

MINUTES SEASIDE CITY COUNCIL MARCH 12, 2007 7:00 PM

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

ATTENDANCE Present: Mayor Don Larson, Council President Stubby Lyons, Councilors Larry Haller, Don Johnson, Tim Tolan, Gary Diebolt & Dave Moore.

ABSENT None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Neal Wallace, Public Works Director; Russ Vandenberg, Convention Center General Manager; Robert Gross; Seaside Police Chief, Dale Kamrath; Seaside Fire Chief, McKenzie Bauske, Student Representative; Rod Jones, Seaside Signal; Laurel Eddy, Daily Astorian; Jeff Nelson, KAST.

AGENDA Motion to approve the March 12, 2007, agenda; carried unanimously. (Haller/Lyons)

MINUTES Motion to approve the February 26, 2007, minutes; carried unanimously. (Diebolt/Tolan)

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 \$585,325.17; carried unanimously. (Lyons/Moore)

INTRODUCTION – FIRE CHIEF Mayor Larson stated as Mayor he had the privilege to introduce the new Fire Chief, Dale Kamrath.

Chief Kamrath stated his past residence was Noti, Oregon, and was approximately fifteen miles west of Eugene.

Mayor Larson welcomed Chief Kamrath to Seaside.

Chief Kamrath stated he was pleased to be working in the beautiful town of Seaside and hoped to serve the community and citizens well.

Mayor Larson thanked the firefighters that attended the meeting in support of the new Fire Chief.

SWEARING IN SEASIDE POLICE OFFICERS Bob Gross, Seaside Police Chief, swore in two new Seaside Police Officer’s Daniel Moore and Stephen Kuhl and congratulated them.

Mayor Larson thanked the Police Officers and Communications Manager that attended the meeting in support of the new officers.

Mayor Larson stated he enjoyed welcoming people but did not enjoy seeing people leave. Mayor Larson further stated there had been a person attending the Council meetings for approximately a year and a half and her name was Laurel Eddy and Ms. Eddy was leaving the reporting job with the Daily Astorian on March 24, 2006. Mayor Larson further stated Council would miss Ms. Eddy.

Laurel Eddy stated she had actually been with the Daily Astorian for approximately two and half years and had very much cut her teeth as a reporter on the Highway 101 project. Ms. Eddy further stated she had learned a great deal, made some mistakes and learned from the mistakes. There were many people in the City that helped her learn. Ms. Eddy further stated she was moving back to live with her family and continue to work on writing and most likely work for a non profit. Ms. Eddy further stated she appreciated all the help that was given to her especially by the Mayor who had been so informative on many topics and the same for Councilor Lyons. Councilor Diebolt had helped not so much as a Councilor but on a variety of topics especially the Wheels and Waves event among other items. Ms. Eddy further stated the other Councilors were also very helpful and the City Staff had been incredibly helpful with Mark Winstanley, City Manager, answering any question at just about any time. Ms. Eddy further stated Russ Vandenberg, Convention Center General Manager; Neal Wallace, Public Works Director; and Bob Gross, Seaside Police Chief; answered many questions in many circumstances. Ms. Eddy further stated working at the Daily Astorian had been a great experience.

Mayor Larson thanked Ms. Eddy and stated she had been extremely accurate and that was appreciated.

VACANCY – PROMOTIONS COMM. Mayor Larson stated there was one vacancy on the Promotions Committee with one application received from Laurene Church. Mayor Larson asked Council what they wished to do.

Councilor Diebolt stated the City would be advertising for the Tourism Director Position in approximately seven to ten days. The Promotions Committee had six members and once the Tourism Director was hired Council could decide what direction to take with the Promotions Committee.

Councilor Tolan agreed with Councilor Diebolt.

Council consensus to decide what direction would be taken with the Promotions Committee once the Tourism Director was hired with the City of Seaside.

Mayor Larson asked that Laurene Church be notified of Council's decision.

**VACANCY –
PLANNING COMM.**

Mayor Larson stated there was one vacancy on the Planning Commission with four applications received from Kay Foetisch, Sara Fasoldt, Michael Hinton, and Richard Ridout. Mayor Larson asked what Council wished to do.

Councilor Haller suggested the applicants be interviewed.

Motion to close the vacancy for the Planning Commission; carried unanimously. (Johnson/Lyons)

Motion to nominate Kay Foetisch, Sara Fasoldt, Michael Hinton, and Richard Ridout for the Planning Commission interviews; carried unanimously. (Johnson/Lyons)

Mayor Larson stated the applicants would be scheduled to interview prior to the City Council meeting on Monday, March 26, 2007.

**CONSIDERATION -
CLATSOP COMMUNITY
COLLEGE**

Mayor Larson stated Greg Hamann, Clatsop Community College President, made a presentation to Council at the February 26, 2007, meeting regarding the possible directions the College might take in addressing the long standing facilities needs. Mayor Larson asked what Council wished to do.

Motion to support Clatsop Community College's intent to place a bond measure on the May 2007 ballot with the goal of providing funding for the construction of a new college campus in Warrenton on property donated to the college for that purpose; carried unanimously. (Haller/Lyons)

**APPROVAL –
LIQUOR LICENSE**

Council considered an application for a liquor license for Yummy Wine Bar & Bistro at 831 Broadway. The applicant was applying for a Limited On – Premise sales license and an Off – Premises Sales License.

Motion to approve a Limited on Premise Sales License and an Off Premises Sales License for Yummy Wine Bar & Bistro; carried unanimously. (Haller/Lyons)

**PRESENTATION –
SPRING BREAK EVENTS**

Mary Blake, Sunset Empire Park and Recreation District Manager, stated the Parks and Recreation was very excited to work with the City and the rest of the community to bring various family fun to Seaside during Spring Break. The hours would be extended until 11:00 PM during the weekend at the Parks and Recreation Swimming Pool, Youth Center and open Gym program. The special events for Spring Break would be a free concert at the Convention Center with the United States Air Force Band of the Golden West Winds and a Quilt Show at the Kelly House in Gearhart. In the past there had been bad weather during Spring Break with the outdoor events that were scheduled. This year the Convention Center offered to host indoors the Second Annual Skate Festival with Skateboard Demos which was free to spectators. There would be a free teen concert at the Convention Center, a Tilly Summit Hike, a Star Wars Themed Spring Break Camp, and open recreational swims. Ms. Blake further stated last year the Our Saviors Lutheran Church pulled together a free lunch program during the summer and that was so popular while the youths were out of school that lunch would be provided for them during Spring Break. Ms. Blake further stated the price for all of the events and staffing would be \$7,690.00 and the Parks and Recreation would share half of the cost with the City. Ms. Blake requested the City of Seaside consider paying \$3,860.00.

Motion to approve the City of Seaside pay \$3,860.00 towards the events for Spring Break; carried with Diebolt opposed. (Haller/Johnson)

Councilor Diebolt stated he was not opposed to Ms. Blake or the program. The program grew seven or eight years ago when there were riots in Seaside and the idea after that was to find activities during Spring Break. The activities had evolved for local youths more than anything else. Councilor Diebolt further stated he asked citizens of Seaside whether one taxing district should support another taxing district in providing funds and there was not one citizen he spoke to who agreed they should support one another. Councilor Diebolt further stated for that reason he would vote no.

Councilor Moore asked if Councilor Diebolt was just opposed to the support.

Councilor Diebolt asked if the City ran short on money for paving the streets would the City ask the Parks and Recreation or the School District to help pay for the streets being repaved. The role of Sunset Parks and Recreation was to take care of youths and children and the role of the City was to take care of the infrastructure.

Councilor Moore stated there had always been a tradition in Seaside that everyone worked together.

Ms. Blake stated the Seaside Safety Committee was started seventeen years ago during the 1990's and the Spring Break activities had grown from that committee. There were shared responsibilities and the dollars went towards promoting and expanding the activities. What needed to be asked was what was best for the people and how could the services be delivered? Ms. Blake further stated she had made a recommendation to the Parks and Recreation District Board that when Broadway Park was developed a contribution should be made to support the park. Ms. Blake further stated there was not one particular organization that was responsible for the cost of activities and events that were scheduled for Spring Break.

Mark Winstanley, City Manager, stated the City of Seaside did not have a Parks and Recreation Department like a number of City's and that made the City dependent upon the Parks and Recreation District to provide some of the services the City could not. The City could manage the parks but did not take care of Parks and Recreation Programs. There were times when the Parks and Recreation Programs were needed and the City could turn to other organizations that could provide the services.

Councilor Lyons stated for an investment of \$3,860.00, and the amount of good things that had been done over a period of years the cost was a very viable investment for the City of Seaside.

Councilor Moore stated there could be justifications for the expenditures since the activities gave the youths something to do as opposed to getting into trouble with law the enforcement.

Councilor Diebolt asked if money should be provided during the summer since youths were out of school at that time.

Councilor Moore stated that was possible but the decision needed to be made on a case by case basis.

Mayor Larson stated the City was trying to build a new Library for the community and Sunset Parks and Recreation owned a very serious piece of property that effected the location for the Library. The Parks and Recreation was willing to work with the City on relocating. Mayor Larson further stated working together and sharing was very important for the community.

Councilor Tolan commended Ms. Blake on the program and asked if there was a way to keep track of the people who participated in the Spring Break Events and where they lived.

Ms. Blake stated there were ways to keep track of the people even though there already was a good sense of who participated in the events. Ms. Blake further stated there was an after Spring Break Report given to Council and that could easily be added to the report.

Councilor Moore thanked Ms. Blake and her Staff for doing such a great job during Spring Break.

**ANNUAL REPORT –
SEASIDE POLICE DEPT.**

Chief Gross stated he would discuss several items that were important from the 2006 Annual Report for the Seaside Police Department. Most importantly there was a reduction in Part I and Part 2 crimes. The Part I offences were reduced by twenty four percent which were homicide, aggravated assault, forcible rape, burglary, and theft. The Part 2 offences were reduced by nine percent which were embezzlement, forgery, counterfeiting, disorderly conduct, driving under the influence, drug offences, fraud, gambling, and liquor offenses among other things. Chief Gross further stated while crime was being reduced there was also crime being cleared in those areas. In Part I crimes there were twenty six percent of the cases cleared that the department was involved with and in Part 2 crimes there were sixty one percent of the cases cleared that the department was involved with. In July of 2006 there was a very tragic homicide and the department was successful in completing the investigation which led to the arrest and conviction of the suspect. There were areas where crime had increased which were in robbery, assaults, arsons and vandalism. Chief Gross further stated the department would continue community activities through the free helmet program, National Night Out program, participation in the Law Enforcement Torch Run for Special Olympics, implement a Bottle Tagging program to reduce underage drinking through Safe Kids North Coast. There were two officers who were members of the Seaside Volunteer Fire Department and one was with the Knappa Fire Department, while two others belonged to Rotary and one to Kiwanis. The department was well involved in the community. Chief Gross further stated the department goals and objectives for the next eighteen months while several had already been implemented were the South County Police Academy which was in partnership with the other law enforcement agencies in the South County and would start in early May. The agencies hoped to solicit people to be Police volunteers from that class. There were final touches being added to the merchant alert program which would help merchants be more aware of criminal activity that affected them.

There were two grants received recently, a Bicycle Safety Rodeo Grant in partnership with the Sunset Empire Parks and Recreation District and Safe Kids Northwest. There would be bicycle safety rodeos in May and September. The second grant was a \$15,000.00 Underage Drinking Grant which would look at the positive things that could be done for merchants who were holding the line making sure alcohol did not reach minors, increase enforcement by providing overtime funding for officers when doing minor decoy operations, patrol party dispersals and make the public more aware of the consequences of underage drinking. Chief Gross further stated the department was working to become more efficient and effective in operations and at the same time establish a working environment that encouraged teamwork, communications, and professional development. The Seaside Police Department was very pleased with the results of the 2006 annual report and the credit went to the men and women of the department who worked hard to keep the community safe and to solve crime. Chief Gross further stated the department looked forward to working harder in 2007 to meet community needs and maintain community safety.

Mayor Larson thanked Chief Gross and further stated the report was great.

**APPROVAL –
LEASE AGREEMENT**

Mr. Winstanley stated the lease agreement pertained to the property where the Chamber of Commerce Building was located. There was a lease agreement between the City of Seaside and the Seaside School District for a twenty five year period. The school district owned the property and the City leased the property from the school district and there was no cost for the property. Staff was recommending Council approve the lease. Mr. Winstanley further stated the agreement did not have anything to do with the Chamber of Commerce Building but was for leasing the land.

