

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

Present: Mayor Don Larson, Council President Don Johnson, Councilors Tita Montero, and Randy Frank.

Absent: Councilor Dana Phillips and Jay Barber.

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Joey Daniels, Seaside Fire Chief; Neal Wallace, Public Works Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Dave Ham, Seaside Police Lieutenant; Taylor Barnes, Student Representative; and Nancy McCarthy, Seaside Signal.

AGENDA Motion to approve the October 27, 2014 agenda; carried unanimously. (Johnson/Frank)

COMMENTS – PUBLIC None

COMMENTS – STUDENT REPRESENTATIVE Taylor Barnes, Student Representative, stated Seaside High School was wrapping up the fall sports season. Football, boy’s soccer, and possibly girl’s soccer would be moving onto the playoffs. The football game was at Banks this year, boys soccer would be in Medford at Phoenix High School, and the girl’s soccer would be played at Banks and the girls were currently in third place. The Cross Country District Meet was Saturday, October 25, 2014, and the boys and girls Cross Country teams did not make it to State but two individual girls made it to State. The Volleyball team completed their season this last week and did not make the playoffs. Mr. Barnes further stated rehearsals had started for the fall play, Key Club had a fundraiser for a bacterial disease in Africa, parent teacher conferences were last week, and seniors were being encouraged to start planning for their Pacifica Projects. There were African Drummers visiting Seaside High School to perform for the students.

Mayor Larson asked what the fall play would be.

Nancy McCarthy stated the fall play was sixty’s Mania.

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 \$179,646.03; and October 13, 2014, regular minutes; carried unanimously. (Frank/Johnson)

VACANCY – CITY TREE BOARD Mayor Larson stated there were three vacancies on the City Tree Board with one application received from Dale McDowell. Mayor Larson asked Council what they wished to do.

Motion to appoint Dale McDowell to the City Tree Board; carried unanimously. (Frank/Montero)

Term Expiration for Dale McDowell would be June 30, 2017.

Mayor Larson stated there were two vacancies still on the City Tree Board.

Mark Winstanley, City Manager, stated the requirements for the City Tree Board was to be a resident, owner, or employee of a business in the City of Seaside within the City limits. Mr. Barnes could announce the vacancy at the high school to see if any students were interested.

Councilor Montero asked if there was a specification on age.

Mr. Winstanley stated there were no specifications but there were some students who were eighteen at the high school. Mr. Winstanley further stated the City Tree Board met six times a year for approximately one hour.

LIQUOR LICENSE Mayor Larson stated there was a liquor license application received from Beach N Brew, 405 Avenue ‘A’. Mayor Larson further stated the application was for a Full On-Premise Sales License, and was for a change of ownership. Mayor Larson asked if the owner Yue Fang Huang was present and the owner was present for questions.

Motion approving the Full On-Premises Sales License for Beach N Brew, 405 Avenue 'A'; carried unanimously. (Frank/Johnson)

RESOLUTION #3828

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, AMENDING RESOLUTION #3815, ADOPTING FEES FOR CITY SERVICES

Mr. Winstanley explained Resolution #3828 was a housekeeping resolution and would replace Resolution #3815. The resolution set all miscellaneous fees throughout the City. The resolution was adjusting fees for reports requested from the Seaside Fire Department. The fire department was charging \$10.00 for each report which did not cover the expense of preparing the reports and the fee was changed to \$25.00 for each report.

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 #3828 by title only; carried unanimously. (Montero/Johnson)

Motion to adopt Resolution #3828; carried unanimously. (Johnson/Frank)

RESOLUTION #3829

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ESTABLISHING TAX RATES FOR THE SALE OF MARIJUANA, MEDICAL MARIJUANA, AND MARIJUANA-INFUSED PRODUCTS

Mr. Winstanley explained the resolution would establish the tax rates for the sale of medical marijuana, recreational marijuana and marijuana infused products. The City Council previously passed Ordinance 2014-06 that would allow for the taxation of medical marijuana, recreational marijuana and marijuana infused products. The tax rates were to be established by resolution and there had not been any tax rates set at this time for the products. Once the ordinance was approved Council had the time to establish an appropriate tax rate for the products. Mr. Winstanley further stated the resolution had been established and the tax rates were left blank for Council to discuss and make a decision on what tax rates would be established if any.

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

Mayor Larson asked for Council comments. Mayor Larson asked Council if the medical marijuana, and marijuana /marijuana infused products should be voted on separately.

Councilor Frank stated this may never happen but it would be nice to have something in place in case the State allowed a City to establish taxes.

Mayor Larson stated the medical marijuana tax should be less than the marijuana/marijuana infused product tax.

Councilor Montero stated she would go for medical marijuana being taxed less.

Councilor Johnson stated he did not have a problem taxing either of the products.

Mayor Larson asked Council if they had a figure for the tax rate on medical marijuana.

Councilor Frank stated he believed it was the City of Ashland that recently voted 5% for medical marijuana and 10% for marijuana/marijuana infused products and that did not seem to be out of line.

Mayor Larson stated he would approve a 5% tax on medical marijuana and a 10% tax on marijuana/marijuana infused products.

Councilor Montero stated she would suggest 5% for medical marijuana and 15% for marijuana/marijuana infused products.

Mayor Larson asked for a vote on medical marijuana.

Motion to establish a 5% tax rate for the sale of medical marijuana for Resolution #3829 read by title only as amended; carried unanimously. (Johnson/Montero)

Motion to establish a 15% tax rate for the sale of marijuana, and marijuana –infused products and adopt Resolution #3829; carried unanimously. (Johnson/Montero)

Motion to read Resolution #3829 as amended by title only; carried unanimously. (Montero/Johnson)

Motion to adopt Resolution #3829; carried unanimously. (Johnson/Frank)

**UPDATE –
NEAWANNA CREEK
CANOE LAUNCH**

Neal Wallace, Public Works Director, provided Council with the mitigation plan for the Neawanna Creek Canoe Launch at Broadway Park. The proposed dock replacement was located in the tidally-influenced portion of Neawanna creek, near Broadway Park, within the 100 year flood plain. There was no in-water vegetation in the reach, which had a sand/mud/clay substrate. The active channel width at low water was slightly less than 100 feet wide. Water depth at the location varied greatly based on tide and rainfall. The boat dock was located within a city park where there was also a motorized boat launch area. The area was gravel to the water's edge during the tide and there were no wetland or riparian impacts in replacing the dock. The footprint of the old dock was 251 square feet and the new dock was proposed to be 420 square feet. This allowed room for the ADA launch facility and a longer gangway to ensure the dock did not rest on the bottom at low tide and would be an increase in over-water area of 170 square feet. Mr. Wallace further stated Neawanna Creek joined the Necanicum River in the lower estuary and was one of the watershed's main tributaries. The headwaters of the Neawanna flowed into a tidally influenced pond that was connected by groundwater to two other ponds. These three ponds were collectively known as the Mill Ponds, and covered approximately 17.2 acres. The area of the tidally influenced pond was approximately 4.5 acres. The pond was excellent for winter habitat for the anadromous salmonid species known to occur in Neawanna Creek, including Oregon Coast ESU Coho salmon (*Oncorhynchus kisutch*), hatchery Chinook salmon (*O. tshawytscha*), winter steelhead trout (*O. mykiss*), and sea-run cutthroat trout (*O. clarkii*). Resident cutthroat trout and Pacific lamprey (*Lampetra tridentata*) were also present. Mr. Wallace further stated to mitigate for the 170 square foot increase in over-water area, the City of Seaside and the Necanicum Watershed Council were proposing to place coarse woody material, in the form of Christmas trees, in the tidally influenced pond shortly after the holidays. The Watershed Council would work with the local Boy Scout Troup, the City of Seaside, and the local Trout Unlimited chapter to collect and place the trees to create underwater habitat. We propose to place 200 Christmas trees to fulfill our mitigation obligation. Mr. Wallace further stated October 20, 2014; the Public Works Department received notification from the U. S. Army Corps of Engineers and National Marine Fisheries Service that the project for the Broadway Park Neawanna Creek Canoe Launch had been approved. This was great news considering the City had lost \$40,000.00 of Oregon Department of Fish and Wildlife (ODF&W) grant money last year because the project could not be permitted. Melyssa Graeper from the Necanicum Watershed Council and Justin Cutler from Sunset Empire Park and Recreation District both took a trip to Tillamook on October 3, 2014 to present to ODF&W again and show that the City was deserving of the project. Early information received from ODF&W was that our project was not going to make the cut but Ms. Graeper and Mr. Cutler pulled the city through. The City of Seaside had once again been awarded \$40,000.00 to help with the project. The total cost for the project was estimated to be \$60,000.00. The project would use \$18,000.00 received from the Hood to Coast and \$2,000.00 from Sunset Empire Parks Recreation District to make this happen. Mr. Wallace further stated staff would be putting together a construction bid package in the next couple of weeks. The-in water work schedule only allowed pilings to be driven between November 15 and February 15. The City was hoping to be in the water just after the first of the year. Mr. Wallace further stated staff would be back to seek Council's approval after the bid opening next month.

Mayor Larson stated the Canoe Launch was not the first one used at a boat ramp.

Mr. Wallace stated the Canoe Launch was the first one ever used in this area.

Mayor Larson asked if the Canoe Launch was all mechanical with no power.

Mr. Wallace stated that was correct with no power needed.

Councilor Frank asked if the rollers were extended on cable.

Mr. Wallace stated the structure was in the water and he did not think it was cable but was a metal bar with rollers on it.

Councilor Frank asked if it would launch from either direction.

Mr. Wallace stated it would be just one launch on one side which protected it from log debris coming down the river.

Motion to approve the Neawanna Creek Canoe Launch at Broadway Park; carried unanimously. (Frank/Montero)

**VACANCY –
COMMUNITY CENTER
AND SENIOR COMM.**

Mayor Larson stated there was one vacancy on the Community Center and Senior Commission with June Stromberg who passed recently. Mayor Larson asked the press to advertise the vacancy.

COMMENTS – COUNCIL

Councilor Montero stated the letter that Mr. Wallace had written for the City employees who worked on the sewer main break was wonderful.

Councilor Montero stated she dropped her ballot off today and would share some philosophy. "Preserve your right to complain, vote".

Councilor Frank stated it was fortunate to live in a great community like Seaside. Projects like the boat launch may not sound like much but were important and was another feather in the cap. Councilor Frank further stated the State Championship Football Team invited Stubby out with them which was nice for Stubby to be around his former players.

Council President Johnson stated the Transportation Advisory Commission had been diligently working on sidewalks and had come up with some nice mappings and terminologies and would bring the information back to City Council in a month or two.

Councilor Frank asked if this was concerning Holladay.

Council President Johnson stated this was concerning all sidewalks.

Mayor Larson stated Councilor Barber was traveling and unable to attend the City Council meeting and had left information to the Council. Councilor Barber stated medical marijuana 5% and marijuana/marijuana infused products 10%. Mayor Larson further stated the awards dinner for the Seaside Chamber of Commerce was scheduled for Thursday, October 30, 2014.

COMMENTS – STAFF

Joey Daniels, Seaside Fire Chief, stated the Clatsop County Fire Chiefs agreed to sign a letter concerning the Newport Air Station. Chief Daniels asked Council to write a letter because of the effect it could have on this location. The Coast Guard would now come out of Coast Guard Air Station Astoria and or Northbend.

Council consensus to write a letter regarding the Newport Air Station.

Dave Ham, Seaside Police Lieutenant, stated as soon as he was put in charge of the department he went on a small vacation.

Mr. Wallace stated a week ago there was a call received concerning possible leaking of sewer. There had been a force main in the vacant lot on Broadway next to the Bridge Tender and a building had been constructed with three shops over the top of the force main. The City did not catch this when it had happened and the building was allowed to be built over a force main which was where it started to break. There were three pump stations involved at First Avenue, Ninth Avenue, and Avenue 'G' and Franklin. There was a valve at First Avenue that could be shut down which isolated the Convention Center and 9th Avenue but the valve could not just be closed. In order to isolate the line Godwin Pumps came out and took care of the pump stations. The City was uncertain what would be found in areas where the pipes were found. The project should run very smooth and once the pipes were replaced and the leak fixed the problem should be taken care of.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated Saturday, October 25, 2014, was the Annual Rotary Foundation Auction and all tables were sold out. There was approximately \$100,000.00 raised for Rotary and approximately \$10,000.00 raised for the Seaside Food Bank. Mr. Vandenberg further stated Thursday, November 13, 2014, was the City Council/Convention Center Commission workshop regarding the Seaside Civic and Convention Center Financial Feasibility Study.

Mr. Winstanley stated the auditors were at City Hall and the audit went very well.

ADJOURNMENT

The regular meeting adjourned at 7:38 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR