

**AGENDA SEASIDE CITY COUNCIL MEETING
SEPTEMBER 24, 2018 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PROCLAMATION - FIRST RESPONDER APPRECIATION WEEK
6. COMMENTS – PUBLIC – (please keep speaking time to four minutes)
7. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
8. CONSENT AGENDA
 - a) PAYMENT OF THE BILLS - \$820,870.46
 - b) APPROVAL OF MINUTES - September 10, 2018
9. UNFINISHED BUSINESS:
 - a) VACANCY - CITY TREE BOARD
AIRPORT COMMITTEE
10. NEW BUSINESS:
 - a) LIQUOR LICENSE APPLICATION, CAPRICORN PUB AND FINE DINING,
810 BROADWAY, SUITE 103 AND 104
 - b) APPROVAL - CITY OF SEASIDE WATER SOURCE PROTECTION PLAN,
Dale McDowell
 - c) UPDATE - SEASIDE CIVIC AND CONVENTION CENTER
EXPANSION/RENOVATION, Russ Vandenberg
11. COMMENTS FROM THE CITY STAFF
12. COMMENTS FROM THE COUNCIL
13. ADJOURNMENT

Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall. The Agendas and Minutes can be viewed on our website at www.cityofseaside.us.*

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-5511 if you will need any special accommodation to participate in this meeting.



CITY of SEASIDE

OREGON'S
FAMOUS
ALL-YEAR
RESORT

989 BROADWAY
SEASIDE, OREGON 97138
(503) 738-5511

PROCLAMATION

Whereas: Oregon first responders, both career and volunteer, including law enforcement officers, firefighters, emergency medical technicians, 911 dispatchers, and search and rescue personnel who bravely and selflessly risk their lives every day to protect Oregon families, visitors, and businesses; and

Whereas: Oregon first responders do not hesitate to risk their own lives in order to save the lives of others, and their commitment to continued training, skill enhancement, and interagency cooperation make them prepared to serve, protect, and rescue our citizens 24 hours per day, 365 days a year; and

Whereas: Oregon first responders are a vital part of every community, maintaining safety and order in times of crisis, and volunteering in our schools and community organizations; and

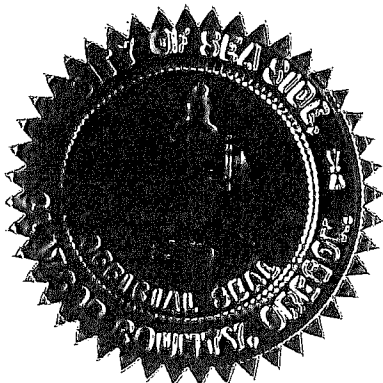
Whereas: Acts of kindness and appreciation from citizens provide first responders needed encouragement and support to confront the dangerous and uncertain situations they face every day.

NOW, THEREFORE, I, Jay Barber, Mayor of the City of Seaside, in the State of Oregon, do hereby proclaim September 23-29, 2018 as

First Responder Appreciation Week

in Seaside and encourage all citizens to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Seaside to be affixed this 24th day of September, 2018.



JAY BARBER, MAYOR

SEASIDE CITY TREE BOARD

The purpose of the City Tree Board is to study, investigate, and develop and/or update annually, a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets, and in other public areas. The Tree Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its duties and responsibilities,

- (1) Develop criteria for city staff and/or contractors to apply in making decisions entrusted to staff and/or contractor discretion,
- (2) Designate Heritage Trees on public and private lands within the city,
- (3) Promote the planting and proper maintenance of trees through special events including an annual local celebration of Arbor Day, and
- (4) Obtain the annual Tree City USA designation by the National Arbor Day Foundation.

The Board consists of five members, appointed by the City Council for a three-year term, and who are residents, or owners or employees of businesses within the city limit.

The City Tree Board shall schedule meetings as needed and elect a chairperson and a vice-chairperson. No more than 3 unexcused absences allowed in a calendar year.

Tree Board members serve without salary or compensation of any nature.

COMMITTEE/COMMISSION APPOINTMENT

1. **Date Council Notified:** **June 25, 2018**
Name: Ann Tierney-Ornie
Commission/Committee: City Tree Board Committee
Resignation Date: N/A
Term Expiration Date: Tierney-Ornie - June 30, 2018
Wants to be considered again: No

2. **Applicants:**

3. **Nominations:**

4. **Appointment:**



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CITY TREE BOARD

Term of Office: 3 years

Number of Members: 5

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
VACANCY (TIERNEY-ORNIE)			6/30/2018
JOHN CARTER	PO BOX 679	738-4387	6/30/2019
VINEETA LOWER	815 6 TH AVENUE	503-621-6588	6/30/2020
PAM FLEMING	1255 AVENUE 'B'	738-5637	6/30/2020
ARNIE OLSEN	PO BOX 645	717-5745	6/30/2021
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	STAFF REPRESENTATIVE

SEASIDE AIRPORT COMMITTEE

The purpose of the Seaside Airport Committee is to act as an advisory body to the City Council, the City Manager, and the Public Works Director/City Engineer regarding issues concerning the Seaside Public Airport.

The committee shall consist of the following Seven (7) members: resident of the City of Gearhart, and Six (6) members, who are not employees of the City, and at least (4) of the members shall reside within the City limits who shall serve as members. The Mayor shall appoint one member of the City Council as Council liaison, and the Public Works Director shall be the Staff liaison to the Committee.

The members of the committee shall be selected from, but are not limited to, members of the following groups: persons with a demonstrated interest in public airport, educators, private businesspersons, persons with a diversity of ethnic and cultural affiliations, and persons of diverse economic backgrounds and interests.

The members shall serve without salary or compensation of any nature.

All members shall be appointed by the City Council and shall serve for a term of three years. However, three of the first non-permanent members shall be appointed for a term of one year, two years, and three years respectively. As those terms expire, the vacancy will be filled for three-year terms in each case.

Each year, at the first Committee meeting in January, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. One of the Committee members will serve as Secretary. Minutes of all meetings will be filed with the City Council.

The Committee shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed by the City Council to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12 month period is defined as beginning in January of each calendar year.)



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AIRPORT COMMITTEE

Term of Office: 3 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
VACANCY (MACDONALD)			6/30/2019
TERI CARPENTER	220 AVENUE 'U'	425-246-9962	6/30/2019
RANDALL HENDERSON*	89066 OCEAN DRIVE WARRENTON, 97146	503-577-6153	6/30/2020
ROY BENNETT	2026 FERNWOOD ST.	738-4102	6/30/2020
BRUCE FRANCIS	90250 SHORE LINE DR. WARRENTON, 97146	440-0033	6/30/2021
DIANNE WIDDOP	PO BOX 2116 GEARHART, 97138	440-0358	6/30/2021
JESSE TAYLOR	2041 ALDERCREST ST.	440-7564	6/30/2021
DALE MCDOWELL	1387 AVENUE 'U'	738-5112	Public Works
RANDY FRANK	454 HIGHLAND DR.	440-3090	City Council

*Chair

LIQUOR LICENSE APPLICATION

Tom and Elena Shern
Capricorn Pub and Fine Dining, LLC
810 Broadway Suite 103 & 104
Seaside

This business has applied for a Full On-premises Commercial Sales Liquor License. This would be for new ownership.

Full On-Premises Sales License – allows the sale of distilled spirits, malt beverages, wine, and cider for consumption at the licensed business. This license also allows private catering if the applicant receives pre-approval from OLCC.

The Police Department has reviewed the business and applicants applying for the liquor license and the information received is attached.

Criteria for consideration

The City Council, after consideration, may determine to make a favorable, unfavorable, conditionally favorable or no recommendation to the OLCC. If the City Council makes an unfavorable or conditionally favorable recommendation to the OLCC regarding any application for liquor license, the recommendation will be based on a finding that one or more of the following conditions exist:

1. There is a history or pattern of illegal or disorderly activity on the premises.
2. There have been disturbances and/or other problems (such as fights, altercations, drug dealing by patrons, furnishing alcohol to minors by patrons, public drunkenness, alcohol related litter, etc.) related to the exercise of the applicant's alcohol license privilege and the applicant has failed to take reasonable and timely corrective action when notified of these problems by the police or the OLCC.
3. There is a continuing problem of noise from this business disturbing neighbors.
4. The applicant would be a poor risk for compliance with liquor laws, as indicated by a felony conviction, which reflects on the applicant's ability to be a responsible liquor licensee.
5. The applicant would be a poor risk for compliance with liquor laws, as indicated by a failure to comply with liquor laws.
6. The applicant has a history of abusing alcohol or other controlled substances and would be a poor risk for compliance with liquor laws.
7. The applicant has made an intentional and materially false statement about a matter that reflects on the applicant's ability to comply with the State's liquor laws.
8. An unlicensable person or a party not named as applicant has an ownership interest in the business to be licensed.
9. The applicant has failed to operate as originally proposed to the City Council, the original proposal having been a deciding factor in the Council's favorable recommendation to the OLCC.
10. The applicant has expanded the boundaries of the licensed premises to areas not originally considered by the Council and without City and OLCC approval.
11. The business is located within 500 feet of a school, child care facility, church, hospital, nursing or convalescent care facility, a park or child oriented recreation facility, or an alcohol and other drug treatment facility and there is evidence that the business will adversely impact the facility.

Seaside Police Department

September 17, 2018

MEMORANDUM

TO: Mayor and City Council

FROM: Guy Knight, Seaside Police Department

SUBJECT: Capricorn Pub and Fine Dining

The Seaside Police Department has reviewed the liquor application for Capricorn Pub and Fine Dining located at 810 Broadway Suite 103 & 104. The owners have another location in Astoria which has a current liquor license. The owner is requesting an "Full On-Premises Commercial" license.

Our background check did not find anything that would disqualify the owner from obtaining a liquor license.

If you have any additional questions, please let me know.

Working Together We Can Make A Difference



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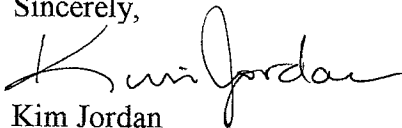
September 19, 2018

Tom and Elena Shern
Capricorn Pub and Fine Dining, LLC
810 Broadway Suite 103 & 104
Seaside, OR 97138

Dear Tom and Elena:

This letter is to confirm that the Oregon Liquor License application that was submitted to the City of Seaside is scheduled to appear on the agenda for the City Council meeting Monday, September 24, 2018 at 7:00 PM. City Council requests the owner or representative attend the Council meeting as they will be discussing comments as stated on the liquor license application and may have questions to ask. Attached with this letter is the Seaside Police Department memorandum that is submitted to City Council for review.

Sincerely,



Kim Jordan
City Recorder