Councilor Haller stated he did not notice anything in the lease regarding the school districts use of the baseball field in exchange for the use of the property where the Chamber of Commerce was located.

Mr. Winstanley stated there was a separate agreement for the use of the ball field.

Motion approving the lease agreement between the City of Seaside and the Seaside School District for property the Chamber of Commerce was located on; carried unanimously. (Haller/Lyons)

**APPOINTMENT –
PRO TEM JUDGE**

Mayor Larson stated Stacy Rodriguez would be the Pro Tem Judge for the Seaside Municipal Court if Judge Moberg was not available. Mayor Larson further stated the recommendation was from Judge Moberg.

Motion to appoint Stacy C. Rodriguez as a Pro Tem Judge for Seaside Municipal Court; carried unanimously. (Tolan/Lyons)

**VACANCY –
PARKS ADVISORY
COMMITTEE**

Mayor Larson stated there were two term expirations on the Parks Advisory Committee. Steven Phillips and Justin Parker wished to be reappointed.

Motion to reappoint Steven Phillips and Justin Parker to the Parks Advisory Committee; carried unanimously. (Johnson/Lyons)

Term expirations for Steven Phillips and Justin Parker would be March 31, 2010.

**VACANCY –
BUDGET COMMITTEE**

Mayor Larson stated there were three vacancies on the Budget Committee and one term expiration for Gayle Spears who wished to be reappointed.

Motion to reappoint Gayle Spears for the Budget Committee; carried unanimously. (Diebolt/Johnson)

Mayor Larson asked the press to advertise the two vacancies for the Budget Committee.

Term expiration for Gayle Spears would be December 31, 2009.

PROCLAMATION

Councilor Lyons stated there would be an assembly at the Seaside High School on Friday, March 16, 2007, at 1:00 PM. The proclamation would be presented to the student body.

Councilor Lyons read a Proclamation on Safe Driving.

Mayor Larson asked McKenzie Bauske, Student Representative, if she would be part of the assembly.

Ms. Bauske stated she would not be a part of the assembly but would be attending.

Councilor Haller stated this was the 60th year of the Seaside Rotary and Thursday, March 29, 2007, there would be a luncheon held for the Rotarians.

Councilor Haller read a Proclamation on Rotary International 60th Anniversary.

COMMENTS – PUBLIC

Donn Bauske, 322 S. Holladay Dr., Seaside, stated several years ago realtors came to the City to discuss merging the R2 and R3 zones into a R3 zone so a duplex could be built on a fifty by one hundred single family dwelling lot in the City. The idea ended up going away and was not discussed further. Mr. Bauske further stated that would a way to cut the cost of property for people who wanted to build low income housing in the core area. There were several areas behind City Hall towards the river or within the suburban residential area that was now restricted to single family dwellings. Mr. Bauske further stated basically there would be a change from the R2 to R3 zone and the depth from the front of the lot to the front of the house would be changed by fifteen feet. There could be two units built on a fifty by one hundred foot lot. Right now the R2 zone needed to be a seventy five by one hundred foot lot.

Mayor Larson asked Mr. Bauske if he was referring to buying or rentals.

Mr. Bauske stated either way there was no difference. This was certainly something for the City to consider.

Bob Malone, 1601 Broadway, Seaside, stated he had lived at the Sunset Chalet Apartments. There were issues about the condo conversions and there were disagreements. The City Council had stated they were working hard on the issue and making progress. Mr. Malone suggested there be a one year moratorium on condo conversions for anything that was new which would give one year for people that were in apartments. If Council was given the opportunity to look into what the possibilities could be and the middle and lower class were moved out of the City there would not be anyone to work at the hotels, motels, and other jobs available throughout the City. There were meetings held at the City and no one had shown up to speak but something still needed to be done and Council needed to take the issue very seriously. As Councilors and Mayor there was a commitment made to each and every person in the City and the issue was a major problem that would affect the town and coast for years to come.

Councilor Haller asked Dan Van Thiel, City Attorney, if there was a possibility of putting a freeze on condominiums at any time and would that be legal.

Mr. Van Thiel stated he had reservations about whether or not you could take away what would otherwise be a legal right. A property owner could argue that a legal right was taken away from the property that was owned and if the owner was not allowed to change the property to condominiums there was a possibility the owner would want to be compensated for the right that was taken away.

Councilor Haller asked if this could be a measure 37 appeal.

Mr. Van Thiel stated this would not be a measure 37 matter but was an issue that dealt with an interest in real property that someone may want to develop and make the conversion. By taking that right away the value of someone's property would be diminished and the owner may want to look at the City to compensate.

Mayor Larson suggested discussing the issues with the Planning Commission.

Mr. Van Thiel stated he read that Las Vegas was dealing with the same issues and the casino's acquired large tracks of land and made the property available to the people that worked in the casinos.

Pat Haggard, 1509 188th Pl., Long beach, Washington, stated he recently had to move out of 1601 Broadway, the Sunset Chalet Apartments. Mr. Haggard further stated he was a middle class person and did not mind that Mr. Jeremiah converted the apartments to condominiums and was very much for the free market. Mr. Haggard further stated he also believed the City had a responsibility to mediate the impact on the citizens of the City. The changes were very dramatic for people who lived in the apartments. Mr. Haggard further stated he worked at Clatsop Community College and had a middle class income and was physically disabled and had to rely on others to move to Long beach. Mr. Haggard was unable to find housing in Seaside and had to rent an apartment in Long beach and the first and last months rent plus deposits had to be paid. Mr. Haggard suggested that staff research the laws in other states that required developers to compensate fairly with people who were put out of their apartments.

COMMENTS – STUDENT REPRESENTATIVE

Ms. Bauske stated the Spring Choir Concert was Tuesday, March 13, 2007, at NorthCoast Family Fellowship at 8:00 PM and she hoped to see everyone at the concert. There was a blood drive March 14, 2007 with a band concert scheduled for that same evening in the cafeteria. The dance team was going to state March 16, 2007. Spring sports began this week with the first softball game March 13, 2007, at 5:00 PM in Warrenton and a double header against Gladstone on March 16, 2007, in Seaside. Baseball and track would start next week.

COMMENTS – COUNCIL

Councilor Johnson stated many cities were facing the same dilemmas as Seaside with affordable housing. The issue was important and would be discussed with the Planning Commission during a workshop very soon.

Mayor Larson stated there was a City Council and Planning Commission workshop Monday, April 30, 2007.

Councilor Haller stated the comments were well taken and the input was appreciated and staff would research the issues that Mr. Bauske had discussed with Council.

Councilor Diebolt stated he attended the Government 101 workshop on Friday, March 9, 2007. The League of Oregon Cities hosted the workshop which was one of the most interesting seminars he had attended. The information about serving in government was very informative and Councilor Diebolt recommended Council attend the workshop approximately every four years or so.

Councilor Moore stated he represented the City at the Gateway Conference which dealt with the subject of Gateway Communities. Councilor Moore further stated as the City moved towards becoming a National Heritage area there was an East Conference which consisted of the State Parks and National Parks from several cities from both sides of the earth. The team would meet two times a month and ~~Councilor Diebolt~~ **Councilor Moore** asked to present the information at a future Council meeting.

Councilor Tolan stated there were several great suggestions during the comments, and the issue with affordable housing was everywhere and there needed to be solutions out there.

Councilor Lyons stated that anytime feelings were frayed and people had very strong ideas about issues that encompassed everybody then those people involved needed to start working together as a group and forget the hard feelings.

COMMENTS – STAFF

Mr. Winstanley stated Council heard the annual report from the Police Chief who gave great credit to the employees who worked for the Police Department. Mr. Winstanley further stated he would like to recognize the strong leadership that Chief Gross gave to the department which was to his credit as well as all the employees who worked in the department. The statistics were great along with the progress the police department was making. Mr. Winstanley further stated that was true not only for Chief Gross but also for all the department heads in the City. Russ Vandenberg, Convention Center General Manager, gave an annual report at the last meeting and things were going very well at the Convention Center. Neal Wallace, Public Works Director, who was very instrumental in the leadership of the City and handling problems as far as Public Works was concerned. Mr. Winstanley further stated the Governing 101 Workshop was highly recommended for any of the City Council to attend. There were sessions available in Salem and Tualatin on April 26, 2007 and April 27, 2007. Mr. Winstanley further stated Mr. Van Thiel brought good news regarding the Winters Case in which the party decided they would not appeal the case.

ADJOURNMENT

The regular meeting adjourned at 8:10 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR