer. The City could take \$285,000.00 and use it to increase contingencies. Mr. Dunzer discussed the adjustments that were made to the budget and the sections that received the adjustments. Mr. Dunzer further stated he had been a consultant for a long time and he did not understand because contingencies were supposed to be set up because they were based on risk. This was not petty cash and why did the citizens of Seaside not know there was going to be \$350,000.00 extra because things were supposed to be managed by exceptions. The City should be taking the resources they had and using them for the benefit of the City which did a good job but were slow because projects should be ready to go. Mr. Dunzer submitted paperwork concerning the Tsunami Overlay, and increasing efficiency, even though Council did not adopt a goal that stated you would be efficient. Mr. Dunzer found that to be difficult for an organization not to adopt a goal that said you would be efficient. Mr. Dunzer further stated he put together studies which were presented to Kim Jordan, Secretary, to make copies for Council.

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

Motion to read Resolution #3843 by title only; carried unanimously. (Barber/Phillips)

Motion to adopt Resolution #3843; carried unanimously. (Barber/Montero)

RESOLUTION #3842

A RESOLUTION ADOPTING AND APPROPRIATING SUPPLEMENTAL BUDGET INCREASES AND REDUCTIONS OF LESS THAN 10% FOR THE 2014-2015 CITY OF SEASIDE BUDGET

Mr. Winstanley explained the resolution would be for supplemental budgets of less than 10% and this required the resolution was addressed at a public meeting.

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 #3842 by title only; carried unanimously. (Phillips/Morrissey)

Motion to adopt Resolution #3842; carried unanimously. (Phillips/Montero)

LIQUOR LICENSE

Mayor Larson stated there was a liquor license application received from the Firehouse Grill, 841 Broadway. Mayor Larson further stated the application was for a Full On-Premises Sales License, and was for a new outlet. Mayor Larson asked if Dennis or Nancy McKeown were present and both were present. Mayor Larson asked Council what they wished to do.

Motion to approve the Full On-Premises Sales License for Firehouse Grill, 841 Broadway; carried unanimously. (Frank/Phillips)

LIQUOR LICENSE

Mayor Larson stated there was a liquor license application received from the Luna's Family Restaurant, 1575 S. Roosevelt. Mayor Larson further stated the application was for a Limited On-Premises Sales License, and was for a change of ownership (was Herb's Burger and Beer). Mayor Larson asked if Sonia Villa was present and she was present. Mayor Larson asked Council what they wished to do.

Motion to approve the Limited On-Premises Sales License for Luna's Family Restaurant, 1575 S. Roosevelt; carried unanimously. (Barber/Frank)

RESOLUTION #3846

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ADJUSTING THE SOLID WASTE COLLECTION RATES

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 #3846 by title only; carried unanimously. (Phillips/Morrissey)

Motion to adopt Resolution #3846; carried unanimously. (Frank/Phillips)

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.

Background: The City Council approved Medical Marijuana Dispensary Licensing Ordinance 2015-04 and the newly created Code of Seaside Chapter 118 is slated to take effect on June 10, 2015. At the time the ordinance was adopted, some of the Councilors were interested in considering an amendment to the ordinance that would limit these businesses in the Broadway core area and asked staff to prepare an amendment that would exclude them within this area. Staff reviewed a number of different options for outlining the exclusion area and ultimately settled on the following description based on our understanding of the Councilor's intent: The area lying between a line drawn 600' north of the Broadway right-of-way that extends from the east side of North Prom to the West side of North Roosevelt Drive and a line drawn 600' south of the Broadway right-of-way that extends from the east side of South Prom to the West side of South Roosevelt Drive. A map of the exclusion area is attached to the ordinance amendment that would create a medical marijuana dispensary exclusion area encompassing the Broadway core area. Recommended City Council Action: Following public testimony on the proposed Broadway core medical marijuana exclusion area, determine if the proposed ordinance amendment should be read for the first time by title only.

Mayor Larson opened the public comments.

Mr. Geiger stated in general he would agree with the amendment to the ordinance in the sense that medical marijuana was not appropriate on Broadway and was for sick people. The recreational marijuana was a different story and he was sure Council would address that in the future. Mr. Geiger further stated this town was changing and Highway 420 received all kinds of calls from Worldmark and some of the other hotels where clients were asking where medical marijuana could be accessed. In Portland, hotels were sold out for six months and rooms were not available because of the boom of marijuana. Mr. Geiger reminded Council the future of some of the tourist cities lays with which communities embrace it or reject it. The tourist communities that embrace cannabis in the coming years were going to boom and either you get on the bus or get left behind. If Council cared about the City and its sustainability and its future then it was time to set some of the old ways behind and begin to look at this in a new way and this was a real opportunity for the City. If cannabis was rejected and the City was made into a fearful place for tourist then they would find another place to go. The legality had changed because there were people every day walking into the store that would never have come in there before.

Mayor Larson asked for Council comments.

Councilor Frank stated he liked keeping the downtown area focused on families since there had certainly been many years of effort in making it a family town.

Councilor Phillips agreed with Councilor Frank.

Councilor Montero stated she did not see how anyone wanting to make money on medical marijuana would want to pay the rent that was charged in the downtown core. People who came to Seaside and people who lived in Seaside would not want to search for parking in the downtown area to find some place to buy their marijuana. People on medical marijuana wanted an easy place to park and get to.

Councilor Barber stated approving the original ordinance was difficult but adding this exclusion to the ordinance felt more comfortable.

Councilor Morrisey stated the ordinance was for medical marijuana and there were no pharmacies downtown and it made sense to not allow dispensaries in the downtown core area.

Motion to place Ordinance 2015-05 on its first reading in its entirety; carried unanimously. (Barber/Montero)

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

**PRESENTATION –
MILLPOND PARK
PROPOSAL**

Jeremy Goldsmith, RARE Representative, stated he had a presentation for Council on Mill Ponds Next Step. Mr. Goldsmith further stated the plans for the Mill Ponds started with: started almost 30 years ago, Neawanna Nature Park, PAC prioritization, put out an RFQ, put out to bid, 13 firms produced bids with four approved with Jones and Jones selected. Creation of the Vision Plan and Implementation Plan. Goals: Council adoption of the Implementation Plan, Create a subcommittee, which focuses specifically on the Mill Ponds, Facilitate their meetings, Work with the Parks Advisory Committee (PAC), ensure the Mill Ponds planning process does not become stagnant. There was a public meeting August 17, 2016 and a public meeting March 4, 2015, and people were able to view the four options of the Mill Ponds Plan (the options were shown). There were photos of Bird Blinds, Nature Based Playgrounds, Observation Towers, and Interpretive Shelter. The four options of the Mill Ponds were presented to the PAC, and had been approved.

Mr. Goldsmith further stated the Parks Advisory Committee was recommending Council adopt the four options for the Mill Ponds plan. The next step would look for funding sources federally and private. The presentation showed possible funding sources for the Mill Ponds Plan.

Ms. Graeper presented Council with different options as a community that could be done to the Mill Ponds area. There was a mural that could be done on the side of the public works building; there were signs that could be placed, boardwalks, maps. It was important to have community support and input for what they would like to see done with the park.

Councilor Barber stated this had been a very hopeful and progressive plan by the Parks Advisory Committee. The Mill Pond concept was workable and fundable.

Councilor Phillips stated she was very excited about the Mill Ponds plan and remembered Mary Blake and Neal Wallace giving Council a tour of the area. This was the dream of so many in the community and what an awesome opportunity for children to take ownership.

Councilor Montero stated when options were mentioned it was usually an either or thing but what she was hearing was steps and progressive tied to each other.

Mary Blake stated the process has been fun.

Mayor Larson stated he was a real fan of Jones and Jones. Mayor Larson asked what Mr. Goldsmith would be doing for Jones and Jones on Thursday, June 11, 2015.

Mr. Goldsmith stated he would be in Seattle to meet with Jones and Jones and discuss the Mill Ponds plan.

Mr. Wallace stated he would be available through conference calls.

Councilor Morrissey stated Angela Fairless spent a good amount of time at the Mill Ponds cleaning up trash and asked if she had any input to give.

Ms. Fairless stated the picture did not do justice to the events that had been held at the Mill Ponds.

Mayor Larson stated this would be an absolutely wonderful piece for the City and he thanked all that had been involved with the process.

Motion to adopt the proposal that had been recommended by the Parks Advisory Committee to develop the Mill Ponds Park plan with four options and move forward with the planning and implementation of the project; carried unanimously. (Barber/Phillips)

**BID RESULTS –
BOB CHISHOLM COMM.**

CENTER DESIGN & SCOPE Mr. Wallace stated the Sunset Empire Park & Recreation District, in partnership with the City of Seaside received the following four (4) proposals for the planning of a “refresh” of the Main Hall of the Bob Chisholm Community Center. Interiors By Blackwood \$2,600 + \$40 per round trip visit to Seaside and material costs as accrued (see bid for individual item costs) RESOLVE Architecture + Planning \$5,820 /All-Inclusive Karen Linder Interior Design \$2,300 + \$0.575 per mile travel expense YGH Architecture \$10,350/All-Inclusive. After making a thorough comparison of the bids, the Community Center Commission recommends accepting the proposal from RESOLVE Architecture + Planning in the amount of \$5,820. The Commissioners feel that RESOLVE provided the most comprehensive proposal and have the knowledge and experience to best represent the community’s interests in this project.

Mr. Winstanley stated this was for the planning of the scope of work that needed to be done to the Bob Chisholm Community Center and was the evaluation stage of the project. Mr. Winstanley stated this was actually one of Council’s goals to be accomplished.

Motion to approve the bid results for the Bob Chisholm Community Center Main Hall Design Scope of work; carried unanimously. (Phillips/Frank)

**APPROVAL –
SCCC FACILITY
RATE INCREASE**

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated the following rental fee adjustments were recommended for all future Priority 1 reservations commencing Jan 1, 2021-Dec 31, 2025.

Entire Facility:	<u>Current</u>	<u>Proposed</u>
• Ticketed	\$1,500.00/day	
• Single Day	\$1,200.00/day	
• Trade Show or Exhibit	\$1,000.00/day	
• Convention or Conference	\$600.00/day	\$800.00/day / Jan 1, 2021-Dec 31, 2025
• Compassion/Funeral	\$500.00/day	
• Civic Related	\$400.00/day	
• Community Fundraising	\$150.00/day	

25% Non-Profit Discount to Seaside 501c3 Organizations

Pacific Room:

- Ticketed \$1,200.00/day
 - Single Day \$900.00/day
 - Trade Show or Exhibit \$800.00/day
 - Convention or Conference \$500.00/day \$700.00/day / Jan 1, 2021-Dec 31, 2025
 - Compassion/Funeral \$400.00/day
 - Civic Related \$300.00/day
 - Community Fundraising \$150.00/day
- 25% Non-Profit Discount to Seaside 501c3 Organizations

Necanicum Room:

- Ticketed \$900.00/day
 - Single Day \$700.00/day
 - Trade Show or Exhibit \$600.00/day
 - Convention or Conference \$400.00/day \$600.00/day / Jan 1, 2021-Dec 31, 2025
 - Compassion/Funeral \$300.00/day
 - Civic Related \$200.00/day
 - Community Fundraising \$150.00/day
- 25% Non-Profit Discount to Seaside 501c3 Organizations

Mr. Vandenberg further stated the proposed fee increase was passed unanimously by members of the SCCC Commission on May 14, 2015.

Motion to approve the Seaside Civic and Convention Center Facility Rate Increase; carried unanimously. (Phillips/Montero)

AGREEMENT – NORTHWEST SENIOR AND DISABILITY SERVICES

Mayor Larson stated this was a housekeeping item which was an annual agreement to use the Bob Chisholm Community Center for meal site services.

Motion to approve the Agreement with Northwest Senior and Disability Services for the use of the Bob Chisholm Community Center; carried unanimously. (Phillips/Montero)

COMMENTS – COUNCIL

Councilor Barber asked if the City of Seaside was concerned at all about the water supply this summer.

Mr. Wallace stated he did not see anything in the water supply that looked like any serious trouble ahead in the short term.

Mr. Winstanley stated one thing that had changed was that there was more storage regarding water with the tank at Peterson Point. As a rule there was always enough water but the improvements that had been made allowed the city to store more water.

Councilor Montero stated June 14, 2015, was Flag Day and there would be an observance at the Elks at 4:00 pm. A few things Councilor Montero learned was in 1911 the Elks made June 14th Flag Day for all of the Elks to observe and in 1949 President Truman made it a day of national observance.

Councilor Phillips stated there seemed to be an escalating problem with dumped shopping carts in the community. Councilor Phillips asked what could be done because it was getting worse.

Mr. Winstanley stated there was continued conversation with two specific locations with Rite Aid and Safeway and the shopping carts could be reported to City Hall to be taken care of.

Mayor Larson stated Saturday, June 13, 2015; 11:00 am would be the ground breaking for the Clatsop Community College remodel. Mayor Larson further stated Council received a letter and he was sorry that Mr. Winstanley did not receive a copy of the letter concerning the dunes on the South part of the beach.

COMMENTS – STAFF

None

ADJOURNMENT

The regular meeting adjourned at 8:11 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR