

MINUTES SEASIDE PLANNING COMMISSION
August 6, 2019

CALL TO ORDER: Chair Chris Hoth called the regular meeting of the Seaside Planning Commission to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Commissioners present: Chair Chris Hoth, Vice Chair David Posalski, Bill Carpenter, Lou Neubecker, Robin Montero, Jon Wickersham and Teri Carpenter. Staff Present: Debbie Kenyon, Administrative Assistant, Kevin Cupples, Planning Director, Absent:

APPROVAL OF MINUTES: July 2, 2019 adopted as written.

INTRODUCTORY STATEMENTS

This is the time duly advertised for the Seaside Planning Commission to hold its monthly meeting. Agenda items can be initiated by the general public, any legal property owner, Seaside City Council, City staff, and the Seaside Planning Commission.

Chair Hoth asked if there was anyone present who felt the Commission lacked the authority to hear any of the items on the agenda. There was no response.

PUBLIC HEARING PROCEDURES, EX PARTE CONTACTS & CONFLICTS OF INTEREST:

Chair Hoth stated it is standard procedure for the members of the Commission to visit the sites to be dealt with at these meetings. He then asked if any of the Commissioners wished to declare an ex parte contact or conflict of interest. There was no response.

AGENDA:

PUBLIC HEARING REQUIREMENTS:

The following public hearing statements were read by Chair Hoth:

1. The applicable substantive criteria for the hearing items are listed in the staff report(s) prepared for this hearing.
2. Testimony and evidence shall be directed toward the substantive criteria listed in the staff report(s) or other criteria in the plan or land use regulation, which you believe applies to the decision.
3. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.
4. The applicant will testify first, then any opposition will testify, and then the applicant will be given time for rebuttal.

PUBLIC HEARING:

- A. 19-044VRD:** A conditional use request by **Brian & Misti Dowling** for a **three (3) bedroom** Vacation Rental Dwelling (VRD) permit with a maximum occupancy of not more than **nine (9)** people over the age of three, no more than 10 regardless of age. The property is located at **441 15th Ave (T6-R10-S16DA-TL3000)** and it is zoned **Medium Density Residential (R2)**.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Brian Dowling and his wife Misti. Mr. Dowling has been coming down here since he was one. She's been coming down since college. His family still comes down every year. This is something they never thought they would do, but they bought a second house down here and it's just like a dream come true. They're from Seattle and are not going to be here all the time but are going to be here a lot. They hope that they can rent it some to offset some of the costs of owning a second property and they've put a lot of time and effort into the house over the last year. They think it's a really nice place that other families would really enjoy using also. Misti stated that it should be noted that the house next to them actually just sold and that was included in the density calculations and it closed on the 26th. Their understanding is that the VRD license won't carry with them and that they would have to apply

separately. So technically they won't be changing the percentages of the neighborhood. Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Erin Barker with beach house vacation rentals. They've done a tremendous amount of work in their yard out there. It looks really nice. They just started talking and then they mentioned what they were interested in doing and they chatted about it and it feels like they would be compatible as far as owner manager relationship. They've already a fair amount of information on what Beach House does and how this process works and what the expectations are. It hasn't gone through its inspections yet and they've been working for months on it. If you have any further questions feel free to ask any of them.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. There was no response.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Hoth closed the public hearing and opened the discussion for the commission. Commissioner Montero stated she made herself a chart based on the Clatsop County web maps and in this one block going from Franklin to the river just on 15th alone, not including this application. However, including the property that had just closed in July, there are 19 properties with seven of them being licensed VRD's. That is a 37% occupancy that are VRD's. She just wanted to put that out there. Vice Chair Posalski asked Mr. Cupples on page five of the report it talks about time period for re-inspection. The planning commission along with city council started discussing that provision and making adjustments to that moving forward. Is that a policy or is it an ordinance or is that something new? Mr. Cupples stated that it is a policy of the planning commission. Vice Chair Posalski asked if it's something that could be changed beginning with this VRD. Mr. Cupples stated yes. Commissioner Montero stated that the property has not been inspected. Mr. Cupples stated that is correct. Chair Hoth stated that he's sure they are aware of that they have to use the garage as a parking spot. The Dowling's stated yes.

At the end of the Commissioners' discussion, Vice Chair Posalski made a motion to approve the conditional use with the adjustment to the requirements that this be inspected yearly once a compliance officer is hired. Commissioner Bill Carpenter seconded and the motion was carried with a six to one vote. Commissioner Montero voting no based on the 37% density.

- B. 19-051CU:** A conditional use request by **the City of Seaside** that will allow the development of a neighborhood park within an undeveloped right of way located east of the intersection of Huckleberry Drive and Cooper Drive. The right of way is 20' wide and 125' in length. It is located between two currently vacant lots referenced as T6-R10-S22DC-TL210 & TL300 (Situation Address 1980 & 2064 respectively), and the area has the potential to be utilized as an emergency access point with minor improvements. The property is currently zoned Medium Density Residential (R-2) and development of the neighborhood park is being supported by the Seaside Parks Advisory Committee.

Kevin Cupples, City Planning Director, presented a staff report, reviewing the request, decision criteria findings, conditions and conclusions.

Chair Hoth asked if there was anyone who would like to offer testimony in favor of the request. Dale McDowell, Public Works Director. As you know, Chairman Hoth, this city's parks advisory committee has just updated their parks master plan. One of the things that they would like to continue to do is put small parks in all of our neighborhoods so that everybody gets a chance to enjoy our parks. Some citizens from this area attended the parks advisory committee and proposed the city do something with this piece of property. The actual property is only 20 feet wide. He talked with Chief Joey Daniel's and he needs a 15 foot wide fire lane, which is what we gave him, or at least access. So one, a truck could get up there and two mass evacuations could get up there without any obstructions in their way. Grading of that site, it's actually not that bad on the site. The upper end, we can flatten out so that we can have a basketball court away from Cooper Street itself. Maybe some picnic tables, benches; no barbecues. There's a bike rack, garbage can, garbage is serviced daily. Just as our other regular rounds are. It would not be fenced because we wouldn't be able to get a truck through there. He can't really put a gate on it. He could put a cable gate possibly just so we don't have cars driving up there. It's a real barren area. It's a park. It would be all asphalt, because one, we want surfaces for kids to play basketball on. He did receive a telephone call this morning from a gentleman that lived in the area. His concern was potential excessive noise because they would be playing late at night. The answer to that is it's not lit. This park would close at 9:00 PM, the parks advisory committee is open to suggestions from the community. The second item was parking issues. He doesn't really know if anyone would drive from the lower end and drive up to the top to play basketball or a kid would ride their bikes. That's why we want to put bike racks in. Would adults be using it? We don't know that. We don't know until the park is built and people are actually using it. He received a letter in the mail as well. He spoke to these

people as well. They asked about the picnic tables. Are they going to be permanently secured? The answer is yes. They will be bolted down. Just like in all of our parks. They're going to generate waste. Will a trash cans be available on site? The answer was yes. And how often would they be emptied? The answer is daily. The basketball hoop, they were worried about the slope of the street. He explained to them that we would grade that area flat. They could actually even tip it back just slightly to keep it from rolling down the hill, but he can't guarantee it won't roll down a hill. They asked about lighting and he explained to them it will not be lit. They asked about signage, to know the hours of the park and that would be 9:00 AM to dusk and then a phone number in case of emergencies. The city also updated all of our signage in our parks at the same time. Each park has a different closing time. Broadway, we close at 11 because we have games, we can't close it at 10 because the games are still going on. Most of the other parks are 9:00 PM or 10:00 PM depending on the park and location. How frequently will the area be maintained by the city? Again, that's a daily as far as garbage, and it's all asphalt. There's really not a lot of maintenance to it. The new home that has been developed or the property next door, he spoke to them as well. Told them this is the proposed drawing, this is what may be next door to you. They didn't have an issue with it. So as far as the basketball being back there, its fine. One of the other questions someone asked him is, what about bocce ball? What about horseshoes? What about other games out there that could all be put in there as time goes by? We may look at some other options as well.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Bill Barnes, 2070 Cooper Street. So this idea came as we were having a neighborhood get together on Memorial Day. This is probably one your tighter knit neighborhoods in the city or most of us are on first name basis. We actually know each other. We don't have tourists in the neighborhood and when they do drive through they kind of get the stink eye. They kind of police themselves they know each other. They walk around the loops, three quarters a mile Huckleberry to Cooper. If you ever want some good exercise on a hill, two laps to the mile and a half. They even know the dog's names up there, but they don't have a park. He knows for years that Seaside has talked about implementing some type of ordinance to where we would mandate these developments that are going to be going in at a certain percentage for green space. He thinks this is a great opportunity. About one in five driveways have a basketball hoop. Many times you see the moms out there with the kids playing basketball. They were thinking this would be a great opportunity to put a hoop in somewhere where it would meet our CCR's. The neighborhood could come together to meet at picnic tables and they could have things like that. And it would be a great place for kids to play off the street instead of on the street. It's also a great access to the trail that they do have going back to the Necanicum 47 from Cooper that a lot of people use for hiking and biking currently.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. Paul Finn he purchased the lot at 2064 Cooper. His land is immediately adjacent to this new park. He and his wife have seen the plans while they were over talking with Kevin and Debbie and they thought it was a great idea. Their only concerns, it was actually more for the community than for themselves was what happens if a basketball flies off to the north side lot. That's all filled with brambles right now. If get dangerous for kids getting the ball out or if it went over on their side and they're proposing to put a garage there so it shouldn't be much of an issue for them. The only other issue was, they assumed it's going to be used for tsunami evacuations as well as fire access. So that's why he was asking whether the picnic tables would be permanently attached or if they could be movable in case of a fire needing access. He actually came here both to provide his support and looking for some clarification.

Chair Hoth asked if there was anyone else who would like to offer testimony in favor of the request. There was no response.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. Barbara Crothamel, 2065 Cooper Street, Seaside, Oregon. She has heard of strip malls, strip steaks, but not strip parks. A 20 by 125 strip of property is not a park. The dictionary states, park, a large green area in a town used for recreation, a basketball hoop and three picnic tables is not a city park. Will the city provide signs for no overnight parking because they've had issues with overnight camping down on Broadway and other parks in the area? How about port-o-potties because people have to go the bathroom when they're at parks because we have a nice little restroom down there at the Broadway Park. She thinks it'd be a great idea to make it a city garden up there. A nice 20 by 125 foot strip would be a nice garden area or an herb. It would be a great idea. But for a city park up there? Not at this time.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition. There was no response.

Chair Hoth stated it was time for rebuttal. Mr. McDowell stated this drawing is not set in stone. We do have access to water from the street. Unfortunately he'd have to cut a fairly brand new street to put a water meter in to get water to a community garden. The city does not maintain community gardens. Again, this is not set in stone we're listening to what the community wants because this is a brand new park. It is very small park. It's just like the one down on Downing and Broadway. Its 20 feet wide by a hundred feet long. We just happened to have a few trees down there. Here without having water we didn't want to try to plant any trees and we also don't want to end up with a bunch of leaves on people's properties because we know how everybody just loves their autumn leaf festival. There could be some areas where they could be planted, but a community garden could go in here as well as what we have. We're open to suggestions.

Chair Hoth asked if there was anyone who would like to offer testimony in opposition.

Frank Erickson, 1960 Cooper Drive, just a concern not in opposition. He lives two house lots away from this proposed park. He agrees with the last speaker who was in oppositions that this paving a lot with asphalt does not make a park. It's not a green zone by any stretch. His concern is that Stimson lumber came and did a clear cut just last year. And they're not on schedule with what they said they were going to do. They haven't burned the piles of leftover branches. They haven't replanted. They haven't come back with herbicides. He's just curious. The devil's advocate in him says is this planned asphalt paving site really a prelude to access road for development? Resurrecting the old East hills plan. Is Stimson lumber in negotiation with some developer to sell the seahorse unit that they just clear cut? He doesn't know the answer to those. Maybe someone here does. He is a concerned homeowner. If they are going to develop the east hills, that might have an effect on the property values, the extra traffic that would ensue. He's happy to be an assembly area for evacuation of refugees above the tsunami zone, but daily increase in traffic on Cooper drive and Cooper Street is an issue. He's open to any further discussion. Kathy Barnes stated that they have planted, they have been out there. It's there. If you go out there, you'll see all the trees they planted. Everywhere that's clear cut they have replanted. They said they were going to burn, but they brought this big chipper in and chipped everything. Maybe they changed their minds, we don't know what the plan is; we haven't received any further plans from Stinson. Bill Barnes stated that Kathy's absolutely right. They have replanted, they're going to come in and do another replant on the area. They've chipped instead of burning. They're going to replant where they've chipped, those are kind of smaller as compared to the big area up there and they have been given permission to put a trail through to the roadway also. So it is usable space. It wasn't the neighborhood's idea to pave the whole thing it was the neighborhood's idea to put a basketball court up there to kind of get kids a safe place to play ball but wasn't the whole thing. It just kind of came out from the city. He thinks it'd be great to have some green space up there. The original idea before they knew that the city was going to pave it, they thought they were going to have to take their own lawnmowers over there and cut the grass. But you know, anything's going be better than just letting the wild brambles grow like they are. And basically it comes down to, during the winter months there is standing water there. So if you had an emergency access there, no one wants to stand on there in case of a tsunami or something. And during the summertime you got three foot weeds and stuff and no one's going to want to stand on there. As far as development goes he checked with the city and its only 20 feet wide. It's not wide enough for a street through there. And when both lots get built on, they're not going to want cars going through a 20 foot section between two houses to a neighborhood that's just not realistic. The long term realistic goal is the city's going to have to find an area to develop that has affordable housing and ocean view is not going to be affordable housing and what you guys are going to be looking at for urban growth expansion. So he thinks the reality of that area behind them becoming urban growth is probably not in our lifetime.

Kay Foetisch, 1920 Cooper Street. A neighborhood park in her opinion, it's something that would be welcome in the neighborhood because the kids are not going to be playing in the street. It's going to be off to the side. And she thinks that it's a good idea, but she was hoping that it's not going to be put on some plan that we send out to everybody saying that it's a park. So that people would end up camping up there. She's assuming that as a neighborhood park that it would be on the city map that we send out to residents but not advertised like down on Wahanna saying there's a neighborhood park up there. They have lots of kids they're right on the other side of section eight housing apartments that are down below. They don't have a place to play as far as she knows. She thinks that it'd be a great idea to be able to have kids in the neighborhood playing. She's also open to a community garden. She understand that water's going to be an issue and she doesn't think that anybody wants to run a hose over there. The neighborhood will continue to meet and work with the city and she supports the neighborhood parks.

Mr. McDowell stated one more thing that no one's aware is that the city is going to be taking the water

pump station out of Cooper it's on that little piece of property that the cities owns, because we won't need it after the new water tank is built for the East hills reservoir and they come and tie everything in. Now that piece of property obviously has water. That area could be a community garden and that would be nice and simple. That doesn't mean we still couldn't put it up on Cooper. Again, he works for you. So he's open for suggestions of what we want to put in these areas. So we could have the potential of two community gardens. Now the issue we have with community gardens right now, people aren't really that interested in the one we have at Rail Road Park. We have a few empty plots and no one's taking them over. We hate to get something in there that someone's not going to use or they use it for a year and then we take it back out. He is not into taking things back out if we build it because again, he's spending our tax money to build something to start with and he hates wasting money. So we do have the potential of putting community gardens right there at the pump station.

Chair Hoth stated that he would like to turn it over to planning commission discussion now.

Commissioner Bill Carpenter stated there was a discussion of black top only in the basketball court or do you intend to pave the road going up? Mr. McDowell stated that they have to pave the road going up per the fire chief. Commissioner Bill Carpenter stated Okay and at that end it goes off of city property, into county property. Mr. McDowell stated that it would stop at the end of the city's property. There would be just a cable gate with bollards.

Chair Hoth stated you said you can do all kinds of signs and posting of terms of closure and stuff. You could also post it's a fire lane.

Mr. McDowell stated the city has it's our own sign shop. They purchased a machine this last year to make our own signs. That way we can get them out sooner than waiting three to five weeks from somebody else in Portland.

Vice Chair Posalski stated that Mr. McDowell mentioned that a design for this is not in stone, it's open to changes.

Mr. McDowell stated the next step that he will take from here should you approve this tonight is he will go back to the parks advisor committee and we fine tune this and get it to where we get everybody's input including the letters he received and the telephone conversations. And then the parks advisory commission will take it to the city council for hopefully an approval.

Chair Hoth asked Mr. Cupples if that means that the commission is approving the use, not the actual specifics. Mr. Cupples stated that is correct, and you're actually giving the Public Works Director, Parks Committee and City Council basically the ability to shape and mold what the final park will look like.

Commissioner Montero stated to Dale that this a great idea and she applauds his efforts. She also has a question regarding the city's liability in putting in a basketball hoop because the property is not proposed or fenced, whereas something like Broadway Park or the 12th and Necanicum Park have a fence. So how is the city and the insurance liability work out on that?

Mr. McDowell stated that he would have to check with our city manager and our city recorder. Based on this preliminary design, we'll call it, the basketball court itself he would sit back down with the Fire Chief, Joey Daniels. How much room do you actually have to use? Can we fence both sides in the back of it so the ball can't come down the hill? We can reverse grade for that section so that we make sure it can't do down the hill. There are different things we can do but again, we're limited to a 20 foot wide space.

Commissioner Montero stated so the neighbors on the north and on the south still have the opportunity to fence those property lines without any issues? Mr. McDowell stated absolutely. Commissioner Montero stated you're proposing asphalt, so not necessarily dog friendly. Mr. McDowell stated it's not dog friendly. One of the issues that we have is we have one parks person. He has nine parks, 18 restrooms. He weed whacks, 1,348 head stones and mows, the four acres. One person, they tell him that they have to give him two days a week off. If he adds more and more lawns, he wants to make sure if we add it, that we can maintain it. Commissioner Montero asked is there a lighting up there? Mr. McDowell stated that there's street lights overhead, the street light doesn't do any good so that we don't have people disobeying the closing time.

At the end of the Commissioners discussion, Chair Hoth closed the public hearing and Vice Chair Posalski made a motion to approve the conditional use under the guidelines that staff has presented. Commissioner Bill Carpenter seconded and the motion was carried unanimously.

ORDINANCE ADMINISTRATION:

Mc. Cupples stated that he had hoped to actually get the VRD policies ready that were discussed at the last joint work session finalized and brought in. He can tell you that we're actually rolling the local contact acknowledgement form that is already being incorporated into this decision. It's also being put into every administrative decision right now too. There was no final discussion about the 50%, 40% of VRD's in a neighborhood there's discussion about changing those. He has already expressed concern about taking a different percentage and taking a percentage and sticking with that. Just from a standpoint of saying, yes, this is basically the limit where you don't want to go past. That doesn't mean

that you couldn't be more restricted in certain instances for certain reasons. But, he thinks sticking with the 40% is a conservative approach and then if you're not doing that along basically the RR zone area, that's something that that can be supported. He's curious to hear what the planning commission has to say about that direction, it seems like the council is pretty much supportive of everything that you would've done.

Commissioner Bill Carpenter stated that the commission met with them and they basically said, you're doing good, come back to us with your concrete decisions. He thinks that we should further discuss this in the next work session. Chair Hoth stated that everyone should jot down some of the changes that they would like to see happen with solutions. Commissioner Bill Carpenter stated that the local contact form is great.

COMMENTS FROM THE PUBLIC:

Bonnie Woodman, 451 16th Avenue. She comes here with great praise for those of you who did attend that meeting (the joint work session), she thinks what you said and your input it was outstanding. She commends you. She also comes with a heavy heart. It appears that when she brings to your attention or any other city officials, including Kevin Couples, she's the bad guy. These people are breaking the rules and regulations that you people have and she's bringing it to your attention. She probably has better things to do, but that's not how she was raised. It's not what she believes in. You have listened to what she has had to say about the particular people that live next to her and there has been a major, major improvement. She appreciates Erin's policing up and down the road during different times of the day. And she has been tempted on some occasions to make phone calls but allowed the clock to tick by and allow her blood pressure to come down and it went away. This is the first time since she's moved here that there's been an improvement. There was another little episode down the street. You people happen to have approved this VRD the last session. It's Nicki at 470 16th Avenue unfortunately the woman and Bonnie have had a conversation before she knew her agenda. There are many things that she said to her as to how she was going to approach you as to approve her VRD. A sly slick maneuvering and she did it, she convinced you. Bonnie attended and said, go ahead with VRD. You know, she's not here to prevent what people want to do, but she against them not following the rules. She tried to contact her property manager multiple times on the phone. That's the only way that she had to get a hold of it. And she had to work bloody hard to get that property manager's telephone number because she's a renter, not an owner. This individual chose not to return her calls or even answer them. They just went off into the blue. Vice Chair Posalski asked if this was the stuff that we received in the emails today. Bonnie stated no. So she decided to approach Nicky herself because she had given Bonnie her email address and she'd given Bonnie her phone number prior to knowing that she's, you know, on the VRD issue. She contacted Niki and let her know that there were three cars at her VRD that the commission approved. One of the cars was on the street for three days. She returned the email to me. Bonnie passed it on to city officials and Kevin. Bonnie wishes she had all of the planning commissioners emails because you'd get it to. Niki basically came back with the Jesus and God plea and that Bonnie is a liar. Pictures don't lie. She didn't put that car there. This is a VRD and they're not supposed to park on the street, but she's the bad guy. And now Niki threatened her with a few interesting methods to get her to shut up and she's not going to. She's just asking you to please, as you continue to do these sessions with the city council by yourselves, try not to yawn too much. Vice Chair Posalski stated you said you had trouble getting hold of their local contact? Bonnie stated Correct. Okay. Vice Chair Posalski and did you finally get ahold of them? Bonnie stated never. There was an answering machine once that she was able to leave a message and every call after that she never got sent to the answering machine. Vice Chair Posalski stated Okay, the process that we've talked about in the past where are we on this one? On a continuum of, and at the end of the continuum, does it come back to the planning commission? Mr. Cupples stated yes, and at this point, what staff would be doing is we'd be contacting the property manager just like on that other one that you received. We'd be contacting property managers saying, you know, these are what your expectations are. Why are these phone calls going unanswered? Bonnie asked if they were called. Mr. Cupples stated he has not called them. Bonnie asked then what's the time limit. She understands that the man is extremely busy, but why didn't he call. Vice Chair Posalski asked Bonnie when did she contact them. Bonnie stated her email is August 6th. She contacted Nicky herself on August 3rd with the picture. Bonnie stated that she didn't know when the sixth was. Vice Chair Posalski stated the sixth is today. Mr. Cupples stated that there was an interplay of email going on today. Commissioner Montero stated OK so it's just today. Bonnie stated she's just asking for response in a reasonable amount of time, but she's told she's a liar. Vice Chair Posalski asked, by whom? Bonnie stated by the owner of the VRD and they say she's a petty individual and nosy individual. Vice Chair Posalski state because of Bonnie's input, the commission has put a process in place. Now let us move forward, allow that process to work and let's see if we can get it working in the right direction. Bonnie stated that she just needs, to have somebody listen to her. Commissioner Bill

Carpenter stated it's not that we don't listen to you it's the fact that we don't have a compliance office. Bonnie stated that she understand that. Commissioner Bill Carpenter stated we as planning commission members can't do anything. Bonnie stated but she's voicing her opinion so you can. Commissioner Neubecker stated that without a compliance officer their hands are really tied. Bonnie stated that she understands that and she's asking you get the compliance officer. Commissioner Neubecker stated that is not up to the planning commission.

Chair Hoth stated we have an email about another problem that's occurring and it seems clear that there are some violations and failure to act responsibility. The problem we're having right now in doing what you're saying, should be done, which we agreed on, is that you don't have the actual processes codified so that we can say, well, okay, we know what to do if this happens because we have it written down. Bonnie stated that she is just encouraging the commission to act. Chair Hoth stated we're kind of flying by the seat of our pants right now but we're trying to make things better. What we are trying to do right now is there's a clear case here, which if we had procedures set, would be a way to deal with it. One is the compliance officer. Bonnie stated it's the same thing with Nicki. She was on airbnb without a license and you're not penalizing her. Chair Hoth stated we've been talking about it for a long time. Unfortunately. We haven't accomplished specifics, but he thinks we're closer to doing that now that we have been. Bonnie stated that's what she's commending you on. Chair Hoth stated he's hoping that we will be able to generate some of these policies that have been written down so that we can deal with issues like this. The other one, it's going out right now probably is serious enough that at some point if we have this process arranged would come before us so that we would then act upon by revoking their license or putting them on probation. We're just not there yet. Bonnie stated that she's pushing and she's pushing. Vice Chair Posalski stated he's going to push back just a little bit on her in that if you send something to Kevin we can't expect an hour or two hour turn around we expect that from a local contact. And being that this just happened. You came in as saying you're not getting a response from Kevin, but you have emails all day long and so it is off putting to people when you make a claim like that and don't allow the process to work we only meet twice a month. If something's going to come before us, it's going to be either at the planning commission meeting or something we may talk about in our workshop, but it's not going to be an instantaneous fix. Like if somebody is partying all night, you can all police and they can deal with the noise ordinance. But putting this into a policy is going to take a little bit of time. Bonnie stated that she figured one year to two years. Vice Chair Posalski with the conversations that you've been at, the meetings you've been at, we're making great progress and great direction towards a fix. Bonnie stated that was her first comment to you was that she commended you and she clapped. Commissioner Montero stated the she personally would like to thank Bonnie for the information that she took and the time to gather all the information regarding the VRD policies in other areas that's a lot of work. It's an asset to our decision making process in research. Bonnie stated that's why she provided it to the commission. Bonnie stated the commission needed something to chew on she hates to be frustrated. She doesn't know why she has to be the bad guy and it wears on her. But she's not going to go away and not going to let them get away with it. She'll be around.

Sandra Gee 1700 Cooper Street. She lives on Cooper just above where Huckleberry intersects and across the street from her is a little cul-de-sac with three or four houses in there. She think some are rentals. They all have little children who come flying out on the street all the time on their skateboard, their bicycles, whatever. She's all for the park up the street of course they have to get up there. But we also have four school buses going up and down that street. One of them stops in front of her house because of the kids across the street. She would like to see a speed sign there. Since they moved in there four years ago. Some of the kids up the hill have become drivers now and they like to come down that hill pretty quick. She knows there's a 25 mile an hour on Spruce. She'd like to see something like on Cooper, even if it just means putting one of those things out there that says your speed is ... like at the hospital, something like that for a temporary thing to see what it's like out there. But she is concerned about what it's going to be and now that Max has started his permit process down there at a Blue Heron point, there'll be children moving in down there. Eventually she'd like to see some kind of a speed zone set up on Cooper. That will help because we are getting more activity because of the school. We get more people cutting over to Cooper. There's a lot more traffic on Cooper than there was. She hopes that we could come up with something, Dale, please. Mr. McDowell stated that he will call her and see where would be the best spot is. Vice Chair Posalski asked if it would be better to put the flashing speed light up there, or does it need to go to the transportation committee. Sandy stated when they moved in, there are CCR's on that area, which the city does not recognize. But in that CCR, it says that residents cannot park on the street more than 48 continuous hours. Well that kind of went by the wayside the last few months and it's gotten to the point at Huckleberry and Cooper, it's really bad there. On Huckleberry a guy moved into a rental and he said, he'll park anywhere he wants. We got lawn people there, we got visitors parking for the townhouses and they are there a day or so. But it's getting

to the point where it's real hard to get through and you know, down there it curves when you get down to Cooper and that's become a real challenge lately. It's a really kind of a bottleneck there sometimes. But again, we've got these little kids right across the street to get their bus. Commissioner Teri Carpenter asked the question what's the best avenue for someone to take in order to get signs? Who should they talk to? Mr. McDowell stated just come directly to him, his cell number is on his card. Vice Chair Posalski stated that someone could also go to the transportation committee. Erin Barker stated that she has talked to the fire department about the parking on 13th. There should be no parking on one side of the street, west of Franklin. One of the things when she moved here and was doing property management as an employee for the person she ended up buying it with, their issue was when the police are called on a noise disturbance to a vacation rental, they just go over there and say quiet down and they don't notify anybody. That's a problem she's hoping that in this discussion of a compliance officer, is this going to be a police officer who has somewhat of this designation? Like Officer Brandt with animal control? When you are dealing with the vacation rental that they notify whoever is on file, the manager or the property owner or their local contact if they're going because there is a party somewhere and a neighbor calls the police for noise disturbance for whatever reason. She thinks the local contact needs to be notified at that time and not later. Chair Hoth stated that's the kind of procedure that we're going to have to kind of think about. Erin stated that if the manager or property owner know what is going on, then most issues can be nipped in the bud.

COMMENTS FROM COMMISSION/STAFF: Mr. Cupples stated that Wednesday the 21st FEMA representatives and we'll be in our office doing a community assistance visit. What are they missing and a little look at how you're managing your floodplain guidelines. It's kind of an evaluation or a report card on how you're doing your flood plain management.

Chair Hoth asked about the e-mail that they received and the property manager not doing what they are supposed to. These are the kind of procedures that we're going to have to incorporate into our stuff. The other one is there's no 24 hour availability, it clearly states that you're asking for 24 hour contact to be available. This one instance seems to be real serious. She was just given the run around basically. They are not following our ordinance, you know, the requirements for property management. He thinks this one's serious enough. Chair Hoth stated that he knows Mr. Cupples can handle it, but this, if it doesn't mean there's any lack of traction here and getting something done, this might be one you might consider doing something more with. Vice Chair Posalski stated he agrees. The other commissioners also agreed. Mr. Cupples stated that gives him a rather large hammer. Vice Chair Posalski stated he would say the same thing about Bonnie's situation, the local contact needs to respond.

ADJOURNMENT: Adjourned at 8:00 pm.

Chris Hoth, Chairperson

Debbie Kenyon, Admin. Assistant