

- 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 Stubby Lyons, Councilors, Don Johnson, Jay Barber, Dana Phillips and Tita Montero.
- Absent: Councilor Tim Tolan.
- Also Present: Mark Winstanley, City Manager; Kevin Cupples, Planning Director; Bob Gross, Seaside Police Chief; Neal Wallace, Public Works Director; Dale Kamrath, Seaside Fire Chief; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Nancy McCarthy, Daily Astorian; and Rosemary Dellinger, Seaside Signal.
- AGENDA** Motion to approve the February 28, 2011 agenda; carried unanimously. (Lyons/Barber)
- PROCLAMATION** Council President Lyons read a proclamation for Kiwanis Children's Cancer Cure Month.
- SWEARING IN SEASIDE POLICE RESERVE OFFICER** Bob Gross, Seaside Police Chief swore in Seaside Police Reserve Officer's Brandon Petersen and Alexander Silantiev and congratulated them.
- COMMENTS – PUBLIC** Michael Hinton, 1015 S. Irvine Place, Seaside, stated as president of Seaside Kiwanis he wanted to thank Council for reading the proclamation on behalf of Children for cancer cure. Approximately twenty-two years ago eighty percent of children referred to Doernbecher Children's Hospital with leukemia for instance were dying and that has turned around with a ninety percent success rate with children who live and are cured. There were still problems with children who had brain cancer or bone cancer. Through Seaside Kiwanis and a partnership with Doernbecher's Hospital all the dollars that were raised in the next three years would be used towards the children's cancer program. Kiwanis Doernbecher Day was Saturday, February 26, 2011, and there were many people who attended the benefit for the children. Seaside Kiwanis hoped to meet a goal of \$500,000.00 this year and each year after for the next three years.
- Kevin O'Keane, 2525 Pine Street, Seaside, stated the last meeting he attended was approximately three months ago and he was here to ask about the Venice Park Improvements. Mr. O'Keane stated he was told there would possibly be information sent out about the improvements in January, 2011, but nothing had been done. The road had been graded but the neighborhood wanted to finally see the streets improved.
- Mark Winstanley, City Manager, explained he had no excuse and the paperwork was sitting on his desk. Once he finished with the paperwork then Neal Wallace, Public Works Director, could start on the improvements. Mr. Winstanley stated he would do his best to get the paperwork going.
- John Cooney, 840 24th Avenue, Seaside, stated he was the owner of Sunset Family Fitness in Seaside and had attended the meeting to briefly present a grievance that the City of Seaside had taken property without undue process and that construction contracted by the City caused undue damage to his property. There were also utility boxes constructed on the property with Mr. Cooney's permission. Mr. Cooney further stated he met with the City Manager on December 13, 2010, and offered to present pictures showing the curb construction on the property caused damage due to draining issues. The pictures were presented to Council. Mr. Cooney further stated The City Manager allowed him to present the case but was not interested in the evidence and stood firmly behind the City. Mr. Cooney further stated he had asked for justification on the use of the property without permission and undue process and was told the information would need to come from the City Attorney. There was a letter requested from the City Attorney but Mr. Cooney had not ever received a letter.
- Mayor Larson asked Mr. Cooney if the issue was in litigation.
- Mr. Cooney stated the issue was not in litigation. Mr. Cooney further stated January 28, 2011, there was a letter received from Dan Van Thiel, City Attorney, to Larry Popkin's who was assisting Mr. Cooney at the time. The letter requested verification of a hand shake deal that occurred. Mr. Popkin responded February 2, 2011, stating there had not been a handshake agreement, no face to face meeting, and no written agreement. There had not been any response from the City regarding the justification of taking the property. Mr. Conney further stated ORS Chapter 93 Section 20 stated that any interest in real estate was required to be transferred by written contract and there was no basis that an agreement was reached that was binding. Mr. Cooney further stated he would not enter into an agreement that would allow his property to be damaged and would pursue the issue further but wanted to present the information to the Council.
- Debra Birkby, 800 Exchange Street, Astoria, stated she wanted to inform the public that on March 21, 2011, at the Bob Chisholm Center, from 4:30 to 6:30 pm, there would be a report from the consultant that was hired to look at the Highway 101 flooding South of Seaside.
- 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 \$648,675.34; and January 24, 2011, minutes; carried unanimously. (Lyons/Montero)

VACANCY – BUDGET COMMITTEE Mayor Larson stated there were still two vacancies on the Budget Committee. Mayor Larson asked the press to advertise the vacancies.

VACANCY – CONVENTION CENTER COMMISSION Mayor Larson stated there was still one vacancy on the Convention Center Commission. Mayor Larson asked the press to advertise the vacancy.

LIQUOR LICENSE APPLICATION Council considered an application for a liquor license for Twisted Fish Steakhouse, 311 Broadway. The applicant was applying for a Full On-Premise Sales License, which would be for a change of ownership.

Motion to approve a Full On - Premise Sales License for The Twisted Fish Steakhouse, 311 Broadway; carried unanimously. (Phillips/Lyons)

 Councilor Barber asked how the origins of the name came about.

 Mark Utti stated the name had been in discussion for a while and was not permanent. Mr. Utti further stated his dad had noticed the name when traveling and the suggestion had been written down as a possible name for a restaurant.

PUBLIC HEARING This was the duly advertised time and place to hold a public hearing regarding Amending the Zoning Map Referenced in Code of Seaside Ordinance Chapter 158, adopting an Updated Zoning Map of Seaside, Oregon.

 Kevin Cupples, Planning Director, explained the City of Seaside Zoning Map was updated in 2005 to a new electronic file format. This replaced the paper copy of the original that was drawn on a 1980 base map of Seaside. Various portions of the zoning were later found to be inconsistent with the original map and these errors needed to be corrected. The Columbia River Estuary Study Taskforce (CREST) secured grant funding from the Department of Land Conservation and Development (DLCD) to correct these errors and improve the readability by distinguishing the contrast between zones. Mr. Cupples further stated the map has now been updated by CREST and the Planning Commission has recommended City Council adopt the newly developed map (attached) thereby replacing the 2005 version of the map. Mr. Cupples further stated prior to taking any action concerning the adoption of the updated zoning map, the City Council should conduct a public hearing in an effort to obtain any final public input on the proposed map amendment. Mr. Cupples further stated staff recommended Council adopt the updated Zoning Map of Seaside, Oregon as the City’s official zoning map by enacting Ordinance No. 2011-04 to be read by title only.

ORD. NO. 2011-04 AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING MAP REFERENCED IN CODE OF SEASIDE ORDINANCE CHAPTER 158, ADOPTING AN UPDATED ZONING MAP OF SEASIDE, OREGON.

 Mayor Larson opened the public hearing.

 There were no public comments and Mayor Larson closed the public hearing.

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

Motion to place Ordinance 2011-04 on its first reading by title only; carried unanimously. (Barber/Lyons)

Motion to place Ordinance 2011-04 on its second reading by title only; carried unanimously. (Montero/Johnson)

ORDINANCE #2011-01 AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 92 OF THE SEASIDE CODE OF ORDINANCE REGARDING ANIMALS

 Chief Gross explained the ordinance was amending Chapter 92 of the Seaside Code of Ordinances Regarding Animals. Chief Gross stated the police department was seeing more aggressive dogs in the City and last year there was a death from a dog attacking another dog in downtown Seaside. Chief Gross further stated the ordinance had not been revised since 1988 and the changes that were amended complied with the state statutes and the fines and assessments were changed to comply with what the County was charging. Chief Gross further stated the ordinance did not address any specific breed of dog but complied with the state statutes and clearly delineated the different levels of dangerous dogs and what happens once the dog is designated as dangerous. Chief Gross further stated the City would now charge the same fines, fees, and penalties as the County.

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

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

Motion to place Ordinance 2011-01 on its first reading by title only; carried unanimously. (Johnson/Tolan)

Motion to place Ordinance 2011-01 on its second reading by title only; carried unanimously. (Phillips/Montero)

Chief Gross stated 2010 was an interesting year with calls for service decreasing by six percent. Every year the Police Department was tasked with providing security Spring Break, 4th of July, Beach Volleyball, Hood to Coast, and all other events scheduled throughout the year in Seaside. Chief Gross further stated in 2010 there was no funding for new vehicles, there was a reduction of one additional patrol position and by the end of the year, one dispatcher position was eliminated. Chief Gross further stated this past year there were decreases in both Part I and Part II offenses. Part I, the more serious crimes were reduced by twenty-seven percent, which was largely due to the reduction in property crimes including Burglary (forty-four percent), Theft (twenty-five percent), and Auto Theft (twenty-five percent). There were only two areas of Part I Offenses that had increased which was Rape and Arson. The clearance rate for Part I offenses were twenty-two percent for 2010. Chief Gross further stated there was a seven percent decrease in Part II Offenses which included Forger/Counterfeiting, Fraud, Vandalism, DUII, Liquor Laws, Curfew Violations and Runaways. The most notable increases in Part II offenses were in Sex Offenses, Weapons Laws, Drugs, and Disorderly Conduct. Underage drinking continued to be an issue and there were two hundred thirty minors cited for MIC/MIP. Chief Gross further stated traffic enforcement remained steady with officers making 5,371 traffic stops during the year. Comparing the stops to citations issued, on average one out of every five persons stopped received a traffic citation. As a result, accidents in Seaside continued to decrease by eleven percent. Chief Gross further stated some more good news to report was in the past five years there had been a steady decline in juvenile arrests. That trend continued in 2010 with one hundred twenty seven juveniles arrested, a sixteen percent drop from the previous year. Over the past five years, juvenile arrests had dropped by one hundred thirty-eight percent. Chief Gross further stated in looking at Use of Force, there were fifty documented cases during 2009 a reduction of four from the previous year. There were thirty-two percent Use of force cases that occurred after midnight and sixty-nine percent involved alcohol or drugs. There were no injuries to officers during the year and there were no citizen complaints that involved use of force during the year. Chief Gross further stated he could not make an annual report to Council without mentioning the dispatchers who were the first voice a person calling for assistance heard and were responsible for ensuring an officer gets to the right location with all the available information. The Police Department could not provide service without the dedication and hard work of the dispatchers. Chief Gross further stated there was the statistical information that every department tracked and used as a barometer to show how well they were doing, and there was other activities that were just as important and helped all ages in the community, which was the connection to the community or Community Oriented Policing. Chief Gross further stated the Seaside Police Department once again took the lead in sponsoring the Fourth Annual South County Citizen's Academy where thirteen community members learned what their law enforcement agency did and the challenges that were faced. This had been so successful there was now an Advanced Citizen's Academy provided with even more information to learn about. The Police Department also completed the Third Annual Child Safety Fair. Working with Safe Kids North Coast and with the assistance of the Tongue Point Job Corp students, a variety of safety information was provided to children and families along with a bicycle safety rodeo. The department continued to provide free safety helmets to children thanks to ongoing donations from citizens and organizations. The Fifth National Night Out event was held in Broadway and Cartwright parks, August 2010, with partners from Seaside Rotary, Seaside Kiwanis, Sunset Empire Park & Recreation, and the Seaside Chamber. A free old fashioned picnic was provided and the community had the opportunity to talk with officers, ask questions and get crime prevention information. Chief Gross further stated the Police Department provided daily police logs on-line every day and randomly sent out citizen surveys seeking feedback from customers on how the department was doing. Nixle, a free notification program continued to notify citizens when there was water over the roadway, an intersection was blocked, there was no power, or any other noteworthy information for citizens and visitors. The department continued to be active in SDDA, Seaside Chamber of Commerce, Reduce Underage Drinking Task Force, Domestic Violence Council, Lunch Buddy Mentoring Program, Substance Abuse Prevention Coalition and United Way. Chief Gross further stated as the department moved forward in 2011, the partnerships would continue with improving radio communications, and participation in a records management system that would improve records sharing throughout the County. The department must work with the City Manager and City Council for long term solutions for funding and staffing. Chief Gross thanked City Manager, Mark Winstanley and the City Council for their ongoing support of the police department and recognized times were tough for communities and many of the citizens and the department would continue to look for ways to work together with the community and continue to make Seaside a safe place to live and visit. Chief Gross further stated he would be glad to answer any questions.

Mayor Larson asked if the Oregon Wireless Interoperability Network (OWIN) was really dead right now.

Chief Gross stated his understanding was that with the OWIN project the governor had agreed to honor the current commitments that were out there for the first phase which was fortunate because Seaside was in the first phase.

APPROVAL –
AUDIT CONTRACT

Mark Winstanley, City Manager, stated last year was the first year that the auditing firm Kern and Thomson had the contract to do the City's audit and the firm did an excellent job. The audit was received earlier than in the last fifteen years which was very impressive. The firm also took the time to meet with the City Council to discuss the audit and the Council was pleased with the work that Kern and Thompson had done.

Mr. Winstanley further stated staff was recommending that Council enter into a contract for this years audit with Kern and Thompson for the amount of \$38,000.00. Last years contract with Kern and Thompson was \$37,500.00, which was more than \$10,000.00 less then the auditing firm the City had prior.

Motion approving the contract with Kern and Thompson, LLC. in the amount of \$38,000.00 for the 2010-2011 year; carried unanimously. (Barber/Montero)

COMMENTS – STUDENT REPRESENTATIVE

Taylor Ames, Student Council Representative, stated winter sports ended last weekend except for the dance team who was going on to state, and the spring sports started today. Ms. Ames further stated the Seaside High School Musical, Good Man Charlie Brown started last weekend and would be playing again Thursday, Friday, and Saturday. Ms. Ames further stated Wednesday, March 9, 2011, there would be a band concert at the high school and Thursday, March 10, 2011, there would be a choir concert.

PROPOSAL – BIOSOLIDS PROJECT

Neal Wallace, Public Works Director, stated the Seaside Wastewater Treatment Plant would produce approximately 1,800,000 (1.8 million) gallons of sludge that would be treated to become lime stabilized bio-solids. The City was able to land apply one million gallons at the City farm, leaving 800,000 gallons annually to be hauled and disposed of properly. Last year the contract to haul liquid sludge hauled was for twenty-six cents per gallon, and if the City were to sustain that level annually it would cost \$208,000.00 each year. Mr. Wallace further stated the proposal before Council was with Parker Agricultural Services and the proposal was to dewater the 800,000 gallons of sludge on site and haul the dewatered sludge to the Department of Environmental Quality (DEQ) approved site. The City has the ability to store up to 400,000 gallons in the plant and Parker Ag would come twice a year during the spring and fall to dewater and haul the sludge. Parker Ag charges \$10,000.00 to mobilize equipment, nine cents a gallon to dewater, and 4.3 cents per gallon to haul and land apply. Cost for the 800,000 gallons with Parker Ag would be: Mobilization (two times) \$20,000.00, Dewater (9 cents times 800,000) \$72,000.00, Haul (4.3 cents times 800,000) \$34,400.00, for a total of \$126,400.00. Dewatering would cost approximately sixty percent of the previous method of hauling. Mr. Wallace further stated Parker Ag was the only contractor working in the area that offered all of the services in one contract. There was a contractor in Florida and Texas that offered the services, but were not in the area and would not haul the small amount the City had to dewater. Parker Ag was active in the Northwest, had good local references, and had a positive history with DEQ. Staff recommended accepting Parker Ag's proposal and entering into a three year contract to dewater and haul for the City starting in the spring.

Council President Lyons stated after the dewatering was the finished product like compost or potting soil.

Mr. Wallace stated that was correct the finished product was like compost.

Councilor Barber asked if the cost of hauling the sludge and now for the contract with Parker Ag impacted the cost of sewer fees charged to residents.

Mr. Wallace stated the sewer fees were not raised to cover the cost of the hauling and the contract with Parker Ag. Mr. Wallace further stated the cost of the bio-solids would very likely be wrapped into a larger picture that would be presented to Council in the near future.

Mr. Winstanley stated the City's bond people were currently working on different options to bring before the Council concerning the work that needed to be done at the Wastewater Treatment Plant. The work that needed to be done would require a relatively small rate increase. The cost would be itemized for the Council.

Councilor Montero asked who would benefit from Seaside's bio-solids.

Mr. Wallace stated the sites were largely farm locations in The Dalles, which was desirable in that area.

Motion accepting the contract with Parker Ag to dewater and haul sludge for the City two times a year for three years in the amount of \$126,400.00; carried unanimously. (Johnson/Barber)

COMMENTS – COUNCIL

Councilor Johnson stated as the appointed chair for the Seaside Transit Center Site Selection Committee there was bad news to report. The Committee was great and met and selected two locations in Seaside. Councilor Johnson further stated he met with Ron Bline, Sunset Empire Transportation District Board Chairman, and the application for a location in Seaside had been withdrawn due to the challenges that would be faced by the district over the next year or more.

Mayor Larson stated the five Mayors of Clatsop County along with a County Commissioner, a Port Commissioner, and a Coast Guard Representative had been meeting once a month for lunch to discuss diversity and racism. The meetings were instigated by a couple of incidents that took place with the Coast Guard. There had been several lengthy meetings but the group was not really getting any resolution. A meeting of the elected officials was scheduled based on an incident with several Tongue Point Students and approximately eighty-five people attended to discuss the situation. Mayor Larson further stated two County Commissioners informed the group they would take the information to the County Commission for discussion to form a new diversity committee.

Councilor Montero stated that information had changed when the Mayor left the meeting because Scott Lee was elected as the chair of the committee. There was not any conversation that people who were on the committee were now off the committee. Every City could choose who they wanted as a representative for the committee. The intent was to have a County wide committee to look at each City's biases to develop some training. Councilor Montero further stated there were various local people who came forward that had expertise in diversity training, cultural appreciation, and many more aspects that went with the issue. Councilor Montero further stated at the end of the meeting there was somewhat of a work plan that would include training but had not been formulated. The next meeting was scheduled for later in May, 2011.

Councilor Phillips asked how a group would go from just talking about diversity issues to actually making sure something happened with the issues.

Councilor Montero stated that would be part of the challenge. There were people at the meeting that discussed different policies and procedures for social incidents. The Sunset Empire Transportation District had no policy in place for ejecting people from the bus for misbehavior, harassment, and any behavior like that. There were people who offered to provide training or bring in experts to help Human Resource Directors in the County to make sure there were policies in place on all of the employers. How that would work with the rest of the public would be another issue.

Councilor Phillips state the School District had policies in place on ways to deal with issues involving the schools.

Councilor Lyons stated the football season was beginning again with the Pig Bowl playing in two games this year with one game being played in Salem on June 11, 2011, and the other game being played in Seaside on June 25, 2011.

Mayor Larson stated the City Council Goal Setting meeting was scheduled for Friday, March 11, 2011, in the afternoon and Saturday, March 12, 2011, in the morning. Council had a list of goals to review. Mayor Larson further stated Thursday, February 24, 2011, the Seaside Civic and Convention Center celebrated their 40th birthday party with the Chamber after hours. What a marvelous program and show that evening and in addition the first Jazz group Ivory and Gold had performed.

COMMENTS – STAFF

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated the All American City Committee which consisted of Gini Dideum, Mary Blake, Doug Barker, Veronica Russell, and Councilor Stubby Lyons, had completed the application for All American City which was a fifteen month process. The committee was very proud of the application and on Tuesday, March 1, 2011, at 12:00 pm, the application would be sent to the post office by the Mayor who would be escorted in the Seaside Fire Department Mac Truck.

Mr. Winstanley stated he wanted to take the opportunity to compliment the Seaside Police Department. The department had come a long way over the last few years and was a shining example of what a small community police department could be like. The City owed that to Chief Gross who had done a marvelous job since working for Seaside, and not only by the department but also the community. Mr. Winstanley further stated the Sunset Empire Transportation District continued to support a transportation hub in Seaside and also would continue to attempt to secure funds in the future for the hub.

Mayor Larson introduced Chuck Minor who was the new Chamber of Commerce President.

ADJOURNMENT

The regular meeting adjourned at 8:06 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR