

- 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 Don Johnson, Larry Haller, Tim Tolan, Dave Moore, Gary Diebolt and Student Representative Clare McEwan.
- Absent: None
- Also Present: Mark J. Winstanley, City Manager; Russ Vandenberg, Convention Center General Manager; Neal Wallace, Public Works Director; Bob Gross, Police Chief; Mikaela Norval, Tourism Director; Donald Allison, Seaside Signal; Jeff Nelson, KAST; Pamela Robel, Daily Astorian.
- AGENDA** Motion to approve the May 12, 2008, agenda; carried unanimously. (Lyons/Tolan)
- MINUTES** Motion to approve the April 28, 2008, minutes; carried unanimously. (Diebolt/Lyons)
- 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 \$697,969.73; carried unanimously. (Lyons/Tolan)
- SWEARING IN – COMMUNITY SERVICE OFFICER** Mayor Larson stated Lorna Brandt, Community Service Officer was not able to attend the meeting and would be sworn in at a later date.
- PROCLAMATION** Council President Lyons read a Proclamation for Emergency Medical Services Week.
- Susan Agalzoff, Medics Ambulance Operations Supervisor, stated the City of Seaside did a great job with the volunteer agencies and on behalf of Medics Ambulance an award was given to the City Council.
- ORDINANCE #2008-04** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, EXTENDING THE TERM OF THE ASSESSMENT DISTRICT FOR ECONOMIC IMPROVEMENT, KNOWN AS THE “DOWNTOWN MAINTENANCE DISTRICT.”
- Mayor Larson called for public comments, there were no comments.
- Mayor Larson called for Council comments, there were no Council comments.
- Motion to place Ordinance #2008-04 on its third reading by title only; carried unanimously. (Haller/Johnson)
- Motion to adopt Ordinance 2008-04; carried by the following roll call vote: (Haller/Johnson)
- YEAS: HALLER, LYONS, MOORE, DIEBOLT, JOHNSON, TOLAN, LARSON,
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE
- VACANCY – CITY TREE BOARD** Mayor Larson stated there was one vacancy on the City Tree Board with one application received from Al Lundgren. Mayor Larson asked what Council wished to do.
- Motion to appoint Al Lundgren to the City Tree Board; carried unanimously. (Lyons/Johnson)
- Term expiration for Al Lundgren would be June 30, 2009.
- VACANCY – PARKS ADVISORY COMMITTEE** Mayor Larson stated there were two vacancies on the Parks Advisory Committee with one application received from Warren Anderson. Mayor Larson asked what Council wished to do.
- Motion to appoint Warren Anderson to the Parks Advisory Committee; carried unanimously. (Haller/Johnson)
- Term expiration for Warren Anderson would be March 31, 2011.

**LIQUOR LICENSE
APPLICATION**

Council considered an application for a liquor license for Dooger's Seafood & Grill at 505 Broadway. The applicant had a Limited On-Premises Sales License and wanted to apply for a Full On-Premises Sales License.

Motion to approve a Full On-Premises Sales License for Dooger's Seafood & Grill; carried unanimously. (Haller/Lyons)

**LANDSCAPE MAINT.
CITY FACILITIES
CONTRACT**

Mark Winstanley explained the Landscape Maintenance Contract for the City of Seaside Facilities would expire on May 31, 2008 and in accordance with the contract the City had notified the contractor, Pam Fleming, Natures Helper, Inc., of the intent to renew the contract for a period of three additional years. The contract dated June 1, 2005, allowed for an automatic annual increase of three percent to reflect the cost of living and the cost of materials over the life of the contract. The contractor had requested a one time addition of two percent to the annual three percent increase which would help offset the increasing costs of labor, landscape materials, insurance, and fuel. With the five percent increase the renewal would be \$29,659.00. Staff recommended Council approve the renewal of the contract with the annual increase of five percent.

Councilor Tolan asked what the increase was last year.

Mr. Winstanley stated there was an increase of three percent last year.

Motion approving the contract for the Landscape Maintenance for the City Facilities in the amount of \$29,659.00; carried unanimously. (Haller/Lyons)

Mayor Larson thanked Ms. Fleming for the great job she did with the City Facilities.

**COMMINGLED
RECYCLING**

Mayor Larson asked if there were any Council comments with the Commingling Service that Western Oregon Waste would like to start.

Councilor Tolan stated he was impressed with the new system which was working great and had reduced the size of their garbage container.

Council President Lyons stated the system does work really well and was a great idea.

Councilor Diebolt stated he was concerned with the size of the container and that the ninety six gallon recycling container was the only option.

Mayor Larson agreed stating he did not have a place to add a ninety six gallon recycling container.

Councilor Johnson asked if the recycling containers were mandatory and would be dropped off at each property address.

Joe Cook, Western Oregon Waste Chief Financial Officer, stated at this point the plan was for everyone to receive a new recycling container.

Councilor Johnson asked what would happen when vacation rental properties received the new containers even though the properties were vacant most of the time. There would be more containers left on the streets with no one to take care of them.

Mr. Cook stated the Seaside rates allowed for curbside pick up and side yard pick up. The recycling container could be picked up at the side yard instead of curbside.

Councilor Diebolt stated many of the side yards could not accommodate a ninety six gallon container which was an issue. The fourteen gallon container could sit on a freezer where a ninety six gallon container could not.

Mayor Larson asked if all residents of Seaside were required to have the recycling containers.

Mr. Cook stated there could be a notice sent out to inform residents to call Western Oregon Waste if they did not wish to receive the ninety six gallon container.

Mayor Larson stated there would need to be educated material sent out to the owners and residents.

Clare McEwan asked if there were limits within the City for pick up service.

Mr. Cook stated if the property was within the City limits there would be pick up service.

Ms. McEwan stated the red lid recycling containers were used at the high school and there did not seem to be any problems with garbage in the containers.

Councilor Johnson stated when the container was first put out there were problems until the students were more educated about them.

Motion to approve the ninety six gallon commingling containers; carried unanimously. (Tolan/Moore)

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

Mr. Winstanley stated each year Western Oregon Waste was required to provide an annual financial report which included a rate review report. Based on the information Western Oregon Waste was requesting a 4.78% proposed rate increase to be effective July 1, 2008. The adjustment was necessary primarily due to the increased cost of fuel, which had impacted the cost of steel, equipment, parts, disposal, and transportation costs. There has also been an increase in health insurance and other expenses. In addition Western Oregon Waste and the City had previously agreed the cost of the new Seaside depot would be covered in collection rates. The change would result in an additional 3.19% increase to current rates for all customers. In addition Western Oregon Waste had requested approximately fifty cents per month per customer to cover the amortized cost of adding ninety six gallon carts for the commingled recycling program which would be a 3.54% increase for can/cart customers. Based on the increases one can weekly rate was \$12.41 per month and now would increase to \$13.84 per month which was a difference of \$1.43 per month. Mr. Winstanley further stated Western Oregon Waste staff was available to answer any questions.

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

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

Motion to read Resolution #3648 by title only; carried unanimously. (Johnson/Lyons)

Motion to adopt Resolution #3648; carried unanimously. (Johnson/Diebolt)

Mr. Cook stated for the last couple of years Western Oregon Waste was taking all construction project recycling to Trails End Recovery in Warrenton. There was an estimated eighty percent of the materials that was recycled last year.

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, OF INTENT PROVIDING THE VACATION OF AND EXTINGUISHING EASEMENTS ON A PORTION OF OCEANWAY IN THE CITY OF SEASIDE, OREGON, DIRECTING THE CITY MANAGER TO GIVE PUBLIC NOTICE AND SET A DATE OF HEARING

Neal Wallace, Public Works Director, explained the resolution would allow for a public hearing to vacate and extinguish easement on a portion of Oceanway. The property was located in the North Eight and one half feet of the East half of Lot 3, Block 1, Ocean Grove addition to the City of Seaside. The parcel of land was owned by the City of Seaside and was dedicated to the public in 1962. Ownership and development patterns had changed and the property was totally within a proposed development and now the property was developed and there was no need for general public use for the portion of the street. The vacation of the street right-of-way shall negate easement rights of public utilities including sanitary sewer and water. Utilities were developed in the Oceanway right-of-way, adjacent to the easement and there was no need for utility use of the portion of the street.

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

Mayor Larson asked for Council comments.

Councilor Johnson asked if there were any other easements on the properties going west.

Mr. Wallace stated there was no other easements just the small piece on Norma's Restaurant Property.

Motion to read Resolution #3649 by title only; carried unanimously. (Tolan/Lyons)

Motion to adopt Resolution #3649; carried unanimously. (Tolan/Haller)

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, APPROVING A PROPOSED ORDER INITIATING FORMATION OF A CLATSOP CEMETERY DISTRICT, WITH A PERMANENT TAX RATE

Michael Leamy, Clatsop Cemetery District Formation Committee Chair, stated there was a correction because the business plan was a proposed draft and was generated with formulas and templates which came out with very high horsepower position titles. There was now a personnel listing that was more in line with Clatsop County.

Mayor Larson stated there was a change with the personnel listing from \$364,000.00 to \$308,000.00.

Mr. Leamy stated the Cannon Beach vote was four to one but when the resolution was received the vote must have been changed because when the form was received the vote was unanimous.

Mayor Larson asked what Gearhart had done.

Mr. Leamy stated Gearhart decided to not decide until they saw what the major players would do. They were concerned about the Seaside and Astoria decision.

Mayor Larson asked if Astoria and Warrenton had voted.

Mr. Leamy stated that Astoria and Warrenton were in the future.

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

Mayor Larson asked for Council comments.

Council President Lyons stated he was in favor of the resolution because he had been involved with trying to find a sister that had been buried in a cemetery when he was younger. Council President Lyons further stated he had lived in Seaside for twenty eight years and had been to quite a few funerals with many in Astoria, the people of Seaside should have a chance to vote for the Cemetery District.

Councilor Johnson asked if Council endorsed the formation of the district and the residents of the City of Seaside voted against the ballot measure and the rest of the tax base voted for the ballot measure would the City of Seaside still be members of the taxing district or would they be able to opt out.

Mr. Lemey stated if Council endorsed the formation of the district that would put the Cemetery District on the ballot for Seaside to vote for or against. Mr. Leamy further stated if Seaside voted against the ballot measure and the ballot measure still passed then Seaside would still be part of the district.

Councilor Johnson stated if the voters primarily voted against the ballot measure they would still be a member of the taxing district.

Mr. Leamy stated if Council endorsed the formation of the district that action would place the question on the ballot in Seaside.

Mayor Larson asked what happened if Council did not endorse the formation of the district.

Mr. Leamy stated if Council did not endorse the formation of the district then the City of Seaside would be taken out of the district.

Mayor Larson stated in other words Seaside would not be part of the taxing district.

Mr. Leamy stated Seaside would not be part of the taxing district and would not vote on the ballot measure.

Councilor Haller stated Seaside had been through this with the fair grounds and the residents of Seaside were allowed to vote and with the vote coming from the North, Seaside did not have a chance. Councilor Haller further stated he was not in favor of the resolution.

Councilor Moore stated he thought the Cemetery District was an excellent idea and would vote in favor of the resolution because the cemeteries in the area were very interesting to visit and see the life span from the years of culture. The problem was essentially Council was making the decision either way even if the people voted no on the ballot measure.

Councilor Tolan stated he was not in favor of the formation of the district which was a burden being put onto South County which was typical with fifty six percent of the lives coming from the South County. Councilor Tolan further stated there were many second homes in his ward with Seaside paying one of the highest property taxes in the state of Oregon. Councilor Tolan further stated most of the second home owners would not be buried in the Clatsop County area.

Councilor Diebolt agreed with everything Councilor Tolan stated.

Mayor Larson stated he always believed in voting but also the people voted for him as Mayor. Mayor Larson further stated the formation of the district should not go to the people. The summary that Council was given was heavy with money and Seaside did have a cemetery which the Public Works Department maintained. Mayor Larson further stated he would not obligate the second home owners to pay a tax for something they would most likely never use. Mayor Larson further stated the presentation was wonderful on the Cemetery District which was appreciated. Mayor Larson further stated he could not support the endorsement mainly because of the make up of second homes, Seaside was much different then Astoria and extremely different then Warrenton.

Councilor Moore asked Mr. Leamy if he was representing Astoria.

Mr. Leamy stated while doing outside openings of other rural cemeteries he saw the need of a cemetery district and began the process of discussing the cemetery district potential and then expanded the option County wide to make it available for all the cemeteries in the County. Mr. Leamy stated he did not have a connection to Astoria.

There was no motion made by City Council to approve or oppose resolution #3650.

**VACANCY –
COMMUNITY CTR. &
SENIOR COMMISSION**

Mayor Larson stated there were three vacancies on the Community Center and Senior Commission. Doris Snodgrass wished to be reappointed and there was one application received from Fred Fisher. Mayor Larson asked the press to advertise the vacancy.

Motion to reappoint Doris Snodgrass and to appoint Fred Fisher to the Community Center and Senior Commission; carried unanimously. (Haller/Johnson)

Term expiration for Doris Snodgrass and Fred Fisher would be June 1, 2011.

PROCLAMATION

Councilor Tolan read a Proclamation for National Law Enforcement Memorial Week.

Bob Gross, Seaside Police Chief, thanked Council and the citizens of Seaside for the wonderful support the agency received every year. There were one hundred and eighty one police officers who lost their lives in 2007 which was thirty more than the previous year. Chief Gross asked that the police officers be remembered and to also remember the men and women of the Seaside Police Department and other law enforcement agencies in Clatsop County who go out every day, twenty four, seven, to provide services to their community.

**CITY COUNCIL MEETING
MAY 26, 2008**

Motion to cancel the City Council Meeting for Monday, May 26, 2008; carried unanimously. (Haller/Diebolt)

COMMENTS – PUBLIC

Laura Oxley, Seaside Downtown Development Association Director, stated the beautiful City flower baskets would be in Seaside on May 21, 2008.

**COMMENTS – COUNCIL
REPRESENTATIVE**

Council Representative Clare McEwan stated this was Spring Fling Week at Seaside High School and Class Officer Election's week and Ms. McEwan stated she was running for class president. The Zoology and Marine Biology Classes was going to the zoo on Tuesday, May 13, 2008, to study the animals.

Bill Hubbard, 930 Necanicum, Seaside, stated Beautify and Clean up Seaside day was Saturday, May 17, 2008, 8:00 am to 6:00 pm. Everything would be set up at the Broadway Middle School Parking area.

COMMENTS – COUNCIL

Councilor Johnson stated there was a Budget meeting scheduled for Tuesday, May 13, 2008, 6:30 pm, at City Hall.

Councilor Diebolt stated a new retail business opened downtown at 210 Broadway called the Man's Store. Councilor Diebolt further stated the Astoria City Manager would be speaking at the Convention Center on Monday, May 19, 2008, 5:00 pm.

COMMENTS – STAFF

Mr. Wallace stated there was a City Tree Board Meeting, Thursday, May 15, 2008, and the State Forestry Department would present the City with the Tree City USA and Arbor Day award. Mr. Wallace further stated there was a preconstruction meeting today for the new water tank. Big River brought their proposed construction schedule and according to the contract completion of the water tank was by May 1, 2009, but according to Big River's schedule their completion date would be January 1, 2009.

Russ Vandenberg, Convention Center General Manager, stated there was an Ad Hoc Committee Meeting for the Convention Center feasibility study Tuesday, May 13, 2008, 8:00 am, at the Convention Center.

ADJOURNMENT

The regular meeting adjourned at 8:03 pm.

Kim Jordan, Secretary

DON LARSON, MAYOR