

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

Present: Mayor Don Larson; Council President Don Johnson; Councilors Jay Barber, Tita Montero, Stubby Lyons, Randy Frank, and Dana Phillips.

Absent: None

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Bob Gross, Seaside Police Chief; Joey Daniels, Seaside Fire Chief; Neal Wallace, Public Works Director; Kevin Cupples, Planning Director; Esther Moberg, Library Director, Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Jon Rahl, Convention Center & Visitors Bureau Assistant Manager; and Nancy McCarthy, Daily Astorian/Seaside Signal.

**AGENDA** Motion to approve the February 24, 2014 agenda; carried unanimously. (Lyons/Frank)

**PROCLAMATION** Councilor Lyons read the Proclamation for Earthquake and Tsunami Preparedness Month in Seaside.

**COMMENTS – STUDENT REPRESENTATIVE** Danny Leary, Student Representative, was absent.

**COMMENTS – PUBLIC** Dale McDowell, 3760 Sunset Blvd., Seaside, stated at the last Council meeting he had brought up an issue that he was concerned about and there had been a resolution with the issue as he had met with Mark Winstanley, City Manager, and Neal Wallace, Public Works Director, and was optimistic about the future outcome.

**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 \$418,856.54; and February 10, 2014, regular minutes; carried unanimously. (Lyons/Barber)

**ORDINANCE #2014-02** ORDINANCE #2014-02 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE COMPREHENSIVE PLAN REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 151 REVISING URBAN GROWTH POLICIES, GOAL 9 ECONOMIC OPPORTUNITIES ANALYSIS, EMPLOYMENT LAND NEEDS ASSESSMENT, GOAL 10 HOUSING AND RESIDENTIAL LAND NEEDS ASSESSMENT AND BUILDABLE LANDS INVENTORY

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

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

Motion to place Ordinance 2014-02 on its third reading by title only; carried unanimously. (Barber/Montero)

Motion to adopt Ordinance 2014-02; carried with the following roll call vote: (Johnson/Lyons)

YEAS: JOHNSON, MONTERO, BARBER, FRANK, LARSON, PHILLIPS, LYONS  
NAYS: NONE  
ABSENT: NONE  
ABSTAIN: NONE

**VACANCY – CONVENTION CENTER COMMISSION** Mayor Larson stated there was one vacancy on the Convention Center Commission with two applications received from Patrick Duhachek, and Jennifer English. Mayor Larson further stated the vacancy would be left open until February 28, 2014. Mayor Larson asked Council if they wished to schedule interviews at this time.

Council consensus to schedule interviews prior to the City Council meeting March 10, 2014.

Motion to nominate Patrick Duhachek and Jennifer English for the Convention Center Commission; carried unanimously, (Johnson/Frank)

## LIQUOR LICENSE

Mayor Larson stated there was a liquor license application received from Angelina's Pizzeria and Café, 300 S. Roosevelt, Ste. 8. Mayor Larson further stated the application was for an additional privilege. The business had a Limited On-Premises Sales License and was applying for an additional Off-Premises Sales License. Mayor Larson asked if the owner Elizabeth Hall was present, and the owner was present for questions.

Councilor Montero stated the application was for an Off-Premise Sales.

Mayor Larson stated that was correct.

Councilor Montero asked if the Off-Premise Sales included the delivery of alcohol along with a pizza.

Elizabeth Hall, Owner Angelina's Pizzeria, stated that was an additional privilege the business had applied for but there were a lot of restrictions. That was an additional privilege and was not the liquor license Ms. Hall had applied for.

Councilor Montero stated people could buy the alcohol at Angelina's and walk out with it.

Ms. Hall stated that was correct and would be for beer and wine.

Motion approving the Off-Premises Sales License for Angelina's Pizzeria and Café, 300 S. Roosevelt, Ste. 8; carried with Montero opposed. (Barber/Phillips)

## SEASIDE POLICE DEPT. ANNUAL REPORT

Bob Gross, Seaside Police Chief, stated he had provided Council with a copy of the Seaside Police Annual Report. Chief Gross further stated as a Community the economy was getting better and tourists were increasing in Seaside throughout 2013. Unfortunately with the increasing number of visitors, it also created a significant increase in calls for service. This year the department saw a fourteen percent (14%) increase in calls for service, which equaled out to just short of ten thousand calls in 2013. With the increased number of calls came an increase in crime, as indicated by the Part I and Part II crimes. Chief Gross further stated Part I offenses driven solely by Burglaries (+7%) and Thefts (+10%), led to a Part I annual increase of six percent (6%). The only other area that showed an increase was Forcible Rape (1 case), as compared to zero last year. Part I offenses over the past ten years showed a point two percent (.02%) increase or one more case than ten years ago. The Part I Crimes clearance rate increased this year by three percent (3%) to thirty-one percent (31%). Chief Gross further stated Part II offenses also suffered from increased activity, rising eighteen (+18%) percent, including increases in Simple Assault (41 to 54), Fraud (22 to 38), Liquor Laws (69 to 122), Drugs (102 to 132), Disorderly Conduct (177 to 219), and DUII (62 to 83). The most significant decreases in Part II offenses were Runaway (26 to 20), Vandalism (185 to 158), and Curfew (15 to 7). Part II Crimes clearance rate was seventy-eight (78%) percent, a nine percent (9%) increase over 2012. The ten year look at Part II offenses showed a fourteen percent (-14%) reduction. Chief Gross further stated Underage drinking enforcement of liquor laws remained a department priority, which helped reduce crime associated with minors and drinking. Officers cited one hundred ninety-eight (198) minors for possession or consumption of alcohol. They also arrested twenty-four (24) people for furnishing alcohol to minors and conducted two decoy operations (March & December) through local alcohol outlets to ensure compliance in asking for the proper identification. Chief Gross further stated the departments continued planning and partnerships with the Seaside Downtown Development Association and Seaside Chamber of Commerce continued to provide for successful events like Spring Break, 4<sup>th</sup> of July, Beach Volleyball, and Hood to Coast. The department also provided security and assistance for the Miss Oregon Pageant including a parade. The 4<sup>th</sup> of July Parade seemed to get bigger every year, and our parade operational plan developed in cooperation with the Seaside Chamber of Commerce created a safer parade this past year. Chief Gross further stated the seventh annual South County Citizen's Police Academy was sponsored this year by Cannon Beach and several Seaside officers and dispatchers were used in providing training. The Citizen's Academy was a law enforcement partnership with Gearhart, Cannon Beach, and the Clatsop County Sheriff's Office, to provide training to citizens interested in law enforcement in Clatsop County. Chief Gross further stated the department continued to provide safety information to children and families by holding the sixth annual Child Safety Fair. This was a partnership with Safe Kids North Coast to give kids the opportunity to learn about bicycle safety, water safety, pedestrian safety, safety around power lines, fire safety, and provided a child safety seat clinic. Each year, entire families come to the fair and learn about safety together.

Mayor Larson stated at the Child Safety Fair there were over seventy-nine safety helmets given out.

Chief Gross stated that was correct. Chief Gross further stated National Night Out in Broadway and Cartwright Parks continued to be one of the best police/community activities during the month of August. The eighth annual old fashioned picnic continued that tradition. The Seaside Chamber of Commerce, Seaside Kiwanis, Rotary Club of Seaside, and Sunset Empire Parks and Recreation continued their partnership by providing food, activities, and prizes for the community event. It was just one more opportunity for the community to have a conversation with police and learn more about protecting themselves and their families.

Chief Gross further stated while 2013 crime statistics may have shown some increases, the men and women of the Seaside Police Department worked hard this past year to keep our community safe while meeting the needs of the visitors and residents. Chief Gross further stated the department continued to provide the daily police log through the Seaside Police Department Web Site and was now posting on a face book page as well. The department was also entering the world of twitter as another method of communicating with the Community. If you have not become our friend you are missing out on important information. Nixle 2 was another way of getting important notifications out and Chief Gross encouraged everyone to sign up. The department also provides a prescription drop box for unused and unwanted prescriptions. Members of the police department continued their community involvement through their participation in SDDA, Seaside Chamber of Commerce, Reduce Underage Task Force, Domestic Violence Council, Lunch Buddy Mentoring Program, North Coast Prevention Works, Kiwanis, Rotary, and United Way. Chief Gross further stated 2014 would be a year of change as iPads would be used in police vehicles to reduce the radio traffic and provide officers with more tools to do their job. The department would also continue to update the Strategic Plan and Policies and Procedures, to ensure the department was meeting industry standards and giving clear directions to employees. 2014 would also see a change in leadership as Chief Gross would retire and the City would select a new Chief to lead the department. Chief Gross further stated Seaside was a special place to live and visit and the department would work hard to keep it that way. It was only through continued community partnerships that the department could provide police services that meet community needs while maintaining the trust and confidence of citizens and visitors. Chief Gross asked if Council had any questions.

Councilor Barber asked what a clearance rate was.

Chief Gross stated when a case was cleared it was either by arrest or exceptionally. Exceptionally means you know who was responsible but for a variety of reasons there was no arrest made. Some cases were a civil compromise and in other cases the department found out who was responsible but the victim does not want to pursue it. That was what was meant by clearance rate.

**SMOKEFREE PUBLIC  
BUILDING POLICY**

Mark Winstanley, City Manager, stated the City of Seaside has provided a policy that would ban all smoking by a cigarette or by an E-Cigarette from all public buildings. This would keep the City out of the business of trying to referee whether someone was smoking a cigarette or an E-Cigarette. Mr. Winstanley further stated by adopting the policy it made it clear to everyone using a public building as far as the City was concerned that no smoking would be allowed. The City of Seaside currently prohibited smoking in public buildings and on adjacent public grounds, and had determined that prohibiting e-cigarettes should be added to City Policy. Mr. Winstanley further stated the City of Seaside prohibited the use of tobacco products, including E-Cigarettes, in municipal buildings and on adjacent municipal grounds in the City of Seaside. Mr. Winstanley further stated the policy becomes effective upon the date of Council approval.

Motion adopting the City of Seaside policy to ban all smoking including E-Cigarettes from all public buildings; carried unanimously. (Johnson/Lyons)

**FINAL – 2013 STREET  
OVERLAY PROJECT**

Neal Wallace, Public Works Director, stated Clean Sweep Maintenance, Inc. had completed all the work associated with the 2013 Overlay Project and issued the warranty statement. The work consisted of paving approximately 800 feet of South Edgewood Street south of Avenue U and Hilltop Drive. The project contract was for \$113,550.00 which was the final cost for the work. Staff recommended accepting the project and releasing the retainage of \$5,667.50.

Motion approving the final for the 2013 Street Overlay Project and release the retainage in the amount of \$5,667.50 to Clean Sweep Maintenance; carried unanimously. (Frank/Phillips)

**FINAL – WWTP  
EROSION PROJECT**

Mr. Wallace stated BioEngineering Associates, Inc. has completed construction of the Seaside Waste Water Treatment Plant Emergency Shoreline Protection Project. This work consisted of construction of 3 quarried boulder groins, 2 brush barriers, and a rock revetment to protect a total of 200 feet of eroding shoreline, at a cost of \$785 per linear foot. The groins were constructed using 1,500 tons of 4 – 6 ton rock. Each groin measures 40 feet wide along the bank, 10 feet wide at the tip, 12 feet tall, and extends 30 feet out from the bank. Each groin was built on a base layer of 4 – 6 ton rock which extends 5 feet out from the groins and 6 feet below grade. Filter fabric was placed behind the groins and pit run was used to fill the interstitial spaces between the boulders in the base layer. In between the deflectors two brush barriers were constructed using logging slash and held down using 1 ton rocks placed on top of the slash. Along the front of the brush barriers cedar posts were driven into the ground to prevent the slash from washing out. The downstream brush barrier measured 30 feet by 20 feet and the upstream brush barrier measured 40 feet by 10 feet. In between the upstream and middle groins a rock revetment was constructed using approximately 600 tons of 3 – 6 ton rock. The revetment was 12 feet tall, 40 feet wide, and extended out 20 feet. The toe of the revetment was keyed 3 feet below grade.

Mr. Wallace further stated the total construction cost was \$157,035.00 and the total estimated cost was \$175,000.00. Mr. Wallace further stated Staff recommended Council accept the work and finalizes the project.

Motion approving the final for the Waste Water Treatment Plant Erosion Project completed by BioEngineering Associates, Inc.; carried unanimously. (Phillips/Montero)

**UPDATE –  
VISIONING 2034**

Jon Rahl, Convention Center & Visitors Bureau Assistant Manager, stated there had been approximately one hundred seventy-one surveys that had been completed. One hundred fifty-two of the surveys had been completed on the Community side.

Mayor Larson asked what was meant by the Community side.

Mr. Rahl stated it was the Community Survey which was the primary survey geared towards adults that lived, worked, and played in Seaside. The Youth Survey would be conducted within the next couple weeks. Results from the survey were: Where do you live? highest respondents were west of Highway 101/Roosevelt. 35% of the 152 lived in that area. Where do you work? 55% worked in Seaside. Where in Seaside do you participate in extra curricular activities? 72% said the beach and 45% said downtown. Do you feel like you know what to do in a catastrophe? 85.5% said yes they know what to do. Mr. Rahl stated the next thing to do was to separate Council into different categories and this question would be used to shape that. Of the following please select the five most important topics as a member of the Seaside Community. The top four were #1 Public Safety, #2 Outdoor Recreation, #3 The Environment, #4 Restaurants. There was interest later on in hopefully engaging those that had responded to the survey through focus groups or further discussions. 43% or 66 of the 152 respondents stated in the survey they would like to be involved in the process. Mr. Rahl further stated there was an updated check list in the Council packet this week and if Council had any questions with continuing the process please contact Jon, Esther, or Jeremy. Mr. Rahl further stated Council had Visioning Business Cards to hand out to encourage people to take the survey. The survey would be left open until the next survey was provided.

Councilor Frank asked if each survey would run the same length of time.

Mr. Rahl stated in terms of the three surveys they would run approximately the same amount of time.

**COMMENTS – COUNCIL**

Councilor Phillips stated looking at the Seaside Police Department Annual Report, showed that Seaside has been very fortunate to have Bob Gross as the Police Chief for all these years. It had been a pleasure working with Chief Gross and what had been done for the Community and the department was wonderful.

Councilor Lyons stated it would be Daylight Saving Time in 13 days or so.

Councilor Montero stated she was very impressed with Chief Gross who had provided the police department with great leadership.

Councilor Barber stated the level of minor alcohol consumption in the Community was a high priority for everyone to work at trying to curb.

Council President Johnson stated last week the Tourism Advisory Committee met and were reviewing grant applications that supported the functions of the Community like the 4<sup>th</sup> of July, Beach Discovery Program, and the Jazz Festival. The Committee was still looking for more applications.

Mr. Rahl stated the grant application period had been opened for 2014-2015 and applications would be accepted until April 11, 2014.

Council President Johnson stated the Transportation Advisory Commission met and Dale McDowell had been elected as the Chair and Ben Olson was elected as Vice Chair. The discussion was the Avenue 'U' Bridget Project which was progressing.

Mayor Larson stated he attended the Jazz Festival and Thursday, February 20, 2014, at the Elks was one of the most wonderful three hours of music he had heard. The festival continued Friday February 21, 2014, Saturday February 22, 2014, and ended Sunday February 23, 2014 in the afternoon. The Jazz groups traveled from all over the United States and his favorite group came from Connecticut. Mayor Larson further stated he received a card in the mail today from Recology-Western Oregon Waste and they now want to bill for a current month and then a month ahead.

Councilor Montero asked if that needed to go through Council for permission.

Mr. Winstanley stated the franchise agreement allowed Recology to set how their billing cycle worked. There had been conversations with Recology over the billing changes and informed Recology their franchise gave them the authority to change the billing cycle.

Mayor Larson stated they were billing customers a month in advance for services that had not been received and Mayor Larson was totally against it and could anything be done.

Mr. Winstanley stated it would take a change in the franchise agreement.

Mayor Larson asked if he was the only one that cared about the change.

Councilor Barber stated he did not care about the change.

Councilor Phillips stated she also did not care about the change.

Mayor Larson stated he did not want to pay ahead and did not understand having to pay a month ahead for a utility.

Councilor Montero stated she did not like it. There were concerns because that meant one month people would be charged double.

Councilor Phillips stated Council did not have a choice.

Mayor Larson stated it seemed that Council had some feelings toward not liking the change. Mayor Larson asked if Council could write a letter.

Mr. Winstanley stated Council can write a letter which was not a problem. In defense to Recology they did make the City of Seaside aware of the change and were not doing it behind anyone's back.

**COMMENTS – STAFF**

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated the Jazz Festival was a great event and people really enjoyed themselves and Seaside was very fortunate that Ruth Johnson and Judy Shook both were continuing to promote the program and bring it back year after year.

Councilor Phillips stated it was a dying art because there used to be Jazz Festivals all over the United States and into Canada and there were very few left.

Bob Mushen, Seaside Chamber of Commerce, stated there would be the Pouring at the Coast event Friday, March 14, 2014 and Saturday, March 15, 2014.

Laurie Oxley, Seaside Downtown Development Association (SDDA), stated SDDA was partnering with Seaside Kids, Inc. for the Golf Tournament Wednesday, August 27, 2014.

Mr. Wallace stated Public Works would be welcoming a new Water Foreman in approximately a week.

Esther Moberg, Library Director, stated the latest event was lie detectors which could tell if people were lying. There was also a program "Read to a Dog" where children read to a dog.

Mr. Rahl stated there would be an Oregon Festivals and Events conference at the Convention Center and they would be shooting fireworks on the beach Sunday, March 2, 2014, 7:30 pm.

Joey Daniels, Seaside Fire Department, stated February was a busy month for training.

Kevin Cupples, Planning Director, stated there was a Planning Commission meeting Tuesday, March 4, 2014, 7:00 pm. There would be a review on a Vacation Rental Dwelling with a variance for a front yard area.

**RECESSED INTO  
EXECUTIVE SESSION**

Council recessed into Executive Session at 7:46 PM in accordance with ORS 192.610 (l) (i) regarding annual evaluation of the City Manager, Mark Winstanley.

**RECONVENED FROM  
EXECUTIVE SESSION**

Council reconvened from Executive Session at 8:17 PM. Mayor Larson read a summary of the Councils evaluation on City Manager, Mark Winstanley.

Mayor Larson stated he would read some of the City Council comments:

Mark does an excellent job with Organizational Management and Leadership and exceeds expectations. Mark should be willing to hire Finance Director. Employees should be evaluated and goals set annually. Mark excels at Fiscal and Business Management and does an exceptional job especially when it comes to the budget. Mark does communicate well with the Mayor and City Council and always has the time for Mayor and Councilors. Mark has improved the rating for Community and Intergovernmental Relations. Concerns or complaints at City Council meetings showed a lack of responsiveness from Staff. Mark is part of Seaside Downtown Development Association (SDDA), Chamber of Commerce, and Rotary which is very valuable. In the Personal and Professional Traits Mark is a consummate professional, well respected by his associates and local organizations, constantly spends additional time in office.

The overall performance rating, Mark was a great manager, well respected - worked too hard; too many hours. The City could not find a better Finance Director. Improved working relationship with Council and Mayor, great choice Department Heads for visioning program. There were suggestions for improvements because Mark still lacked a plan to evaluate all departments. Public Works Department had been known to be lax in showing respect and a response to members of the public, and there should be a review of the bid process.

**ADJOURNMENT**

The regular meeting adjourned at 8:21 PM.

---

Kim Jordan, Secretary

---

DON LARSON, MAYOR