

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Barber.
- ROLL CALL** Present: Mayor Jay Barber; Council President Tita Montero; Councilors Randy Frank, Seth Morrissey, Tom Horning, and Steve Wright.
- Absent: Councilor Dana Phillips.
- Also Present: Mark Winstanley, City Manager; Dale McDowell, Public Works Director; Kevin Cupples, Planning Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Dave Ham, Seaside Police Chief; and Brenna Visser, Daily Astorian/Seaside Signal.
- AGENDA** Mayor Barber stated regarding the approval of the agenda he suggested Council move agenda items 9 b, c, and d, upfront. Mayor Barber asked for a motion to approve the amended agenda.
- Councilor Frank so moved with a second from Councilor Morrissey; carried unanimously. (Frank/Morrissey)
- COMMENTS – PUBLIC** None
- CONFLICT** Mayor Barber stated regarding declarations of a potential conflict of interest. Mayor Barber further stated he would recuse himself from agenda item 9 h – Request Real Property License Agreement between the City of Seaside, Jesse A Barber, and Janet L. Barber for a Variance at 2460 S. Edgewood.
- Councilor Frank stated he had a conflict with agenda item 9 b – Liquor License Application Norma’s Seafood and Steak. Councilor Frank further stated he recused himself from voting on that agenda item.
- CONSENT AGENDA** Mayor Barber stated he would entertain a motion for approval of the consent agenda.
- Consent Agenda: Payment of the Bills - \$702,082.23; and Approval of Minutes July 24, 2017.
- Councilor Frank moved to approve the consent agenda and pay the bills with a second from Council President Montero; carried unanimously. (Frank/Montero)

UNFINISHED BUSINESS:

- VACANCY – BUDGET COMMITTEE** Mayor Barber stated there was one vacancy on the Budget Committee with two applications received from John Dunzer, and George Stacey.
- Councilor Frank stated Council could keep the vacancy open.
- Council President Montero stated she would like the vacancy to stay open until October, 2017.
- Mayor Barber stated Council would hold the appointment to the Budget Committee open until the first meeting in October, 2017.

NEW BUSINESS:

- LIQUOR LICENSE** Mayor Barber stated there was a liquor license application received from Norma’s Seafood and Steak, 20 N. Columbia. Mayor Barber stated the application was for a Full On-Premises Sales License and Off-Premises Sales License, and was for a change of ownership. Mayor Barber asked if the owner or representative was present and Bassem Taha who was the owner, was present for Council questions.
- Bassem Taha, 20 N. Columbia, Seaside, stated he was the owner of Norma’s Seafood and Steak.
- Councilor Montero asked if the chowder would stay the same.
- Mr. Taha stated he would keep the chowder and might try to make it better.
- Mayor Barber stated he would entertain a motion for the liquor license.

Councilor Morrisey so moved to approve the liquor license for B & A Ocean Diner LLC., AKA Norma's Seafood and Steak with a second from Councilor Wright; carried with Councilor Frank recusing himself. (Morrisey/Wright)

LIQUOR LICENSE

Mayor Barber stated there was a liquor license application received from Dough Dough Bakery, 8 N. Holladay. Mayor Barber stated the application was for a Limited On-Premises Sales License and Off-Premises Sales License, and was for a new outlet. Mayor Barber asked if the owner or representative was present and the owner or representative was not present for Council questions. Mayor Barber further stated the question that came up, what kind of liquor do you drink with scones. The owner Jonathan was planning to add small plates with wine and beer on the weekends. Mayor Barber further stated he would entertain a motion.

Councilor Frank moved Council accept the application with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

LIQUOR LICENSE

Mayor Barber stated there was a liquor license application received from Times Theatre & Publichouse, 133 Broadway. Mayor Barber stated the application was for a Full On-Premises Sales License and Brewery Public House Sales License. Mayor Barber asked if the owner or representative was present and Mark Utti who was the owner, was present for Council questions.

Mark Utti, 1423 S. Franklin, Seaside, stated he was the owner of Times Theatre & Publichouse. Mr. Utti further stated he was planning on doing a Brewery downtown in the old theatre and having it for small events like second run movies and maybe performing arts. The brewery equipment will be behind the stage. The Brewery equipment would be ready in September and then the theatre will open the first of the year,

Council President Montero stated the Murals are wonderful and asked if Mr. Utti had plans to keep them and refurbish them.

Mr. Utti stated there have been people taking pictures for months in front of the murals but he was not planning to keep them since they wanted the outside of the building to look like a theatre.

Mayor Barber stated he would entertain a motion to approve.

Councilor Frank moved Council accept the application with a second from Council President Montero; carried unanimously. (Frank/Montero)

PUBLIC HEARING

This was the duly advertised time and place to hold a public hearing regarding an Ordinance of the City of Seaside, Oregon, Making Certain Determinations and Findings Related to and Approving the Southeast Seaside Urban Renewal Plan and Directing that Notice of Approval to be published

Mark J. Winstanley, City Manager, stated Ordinance 2017-09 was the ordinance the Urban Renewal Agency is coming before the City to get approval of the new district. Elaine Howard the Urban Renewal Consultant would be giving the Council a presentation.

Elaine Howard, Elaine Howard Consulting, presented Council with a Power Point Presentation titled "Seaside Urban Renewal City Council Meeting August 14, 2017". Seaside Urban Renewal report. Background/Public Input - Four meetings of Seaside Improvement Commission, Community Forum, Seaside Improvement Commission motion to send out to public review, Planning Commission, Clatsop County - two meetings, and City Council. A map was presented showing the City of Seaside Urban Renewal area. Why use Urban Renewal? Additional funding source to accomplish projects/programs, and effective tool for addressing capital needs. How does Urban Renewal Financing Work? Key Issues: How tax collections work, How property tax bills show urban renewal, Impacts on taxing jurisdictions, and Maximum Indebtedness. How does Urban Renewal Financing Work? An area is designated as an urban renewal area, the tax assessed value of properties within the area is frozen, taxes from that "frozen base" continue to go to all taxing jurisdictions, Increases in taxes over the "frozen base" got to the urban renewal agency for use in the area. There was a chart showing Urban Renewal Tax Increment Financing (TIF) Collections over time. Do Property Tax Bills Change? Does not increase tax bills (just shows the division of taxes), adds all increases in Assessed Value in area, distributes amount to all property tax bills in city, local options - not impacted if after October 2001 Bonds - Not impacted if after October 2001. Impacts on Taxing Jurisdictions - Continue Receiving Taxes on Frozen Base, forego taxes on growth in area, "But For Urban Renewal", increased Tax Revenues After UR, Schools Issues: Bonds, Local Option and Construction Excise Tax, and Revenue Sharing. Maximum Indebtedness - MI is the controlling feature of an urban renewal plan, not duration, total amount of tax increment funds spent on projects and programs in an urban renewal area, administration is included in this number, and MI of this Plan - \$68,500,000. Potential Projects - School Infrastructure, General Infrastructure, and Business Assistance. School Infrastructure - Road access, ROW Acquisition for streets and utilities, US 101 turn lane and signals, Avenue "S" overhaul, Culvert reconstruction — across Wahanna adjacent to Wahanna Ballfields, sewer system needs, and Utility/widening roads.

General Infrastructure - Avenue "A", "G", "S", and "U" bridge improvements, Avenue "S" "P", "Q", and "R" improvements, Infrastructure of unincorporated area, Acquisition of ROW for sewer, Holladay Streetscape project- south of existing new streetscape, Parks/recreation water access - Mill Ponds, and Ped/bike bridge and infrastructure west to east. Pictures were shown of North Holladay which was an Urban Renewal Project. Building Improvements/Business Assistance - Business Assistance, Storefront/redevelopment assistance programs, Property Acquisition, and Signage/wayfinding. Next Steps - County Commission and City Council – second reading August 28, 2017.

ORDINANCE 2017-09

ORDINANCE 2017-09 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE SOUTHEAST SEASIDE URBAN RENEWAL PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED

Mayor Barber stated before he opened the public hearing he would give a little guidance. If the public would like to speak come up to the podium and introduce yourself by name and address and keep your comments to three minutes. Mayor Barber opened the public hearing.

Sandra Gee, 1700 Cooper Street, Seaside, stated urban renewal was a misnomer because nothing was being cleaned up or removed its being developed. In some places in the proposal it's referred to as the UGB but the map was different then the UGB that was suggested last year at a Planning meeting. I understand this plan was instituted in conjunction with the building of the new schools which is fine but she had some issues as it's written. Development of sidewalks, bike trails, bridges, etc. are included, but timelines are very vague if noted at all. Who will decide which area will be done when? Encouragement of development should not be totally at the tax payer's expense. Is this a backdoor way for developers to come in without paying the full cost of the development. Case in point is number ten on the proposal for the Wahanna, 'S' Street area. At the March Planning meeting the developer of the Blue Herron Point proposed development as shown in the Planning Commission minutes. The developer backed away when faced with having to build a sidewalk which was supposed to be part of the plan. Now it is proposed here, will the sidewalks be built and paid for indirectly by the residents so the developer can come back and build without paying for it. In any development area that these new updates are done and the developer comes in with heavy duty trucks and equipment and damages the newly built area, will there be a penalty. A lot of this work is in residential area, will there be specific work times to lower the disruption in neighborhoods. Road access notes a secondary access point adjacent to Providence Hospital where the speed limit is fifteen miles per hour, and Wahanna Ball fields. Traffic in and out of the hospital is constant, how will this be impacted. Will there be a traffic light where the road intercepts with Wahanna. Utilities widening roads states existing roads needed to be upgraded to City standards, what are they. A specific area in Seaside is being targeted to take the brunt of development and increase taxes even if indirectly due to increased property values, when Seaside as a whole was benefiting. An area that will more then likely receive some of the school traffic and tourist traffic was intersection of North Wahanna and Highway 101, and yet it is not mentioned. Since eminent domain is mentioned it would be nice to know what area was in mind when this was written. The relocation reports states "There are plans to acquire land for infrastructure which may trigger relocation benefits in the future within the area, well that is clear and specific isn't it. If this proposal was passed and taken to referendum be assured Seaside Citizens will want to know a whole lot more then what is written here. She read the thing three or four times and was still questioning it. Maybe she was wrong on her interpretation but this proposal is too ambiguous to pinpoint timelines and authority for deciding where, when, what, and who. Every question creates a new question. Before passing this please request more specific data for the general public to understand the total proposal and impact.

James Hall, 1789 Cooper Street, Seaside, stated he agreed with everything spoke of previously and he had a concern for the neighborhood. The neighborhood is very quiet and to his understanding is that if there is growth above them that will impact Cooper Street, Huckleberry, and create a lot more traffic which is really going to affect his property values and the general peacefulness of the neighborhood.

John Dunzer, 2964 Keepsake Drive, Seaside, stated four minutes is not very much time. We couldn't speak at the Planning Commission meeting and couldn't speak at the Improvement Commission meeting. Mr. Dunzer stated it was important to know they were changing the plans. Where is the establishment of the upper water zone? It's not on it but it is in the plan for \$4,000,000.00.

Dale McDowell, Public Works Director, stated the City does not know the dollar amount yet.

Mr. Dunzer stated it was in the plans.

Mayor Barber asked Mr. Dunzer to address the Council.

Mr. Dunzer further stated because of the timing of the school construction the initial project of creating an upper water pressure zone must be funded and completed by the City by the fiscal year 2021. The 4.6 million dollar requirement comes at a point when the new district has \$250,000.00. This requires the district to get a loan of 4.5 million secured by the future district taxes. Why would anybody loan this district four and half million dollars when the Tsunami Flood Danger is so high.

Who will guarantee repayment? If you don't get the loan the school cannot open, you don't have any water. But those are just little minor items. Redeveloped area has very little land that can easily be redeveloped, thirty four acres of redeveloped land; seventy percent of the vacant land is residential which the state has forecast it will not be developed. The state says that local government must plan accordingly. The state has said the attractive vacated school sites must not be redeveloped and you are going against the grain, you want to increase development. Fifty-five percent of redevelopment area cannot generate development funds because it is exempt from taxation or is already improved to the highest and best use. Elaine has that in her book, twenty five percent of the properties that are already over the two ratios. Almost all of this undeveloped land is zoned commercial and there is no economic need to develop these commercial properties. No population growth, no need for more commercial. Regional commercial development will not be in Seaside but will be in Warrenton and the state already told you. Visitor commercial is not in the redevelopment area its downtown. Only a small portion of the south of Seaside is blighted.

Kathleen Peterson, 1640 Huckleberry Drive, Seaside, stated she was in favor of the project and she thinks it will bring good things to our area. When our house was built we looked at the City plan and at that time we were aware that there was going to be expansion in that area twenty-five years ago. We knew the roads would have more traffic. Ms. Peterson further stated the school project is wonderful and one reason we almost did not move to Seaside was because of the disrepair of the schools and this new project will bring more people to Seaside and the kids will have a better education. I don't understand the non growth when people are living out of cars and we need housing, and you can't have housing without property.

Maria Pincetich, 86273 S. Wahanna Road, Seaside, stated she was elected to speak for many others who were chicken. Ms. Pincetich further stated she appreciated all the time the City Council puts in and is a thankless job often. Respectively this is a tax increase whether it is increased in one direction or another but the taxes will go up. Ms. Pincetich further stated she liked the idea of an Urban Renewal Project and thinks it is fantastic. Her issue was entirely with this and how it is written. There were a number of issues very concerning. She understood the Oregon Coast Alliance forwarded a letter from an attorney Mr. Sean Malone that questioned some very specific issues in regards to that and she would like to hear some comments from City Council about that because he clearly demonstrates based upon his opinion as an attorney that this is very far out of compliance. We want to be able to move forward in a legal fashion and not create any exposure for the City of Seaside. Another very important point is in regards to citizen involvement, and again she was very involved in the Urban Growth Boundary and was very pleased to learn the Comprehensive Plan has a very specific amendment in regards to citizen involvement. Mr. Pincetich quoted "Residents and Property owners shall have the opportunity to be involved in all phases of the planning efforts of the City including the collection of data and development of policies". Respectively how can we do that if there are no public hearings, how is that possible, it simply isn't. That alone puts it out of compliance and all we want to do is be heard and from her count there are one hundred people who attended the meeting. People are not necessarily against development but we want it to be smart. The map as it stands is not capturing the most valuable property that in order to be able to take advantage in the increase in the frozen base. The high school is not included but the estuary side could be used to develop million dollar condos and the highway side could be workforce housing and that has been done a thousand times. One of the most important things we have been trying to do is deal with the workforce housing.

Mary Kjemhus, 86183 S. Wahanna, Seaside, stated she was in favor of the Urban Renewal District and was a great idea. The way it was written now is seriously flawed and the letter that was received from the attorney recently showed those flaws. Urban Renewal Districts are great and I think that is a good idea. One other point is that it is a tax increase, the taxes are capped at a certain level and then it was like a balloon payment and the taxes go up boom all of a sudden and it was nicer to get those increases incrementally.

Kamy Kay Kjemhus, 1920 Huckleberry Drive, Seaside, stated her biggest concern with this plan was the traffic that would be incurred if we put this plan in effect, how much effort has gone into figuring out how we are going to deal with all this traffic. Wahanna was a two lane country road and then we are going to go up Spruce which will be one neighborhood inundated with traffic plus people living on Cooper and Huckleberry will not be able to get out on Wahanna because of the traffic. There are four-hundred students and each of the cars will be going up two times. Take it to an area that will not effect people and build from the top down. We do not want great big machines in our back yards and streets while they are making this Urban Renewal.

Marie Hofmann, 1699 S. Wahanna Road, Seaside, stated the Urban Renewal in the past did not include annexing a whole lot of people and adding 560 acres. This is a huge annexation and acquirement of a lot of property and the people that live on South Wahanna in that area choose to live there because we don't want development. Living in Seaside is tourist jobs and it is hard to make a living and find housing here. She does not see the need to acquire such an abundant amount of acreage for growth that is not going to happen. Warrenton is the largest city for land value in Oregon and it is Clatsop Counties Urban Growth Boundary. There were no more public comments and Mayor Barber closed the public hearing. Mayor Barber asked Ms. Howard to address some of the comments that were made.

Ms. Howard stated she would explain the taxes because it was really difficult to understand. In Oregon we have a property tax limitation and that property tax limitation says that our assessed value of our properties may not go up more than three percent annually.

Yes taxes go up every time you get your property tax bill and usually it is the three percent and cannot be more than that unless you do new development or substantial rehabilitation. If there is an Urban Renewal area and there was good development within that area it won't cause your property or your property value to go up any more than that three percent because by law it is capped at that three percent. That was the first misunderstanding. Ms. Howard stated the other thing she must not have explained very clearly is that if you look at the map and Urban Renewal didn't exist that frozen base plus that increment line would still happen using a five percent increase. If new development occurs overall in an area that amount is higher than the three percent. It does not mean your taxes all of a sudden go way up; those taxes would be the same as if you didn't have Urban Renewal. The assessor will assess your properties the same it just means out of that assessment a portion goes to the Urban Renewal Agency instead of going to the other taxing jurisdictions. It was very complicated she understood. There was a question about timelines and who decides which projects and that was also a really good question. When you have a twenty-five year Urban Renewal Plan you do not know which projects you will do and in which order. This plan allows authority to do certain projects every year the Seaside Improvement Commission does a budget process and decides at that time which projects within the Urban Renewal Plan will get done. Those projects are the same permitting process as any other projects or development and those budget meetings are open. Annexation – Being in an Urban Renewal area does not mean you are automatically annexed into the City. Annexation is something that is decided by the City Council sometime in the future and at this point there are some properties in the Urban Renewal area but not all the area is incorporated into the city and does not require those properties be annexed. There were concerns about traffic and those issues and that will be dealt with as the school decides the final location and the street system was decided and that will be an open public process.

There was a response from the crowd about everyone being so concerned about this because they haven't had the opportunity to have this conversation.

Ms. Howard stated she would talk about citizen involvement because she knows personally there have been two articles in the Astorian Newspaper. There was a community forum that was advertised all over the place on the website, newspaper, at City Hall, and different community groups. All City meetings were open to the public, and County Commission meetings were open to the public. Maybe some people did not hear from this until now, we are glad you are attending now and your input was important.

Mr. Winstanley stated the Urban Renewal Agency had a community forum where forty to fifty people attended and gave input. There seems to be some confusion at this point on the Urban Growth Expansion and this Urban Renewal Plan and were two very distinct things. Mr. Winstanley explained further the Urban Renewal Agency and projects.

Mayor Barber stated public comments have been taken and he was moving forward with Council comments.

There were audience members making comments to the Mayor and Council.

Mayor Barber asked for Council comments.

Councilor Horning stated to your comment (audience members) he wanted to say one thing. If you don't do any improvements to your property your taxes will go three percent annually as the state law allows. If somebody else builds a house on his property his taxes will go up quite a bit and that is where the growth in taxes comes from it doesn't come directly out of your hide it comes out of other peoples hides that invest in the property.

There were audience members making comments.

Councilor Horning stated those that invest in their properties pay taxes accordingly. Councilor Horning further stated the important issue for him was that the city was trying to assist the school district at least up to their property with road and utility which was important for Tsunami Preparedness with the new schools that the public already voted on. Two out of three people voted in favor of the new school and this issue has already been said so for these things he was confident Council could move forward but this is not as bad as it comes across.

Councilor Frank stated he hears some of the same misconceptions and yes if someone built next to him and put in a \$500,000.00 home guess what those are taxes that weren't there before that is how we get an increase in taxes and the city encourages people to build. Councilor Frank further stated as everybody who lives here knows Wahanna has become the detour for all the locals and what is your plan for improving Wahanna and the infrastructure. The school is going in and there have been meetings where this has been discussed at length.

There was audience member interrupting and making comments.

Mayor Barber stated this was a dialogue with the audience and to respect the whole room.

Councilor Frank stated the openness comes in with all the meetings we have.

There were audience members interrupting and making comments.

Councilor Frank stated this was a process and Council was choosing the best and especially for Tsunami Preparedness.

Councilor Wright stated he has not been on the Council that long but has been involved with the Planning Commission. There have been a lot of public comments and he did not know if it is just coming about with people that didn't maybe know what was going on. There is confusion about Urban Renewal and Urban Growth. There were no specific plans for an annexation right now at this point. The schools are going to happen and if we were planning ahead far enough we would have thought about all this stuff that needs to be taken care of. The road situation is a huge situation because the schools are moving. Councilor Wright further stated he strongly encouraged the public to start coming to the Transportation Advisory Commission meetings and there happens to be one this Thursday, August 17, 2017, 6:00 pm. The public can go to the school board meetings and ask questions. There are plans and the City is trying to figure out what to do. Council feels this is the best option to start the process. The Urban Renewal meeting is made up of fourteen members who meet every month. Councilor Wright further stated Council was doing the best they can and we think this is the right process to follow.

Councilor Morrisey stated he had a question for Elaine. Why was the high school property not included in the Urban Renewal District?

Mr. Winstanley stated the Urban Renewal Agency went through a process to make a decision on what the district should look like and a lot of it had to do with the projects they wanted to see accomplished. The process the Urban Renewal Commission goes through is to define projects and then as they define projects you basically end up with pens in the map and a boundary is put around the area. There were discussions about a number of different locations and the projects listed like the bridges were large projects.

Councilor Morrisey stated he concurred with a lot of the Councilors that there is confusion about what the school was doing which was not us and then what the Urban Growth Boundary does. This is basically infrastructure to get up to the school for Tsunami Preparedness for the bridges.

Council President Montero stated recently there was a Parks Advisory Committee public forum open house. One of the things addressed was the school land at the estuary and most people were aghast at the thought that there would be high rises in that parking lot and obliterating the view and obliterating the public's ability to enjoy the estuary and there are other opinions about that land. Council President Montero further stated she sees lots of confusion about Urban Growth Boundary and Urban Renewal District and maybe they have been talked about to closely together. The Urban Growth Boundary is on hold and nothing is happening and the Urban Renewal is a proven tool in Seaside for infrastructure. How many have enjoyed North Holladay Drive which was done with Urban Renewal funds, There have been things done to bridges and projects done around Seaside with projects and infrastructure. Council President Montero further stated she would still pay the same taxes but the County will get less of it because it will go to the Urban Renewal Agency and that will continue for twenty five years and Seaside will have benefitted by South Holladay looking like North Holladay, and having the south entry into Seaside not look like a scumbag. There were concerns about the traffic for schools and everyone had the opportunity to talk about the school levy and where the schools were going. Two to one voted for the levy and she can't imagine no one thought about what that would do to the roads. There are roads in the City and there is Highway 101 which is a state road. Council President Montero further stated she has been a resident in Seaside for fifteen years and has served on the City Council for seven years. As many of you might know she was involved with activity that was oppositional to the Council prior to serving on the City Council. The month in 2002 when she moved to Seaside until the time she started serving on the Council she attended at least ninety percent of the City Council meetings and she personally has a problem with people who say they didn't know because she made it her business to know. Council President Montero further stated she was not making a judgment about any of you but make it your business to know. Council President Montero stated she attended City Council meetings, Planning Commission meetings, and Improvement Commission meetings.

Councilor Morrisey asked Mr. Winstanley if he had a chance to review the letter from Sean Malone.

Mr. Winstanley stated he did not.

Mayor Barber stated it is a part of the record that will be added to the record and will be getting some feedback from the City Attorney on the letter.

Councilor Morrisey asked when the letter was submitted.

Mr. Winstanley stated it was received today at 11:16 AM.

Mayor Barber stated he was very committed to concept of Urban Renewal and speaks for itself and we would not have the quality of infrastructure today if it had not been for the two previous Urban Renewal Districts. There was a lot of misunderstanding on how it works and as we move forward we can articulate more clearly how Urban Renewal Agencies work. It really is for the improvement of our community and even if no growth it would still help with improvements.

The projects are completed for the benefits of the community and visitors to our wonderful City. Mayor Barber is very committed to this and there are issues that need to be worked out and the one he heard most tonight has to do with the concerns about traffic and access to the school and that is still very much in process and the public needs to be weighing in on that. That is not the city total responsibility and there will be some voice in it. There has been a lot of work on this for the last year and the best consultant in the state has worked with us on the Urban Renewal Plan.

Mr. Winstanley stated Council will do first and second reading tonight and at the August 28, 2017, City Council meeting there would be third and final reading and motion to adopt.

Mayor Barber stated he would entertain a motion for the first reading of ordinance 2017-09.

Councilor Frank so moved to read Ordinance 2017-09 by title only with a second from Council President Montero; carried unanimously. (Frank/Montero)

Mayor Barber stated he would entertain a motion for a second reading.

Councilor Frank so moved with a second from Council President Montero; carried unanimously. (Frank/Montero)

RECESSED

Mayor Barber called for a recess at 8:23 PM.

RECONVENED

Council reconvened 8:35 PM.

ORDINANCE #2017-10

AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, AMENDING CHAPTER 31 OF THE CODE OF SEASIDE ORDINANCES REGARDING THE COMMUNITY CENTER AND SENIOR COMMISSION

Mayor Barber asked for public comments. Mayor Barber invited the audience to come and speak and identify yourself and give your address.

A woman from the audience asked why they want to take seniors out.

Skylar Archibald, Sunset Empire Parks and Recreation District Executive Director, explained he was not appointed on the Community Center and Senior Commission but serve in the capacity as a member of the Park and Recreation District Staff as we manage the building. Although I cannot represent a member of the Community Center Commission but he knew the reasoning behind it and they feel the building is inclusive of all of our community regardless of age and we certainly serve our seniors but also our children through a variety of programs in the building and middle age people as well. The Commission is hoping to make this change so that it is reflective of the greater community that we serve the seniors, young people, and middle age people as well.

Mayor Barber stated his understanding is that it is in no way intended and nor will it reduce our senior programs at the center and simply focuses more broadly the wording of the Commission and the Commission did bring the request to Council.

Mayor Barber asked for Council comments.

Councilor Frank stated the people that serve on the Commission requested that change and Skylar brought out why. Councilor Frank did not see anything wrong with it and the good part is that it does shorten the name.

Mayor Barber stated he would entertain a motion to read by title only.

Council President Montero so moved with a second from Councilor Morrisey; carried unanimously. (Montero/Morrisey)

Mayor Barber stated he would entertain a motion for second reading.

Council President Montero so moved with a second from Councilor Morrisey; carried unanimously. (Montero/Morrisey)

ORDINANCE #2017-11

AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, AMENDING CHAPTER 96 OF THE CODE OF SEASIDE ORDINANCES REGARDING NUISANCES CONCERNING CHICKENS

Mayor Barber stated the next item is Ordinance #2017-11, and asked if there was a motion to table the ordinance.

Council President Montero moved Council table Ordinance #2017-11 for a future meeting with a second from Councilor Morrisey; carried unanimously. (Montero/Morrisey)

Mayor Barber stated he would see this comes back on the agenda.

A RESOLUTION TO DECLARE SEASIDE AS A CITY OF INCLUSIVITY WITH RESPECT TO IMMIGRANTS AND REFUGEES

Mayor Barber stated the next item is Resolution #3903 and asked if there a motion to table.

Council President Montero moved that Council table Resolution #3903 to the next City Council meeting August 28, 2017, with a second from Councilor Frank; carried unanimously. (Montero/Frank)

REQUEST - REAL
PROPERTY LICENSE
AGREEMENT

Mayor Barber at this point stated he is recusing himself from discussion or participation in this item and at this point he handed the gavel over to Council President Montero.

Mr. Winstanley stated a licensing agreement is an agreement between the City in this case and a private party to the use of public property. It is very common in the City of Seaside for the public to use the public right-of-way. Lots of people have lawns, gardens that are out in the public right-of-way and the city appreciates that people take care of the yard and area that is on the right-of-way. There were improvements in the public right-of-way and in some cases to enhance it once they realize it's the right-of-way. This has happened to Mayor Barber and his wife. They realized the yard was in the public right-of-way and the garden was very nice. The Mayor came to the City to put a deck what he thought was his area but was in the public right-of-way. The City Attorney reviewed the information and stated it was alright for the Mayor to build his deck as long as he realized should the city at any time feel they are in need of using the public right-of-way the Mayor would then have to remove the improvements made so the City can use the right-of-way. That is what this licensing agreement does is simply recognizes the yard that the Mayor and his wife have taken care of can be used until the City is in need of the right-of-way.

Council President Montero stated the licensing agreement becomes part of any sales documented.

Mr. Winstanley stated it is recorded against the property and in the future any legal references made to the property the licensing agreement would come up and if the property was sold the city would enter into a new licensing agreement with the property owner.

Councilor Frank stated adjacent to his property he maintains property for the city and he has never sent the city a bill and if he kept his yard as nice as theirs he would send a bill. This was done in the past with another property and that was the Bob Poole resident and at the time it didn't seem like it mattered but with the school moving it may just come up.

Council President Montero asked for a motion to approve the licensing agreement.

Councilor Frank so moved with a second from Councilor Horning; carried unanimously. (Frank/Horning)

There was an audience member who asked if they could ask a question.

Council President Montero stated Council would take a question.

The audience member asked if this license was a forever thing and does it carry on to the next person.

Council President Montero stated the license was approved for the Mayor and his wife if they sale the house the license does not go to the next buyer and the new buyer enters into a new agreement or the deck will go away.

An audience member asked for sake of clarity why did we just move past an ordinance and a resolution of inclusivity onto a licensing agreement for the Mayor.

Councilor Morrissey stated he would like to see more rigorous debate on both those issues before they are passed and would like to see more people give comments on those issues and the evening is getting late.

Council President Montero stated it would be scheduled earlier on an agenda.

The audience member asked if the resolution was tabled until the next meeting.

Council President Montero stated August 28, 2017.

The audience member asked the timeline for the ordinance.

Council President Montero stated the Mayor and City Manager will decide that.

**RFP PROM RAIL AND
PROM LIGHT POLE
REHABILITATION**

Mr. McDowell, Public Works Director, stated the 100th anniversary of our Prom is coming upon us and we would like to go out to bid for repair of the rail and repainting and refurbishing the turnaround itself. The Public Works Department was responsible for maintenance of the Prom Rail and Light Poles. Staff has assembled the information necessary for the bid documents and is hereby requesting Council approval to begin advertising for bids. The work will be scheduled to begin on or about September 12, 2017, and completed by March 28, 2018. The engineers estimate on the project is \$135,000.00.

Councilor Montero stated the prom is approaching its 100th Anniversary the more we can do to make it look nice the better.

Councilor Morrissey asked how long the project would take.

Mr. McDowell stated it would take about four or five months.

Councilor Wright stated he walked the Prom nearly every day and he noticed the cracks.

Mayor Barber stated he would entertain a motion.

Councilor Frank moved to approve with a second from Councilor Horning; carried unanimously. (Frank/Horning)

**COMMENTS –
CITY STAFF
AND OTHERS**

Dave Ham, Seaside Police Chief, stated Volleyball went great.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated Alice and Wonderland will be playing at the Convention Center this weekend and it is free admission.

Mr. Winstanley stated the Eclipse was coming and he will be out of town on Monday and he was headed to the valley so he could be right dead on the path of totality.

COMMENTS – COUNCIL

Councilor Horning stated he was going to go see the eclipse too.

Councilor Frank stated he would like to take the opportunity to encourage people to come to meetings and plug into what is going on to get a broader sense of what is going on.

Council President Montero stated she would encourage everyone to go and see Alice in Wonderland.

Councilor Morrissey stated he spent the weekend down at the Beach Volleyball Tournament and wanted to compliment Brian the Chamber Director on doing such a great job.

Councilor Wright stated on August 4, 2017, he attended the League of Oregon Cities North Coast Cities meeting and found out interesting things about our neighbors North and South. There was a seminar he attended that was put on called “Magic of LOC Data” and if you really want to know information about a lot of the cities in Oregon that is where you go. Councilor Wright further stated to Mr. Winstanley they may need more room on Thursday for the Transportation Advisory Commission Meeting at 6:00 pm.

Mayor Barber stated in closing he wanted to read a letter from friends located in Seaside Heights New Jersey who visited Seaside, Oregon.

ADJOURNMENT

The regular meeting adjourned at 9:00 PM.

Kim Jordan, Secretary

JAY BARBER, MAYOR