

- 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, Steve Wright, and Dana Phillips.
- Absent: None
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney, Dale McDowell, Public Works Director; Kevin Cupples, Planning Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; and RJ Marx, Daily Astorian/Seaside Signal.
- AGENDA** Mayor Barber stated he would entertain a motion for approval of the agenda as presented.
- Councilor Frank so moved with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)
- COMMENTS – PUBLIC** Joyce Hunt, 510 13th Avenue, Seaside, stated she was the Necanicum Watershed Chair Person. Ms. Hunt read a letter from the Necanicum Watershed Coordinator, Melyssa Graeper who was unable to attend the meeting: The council has been around since 1997 (20 YEARS!) and in that time we've enjoyed our relationship with the City. While there have also been some highs and lows, we continue to strive to be a valuable resource to the City. To that end, we think our crowning jewel so far was the South Fork Water Diversion project, where we worked hand in hand with the City to ensure the municipal water supply was more reliable, AND fish friendly. We properly screened both diversions, and replaced old junky pumps with reliable multi-speed/energy efficient pumps. We're currently working to help find funding to replace a failing culvert system under Wahanna Road just south of the hospital. Sometimes we feel like we're an annoying nuisance to the City. But, when we have an issue, we generally try to help come up with a practical solution, along with a way to fund it. That's why, when late last year (Nov 11, 2016) when we heard rumor of the Broadway Park parking lot being paved over Melyssa reached out to Public Works to see if we could talk about alternative solutions. So much of our urban watershed is covered in asphalt (a petroleum-based product) that doesn't allow for good drainage and allows road/car runoff to drain directly into our rivers (and if we're lucky, sometimes via a storm drain). We suggested a more permeable substrate if the existing gravel wasn't adequate anymore, such as paver stones. We also suggested this would be a great use of our easily accessible small grant funds of up to \$10,000 with 25% match (in either cash or in-kind staff time). The response we got was "The City is looking to asphalt pave the gravel parking lot due to the current potholing issues. Gravel and paver stones are higher maintenance than asphalt and since there are only 5 workers in the Street Department that have to maintain the town we just don't have time. Hiring Contractors is not in budget." This response was more than frustrating, since we were offering a considerable amount of money, AND had done research that showed that pavers might actually be LESS long-term maintenance. Since this exchange, the Council has tried to have a representative (Melyssa) regularly attend Park Advisory Committee meetings to continue to try and find ways to work with the City. She has continued to try and find alternatives to the asphalt, but was at least a little placated when it was confirmed that the boat launch area would be left gravel. The small strip would allow some permeability and was better than the whole thing being paved. It therefore wasn't a surprise to see that the large portion of the parking lot was paved last week. But it WAS quite a surprise when, on THE DAY OF our annual picnic - which included the PAC, the remainder of the parking lot (the boat launch area) was paved, INCLUDING THE BOAT RAMP! The asphalt goes well beyond the mean high tide line, and is a clear violation of DEQ laws, and potentially Department of State Lands and Army Corp regulations as well. It's frustrating and disheartening to try so hard to work with the City, and to be told one thing and then seen the opposite happen. And this isn't the first time. Council may remember the watershed harvest issues, where the Watershed Council argued against harvest without a current watershed management plan. So, instead of just complaining, we helped the City secure \$30,000 (with no match requirement). To our knowledge, the funds were never used, and the grant has now expired. We'd love to continue to work on not only finding creative solutions to challenges within our city, but also help to find ways to pay for them. But for right now, we're at a loss on how to proceed in good faith.
- Mayor Barber asked Mr. Winstanley to get back to the Council with a response at a later date.
- John Dunzer, 2964 Keepsake Drive, Seaside, stated he presented Council with information on the Clatsop County and Sub-Areas – Historical and Forecast Populations, and Average Annual Growth Rates (AAGR). This was a page out of the official state population projection. Seaside was originally projected at ninety people a year increase and now the official projection stated thirty people a year increase. This is required by the state to use for planning and thirty people a year average for Seaside was not enough and he would appreciate it if the city took that in account when it runs its programs. The state says this city will not grow and the people will not come.

CONFLICT

Mayor Barber asked whether any Councilor wished to declare a conflict of interest.

Councilor Morrisey stated regarding agenda item 8-b – Ordinance 2017-09, he owned a piece of undeveloped residential property within the proposed Urban Renewal Boundary.

Mayor Barber thanked Councilor Morrisey for sharing that information but that does not disqualify him from voting.

CONSENT AGENDA

Mayor Barber stated he would entertain a motion for approval of the consent agenda.

Consent Agenda: Payment of the Bills - \$443,432.79; and Approval of Minutes August 14, 2017.

Councilor Frank moved to approve the consent agenda and pay the bills with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

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. Mayor Barber further stated Council would hold the appointment to the Budget Committee open until the first meeting in October, 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

Mark Winstanley, City Manager, stated the City Council had first and second reading at the August 14, 2017, meeting. The Council was on third reading and if that motion was passed you would be looking at the adoption of the ordinance. Mr. Winstanley further stated there were a number of comments made at the last Council meeting and in the packet was a memo from Elaine Howard the Urban Renewal Consultant who had been working with the Urban Renewal Agency and she suggested text adjustments be made to the plan and report. Council has had the opportunity to look at the text changes. Ms. Howard expressed concern about water, sewer, and transportation issues and while she said the plan did conform; adding additional text to the plan might help clarify the issues and would be a good adjustment for the Council to make to the plan. Mr. Winstanley stated he wanted to emphasize again because there was some confusion, an Urban Renewal District was not akin to Urban Growth Boundary expansion and an Urban Renewal District was an economic district and the purpose of that district was to simply generate dollars for projects that would take within the boundary of the district. There has been confusion between Urban Growth Boundary and Urban Renewal Districts and in this case this district has very defined boundaries. As a rule they do not include areas that were outside the Urban Growth areas or City Limits except one parcel up above Cooper Street and this was something Council received testimony on and Council would be discussing tonight.

Memo to City Council from Elaine Howard Consulting: I propose the following changes to the Southeast Seaside Urban Renewal Plan and Report on the Southeast Seaside Urban Renewal Plan. These could be presented to the city council and they could approve these changes in their motion. Southeast Seaside Urban Renewal Plan - Relationship to Local Objectives. Add the following statements: 7.1.1 Water System Policies- Water services may be extended to the areas outside the city limits but within the Urban Growth Boundary, Water service is allowed outside the City Limits and outside of the Urban Growth Boundary under the following conditions. One water service, not to exceed a 1' water line, shall be permitted to service each buildable lot of record as determined by the Clatsop County Comprehensive Plan and Land and Water Development and Use Ordinance. One water service, not to exceed a 1" water line, shall be permitted to service buildable lots that can be legally created pursuant to the Clatsop County Comprehensive Plan/Zoning May density existing as of January 1, 1996. The total cost of providing water service from the existing water main to the property shall be borne by the property owner and shall include the cost of the water service. Policies a, b, and c. apply only to the areas south of the Seaside UGB to the Cannon peach Junction and from the Cannon Beach Junction to the terminus of the existing water main near M.P. 3.4 on U.S. 26. Water service from the City of Seaside to the areas described in d. Above, shall not be used as a basis for justifying a zone change to a commercial zone, industrial zone or higher density residential zone. The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it contains water system projects aimed at helping the school with new infrastructure and for general infrastructure for the Area. The Southeast Seaside Urban Renewal Plan does not include any projects that would provide water service to any lands that are outside the City Limits and outside the Urban Growth Boundary. 7.2.1 Sewer System Policies – Policies - Sewer services will be extended to un-served areas only if they are within the city limits. All subdivisions and partitions within city limits shall be connected to the sewer system when available and subject to capacity limitations.

Sewer lines in proposed developments shall be adequately sized to meet future needs of the development and shall be designed to as to minimize excavation of the road surface in future connections. The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because it contains sewer projects aimed at helping the school with new infrastructure and for general infrastructure for the Area. Any lands within the urban growth boundary would need to be annexed in order to be provided with city sewer. The Plan does not include any projects that would provide sewer outside the city limits and the urban growth boundary. Costs of extensions of sewer lines, including associated costs such as a sewer pump station, shall be borne by those property owners benefitting from the extension. Sewer improvement charges should be placed in a fund for future capital costs. The city, through its annual budget process, should monitor available funds for the upgrades or expansion of the system in relation to current demands. The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because the Plan proposes upgrades to the existing sewer system that will benefit the Area. Although the School District property is publicly funded, the School District will be responsible for funding any new sewer line extensions on their property and they are currently still required to pay system development fees for the expansion of their campus facility. 8.1 Transportation - Energy conservation shall be achieved in Seaside by keeping future development within the Urban Growth Boundary in order to keep travel distance reasonable. The Southeast Seaside Urban Renewal Plan conforms to the Seaside Comprehensive Plan because there are transportation projects in the Plan that will improve the transportation network in the Area. Report on Southeast Seaside Urban Renewal Plan Section VIII. Financial Analysis of the Plan Assessed Value growth is capped at 3% due to Ballot Measure 50. It is anticipated the additional 2% growth will occur due to new development in the Area. Data from the City of Seaside indicated the prior urban renewal area's assessed value grew at 5% annually from 2008-2014, even given the deep recession Oregon and the nation experienced. Given this growth, the city was comfortable using the 5% assessed value growth factor.

Mayor Barber stated if the public would like to make public comments you are invited up to speak. Council heard a lot of testimony at the last meeting and Mayor Barber suggested if there was additional information or new information that would be helpful to come up and speak and to keep the comments to four minutes. Mayor Barber opened the public comments.

Marie Hofmann, 1699 S. Wahanna, Seaside, stated she had the fortune or misfortune to help survey the area where the grade school sits now because she is married to a surveyor. At that time it did not seem appropriate to put the school there. Now the other three schools are going above that and she was wondering if there had been soil samples, geological studies, done on this ground and is it even feasible to put that kind of building up there. Half of what was behind her on Huckleberry Drive was ribboned off by the state as unbuildable and of course it was built because the city failed to enforce their laws and so forth and it was followed promptly with a lot of law suits with houses that are settling and have mold growing and all this great stuff. Ms. Hofmann further stated she can remember when the grade school was built the building had to be reroofed and she doesn't know if that was from settling or what not. Are we going to spend all these millions of dollars on these three schools up there and all the paved parking lots and what have you and then find out this ground is not stable. Ms. Hofmann further stated there is all this concern about getting above a Tsunami but doesn't the earthquake happen first and what was an earthquake going to do to this ground. Ms. Hofmann further stated she would assume there have been soil studies and geological reports stating that this ground is in fact suitable and if so she would like to see it and if not I would like to know why.

Mayor Barber stated the issues Ms. Hofmann was raising were very pertinent but they were not related to the Urban Renewal District.

Ms. Hofmann stated but was the school not in that.

Mayor Barber stated the schools were not within that district. The issues Ms. Hofmann was raising are very appropriate to be raised with the school board and eventually they will come to Council.

Ms. Hofmann stated the other thing that she was concerned about is if the Urban Renewal does not incorporate urban growth then to appease a lot of people why couldn't we just eliminate that extra property if it was not necessary then why couldn't it just be eliminated. The terminology Eminent Domain scares her to death and the city says they were not going to do that and she has heard that many times.

Mayor Barber stated Council would be commenting on that piece of property later and Ms. Hofmann's comments were appreciated.

Ms. Hofmann stated in the past her understanding the way things worked was people think after you go to the city and it goes through its process then you can go to the County if you still have misgivings and want to stop something you have another chance. Ms. Hofmann was on a three way conversation with Dan Van Thiel and LUBA explaining that if the process went to the County first it would be too late to appeal to LUBA. If Council passes the ordinance tonight and it essentially is a done deal and the County just rubber stamps it to go through she wants to be clear on when she can take it to LUBA if they choose to do so.

Mary Kemhus, 86183 S. Wahanna, Seaside, stated she echo's many things Ms. Hofmann had concerns about.

Why was the Weyerhaeuser property included in the Urban Renewal District? It was not in the City and was not in Urban Growth Boundary. In reading: The portion of the Urban Renewal area is outside the Urban Growth Boundary, to continue however the Seaside School District continues planning for the new campus they may need some of this property for infrastructure. Earlier reading: There was no intention this land would be developed by the Urban Renewal Agency but goes on to say, however as the Seaside School District continues planning for the new campus they may need to use this property for infrastructure for the new campus. Ms. Kemhus further stated you were saying there was no intention to use it but the school district was planning to use it and that was confusing. The last sentence read: The Southeast Seaside Urban Renewal Plan conforms to the Clatsop County comprehensive plan because no use was projected for the property and it does not comply with the existing use limitations. Ms. Kemhus just keeps going back and forth and at some point if it is possible she was assuming Council understands what that means and she was hoping it would become clear to her. Ms. Kemhus further read: Forest lands shall be conserved for forest use including production of trees and normal forest use but in the Urban Renewal Plan you are saying this will be used possible but not exactly sure who because it says the City of Seaside was not going to do it but perhaps the school district will use it which is confusing.

Mayor Barber stated the issue would be addressed this evening and Council has heard loud and clear and will be responding.

Mr. Dunzer stated the other two pieces of paper presented to Council was information on Oregon's Statewide Planning Goals and Guidelines. Goal 7: Areas Subject to Natural Hazard. This should have been reviewed by the Planning Commission. Mr. Dunzer further stated item C. Implementation, 3.a. stated avoiding development in hazard areas where the risk to people and property cannot be mitigated. He would be objecting because of that item. The City was doing one hundred eighty degrees the opposite and this does not meet planning goal 7. Mr. Dunzer further stated the next page Table 11 – Projects and Costs in Year of Expenditure Dollars. The city would not wait for the Urban Redevelopment Agency to build up funds because there was a road and a water system needed for the school district and this would be done in three years. There is no money for the project so \$4,500,000.00 would be borrowed and this is a joke bond because there is no way you can borrow money where the property was in such danger of being destroyed and the tax base being destroyed. Who would want to loan \$4,500,000.00 on property that depends on people paying their taxes. This would be a junk bond and you would be paying through the nose because there was no guarantee the property would be there to pay the taxes.

Mayor Barber asked for any other public comments and there were no other comments. Mayor Barber asked for Council comments.

Council President Montero stated she was pleased that so many residents had taken the interest and taken the time to give council their input regarding the Urban Renewal Plan at the last Council meeting. Just as we heard tonight the concerns about the particular piece of land that is included in the plan that it is not in the City Boundaries or the Urban Growth Boundary. Because we heard this last time and listened, we had the urban renewal plan reviewed by several other experts. Council President Montero further stated with all this said and done, the right thing to do is to diminish the boundaries and reduce the size of the Urban Renewal District by removing the forest land that is outside the city limits.

Council President Montero moved to amend the Southeast Seaside Urban renewal plan by removing the parcel of forest land above Cooper street, known as Weyerhaeuser property 6-10-22 tax lot 2103, that is outside both the city limits and the urban growth boundary; as well as any associated text in the plan, thus deleting this parcel from the proposed Southeast Urban Renewal District boundaries with a second from Councilor Frank; carried unanimously. (Montero/Frank)

Mayor Barber asked Mr. Winstanley to point out the parcel of land.

Mr. Winstanley pointed out the parcel of land that was taken out. Mr. Winstanley stated this was an area currently not in the City Limits and not in the City's Urban Growth Boundary and was forest land and this is what a couple of previous people had testified on. Mr. Winstanley further stated if he understood the motion correctly Council President Montero was suggesting this parcel be removed from the district and the boundaries of the district would be amended.

Council President Montero stated she wanted to amend the boundaries of the Urban Renewal District.

Councilor Morrissey asked Mr. Winstanley to explain to the audience why that was included originally.

Mr. Winstanley stated he could only tell the audience the thoughts that were behind that. The Urban Renewal Agency and its commission had a lot of conversation about what properties they wanted in and what properties they wanted out. Most of it deals with the projects that they put together that they were hoping the Urban Renewal Agency would be able to accomplish. As the commission identified projects they then would include the property where those projects would take place.

The thought the commission had at that time was that some time in the future it might be necessary to provide a path for additional infrastructure into the school property. In this case water lines, sewer lines, and a road and that was the only conversation that took place and as far as the agency was concerned was how to get additional infrastructure there. In case of water and sewer lines those all go underground. There was additional conversation about the possibility of a road in that area and they never came to a conclusion on that. Mr. Winstanley further stated that was the thought behind putting that piece of property in was it gave more options to the agency.

Councilor Frank stated in response to the turnout he appreciated all the people that took the time to raise concerns and hopefully a lot of those were allayed and people understand that this is not an increased tax on homes and that was a large part of the people here.

Councilor Frank made a motion to amend the Southeast Seaside Urban Renewal Plan and Report by adding the suggested language changes recommended by the Urban Renewal Consultant, Elaine Howard, in her memo dated August 24, 2017. This additional language clarifies the plans compliance with the city's comprehensive plan by inserting these sections 7.1.1 Water System Policies, additional language to 7.2.1 Sewer System Policies, and creating a new section 8.1 Transportation, and in addition we would add additional language to the Southeast Seaside Urban Renewal Plan Report Section 8 Financial Analysis of the Plan Further explaining the assumptions made in the financial analysis, with a second from Council President Montero; carried unanimously. (Frank/Montero)

Councilor Horning stated he would like to comment on the suitability of that hillside for the school. He assisted consultants that worked for the school district and that was evaluated to be found in pretty good shape and he would not worry to much about that. Councilor Horning further stated John Dunzer raised an interesting question about how will the market view request by the school district for bonds or maybe the city in our Urban Renewal District that at a point of time has to take into account the risk of earthquake and Tsunami.

Mr. Winstanley stated the City in the last five years had issued additional bonds in this case for sewer work and we met with no resistance in the market as far as bond purchasers being willing to go ahead and buy bonds from the City of Seaside. The City would be issuing bonds in the not to distant future for the renovation of the Convention Center and have found no resistance so far.

Councilor Wright stated he was thinking about the bonds and there were other mechanisms available to get the rates lowered and may cost a little more money. Councilor Wright further stated the City had lots of additional meetings coming up in the future regarding the planning and everything else going on. Having turnout for this portion was great but don't stop.

Mayor Barber stated he would entertain a motion for reading by title only.

Councilor Wright so moved to read by title only as amended with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

Mayor Barber stated he would entertain a motion to adopt.

Councilor Frank moved to adopt Ordinance 2017-09 as amended with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

Mayor Barber asked for a roll call vote:

YEAS: MORRISEY, HORNING, FRANK, BARBER, MONTERO, WRIGHT, PHILLIPS,
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

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, there were no public comments.

Mayor Barber asked for Council comments, there were no Council comments.

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

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

Mayor Barber stated he would entertain a motion to adopt.

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

Mayor Barber asked for a roll call vote:

YEAS: MORRISEY, HORNING, FRANK, BARBER, MONTERO, WRIGHT, PHILLIPS,
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

NEW BUSINESS:

LIQUOR LICENSE

Mayor Barber stated there was a liquor license application received from Las Olas Mexican Restaurant, 714 Broadway. Mayor Barber stated the application was for a Full On-Premises Sales License, and was for a change of ownership. Mayor Barber asked if the owner or representative was present and Cinthia Inzunza who was the owner, was present for Council questions.

Cinthia Inzunza, 714 Broadway, Seaside, stated she was the owner of Las Olas Mexican Restaurant.

Miguel Raya, 92146 Clover Rd., Astoria, introduced himself to the Council.

Ms. Inzunza stated the restaurant has been on Broadway for four months already and she was partners with her sister and they opened Guajito's Mexican Restaurant and she recently bought her sister out and changed the name of the restaurant and the same foods were being cooked and everything was the same except the name.

Mayor Barber stated there was a background done by the police department and there were some issues that came up on that.

Councilor Frank stated Council put a lot of faith in what the police department recommends when doing the backgrounds. In this instance there were concerns raised and understand the Council was not the deciding body but made a recommendation to the Oregon Liquor Control Commission (OLCC). Councilor Frank further stated due to this problem with DUI's the recommendation the police department was giving was a poor risk waiting.

Ms. Inzunza stated there was a letter given to Council explaining the situation from back then and her partner Miguel has a restaurant in Astoria and he had the full on premise license and has been there six years.

Ms. Inzunza translated for Mr. Raya: When we first decided to open the restaurant we were excited about being successful and to respect the laws and do everything right is the best way. Never do anything that would put anyone at risk and we always work hard to do things the right way according to the law. That is what has made the restaurant he owns La Cabana D Raya number one in Astoria. Ms. Inzunza further stated she wanted Council to know that she has owned and worked at Guajito's since it opened and there were no problems.

Councilor Phillips stated she was a frequent patriot of the restaurant and it was excellent food and excellent service and she was really glad the restaurant was here in the community. Councilor Phillips further stated she normally would go along with the police department recommendation but in this case just for the fact she has been in the restaurant and seen how you all have done in the community she was going to support the liquor license.

Mr. Winstanley stated the Police Chief, Dave Ham was unable to attend the meeting tonight because of an emergency. Chief Ham expressed that if the Council should so choose to recommend the liquor license he did not necessarily have a problem with that but he felt it was important the police department provide all the information that was found and that the general pattern was to proceed with caution.

Mayor Barber thanked Mr. Winstanley for the clarification. Mayor Barber stated he would entertain a motion for the liquor license.

Councilor Phillips so moved to approve the liquor license with a second from Councilor Montero; carried with Councilor Frank and Councilor Morrisey opposed. (Phillips/Montero)

LIQUOR LICENSE

Mayor Barber stated there was a liquor license application received from Avenue 'Q' Pizza, 1575 S. Roosevelt. Mayor Barber stated the application was for a Limited On-Premises Sales License and Off-Premises Sales License. Mayor Barber asked if the owner or representative was present and Mike Kaffer who was the owner, was present for Council questions.

Mike Kaffer, 1575 S. Roosevelt, Seaside, stated he was the owner of Avenue 'Q' Pizza. The space is the old Herbs Burger Space and he was serving as a single pizza place right now and trying to fit in the space. Mr. Kaffer stated he was trying to sell a can of beer with pizza is all he was trying to do.

Mayor Barber stated he would entertain a motion.

Councilor Frank so moved Council accept the application which the police department found no reason to deny with a second from Councilor Phillips; carried unanimously.
(Frank/Phillips)

LIQUOR LICENSE

Mayor Barber stated there was a liquor license application received from The Whet Spot, 12 N. Holladay. Mayor Barber stated the application was for a Limited On-Premises Sales License and Off-Premises Sales License. Mayor Barber asked if the owner or representative was present and Tracy Linder who was the owner, was present for Council questions.

Tracy Linder, 12 N. Holladay, Seaside, stated she was the owner of The Whet Spot. The business prior was Cecil's Shoe Store. Ms. Linder further stated she was looking to put in a tap room with Limited on Premise Sales and Off Premise Sales licenses.

Council President Montero asked what someone would have to eat at the business.

Ms. Linder stated she was hoping to have some light appetizer type of food at least by spring.

Councilor Phillips asked what the opening date would be.

Ms. Linder stated she was hoping for November.

Council President Montero stated she always thought if alcohol was sold on premises and people drank there had to be a certain percentage of food sold.

Ms. Linder stated that is correct on a Full on Premise License.

Councilor Wright stated this was similar to the shop in the mall.

Ms. Linder stated somewhat but Jeff serves primarily wine where our focus is primarily draft beer.

Mayor Barber stated he would entertain a motion to approve.

Councilor Frank so moved Council accept the application which the police department recommended with a second from Councilor Morrissey; carried unanimously.
(Frank/Morrissey)

RESOLUTION #3903

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

Mayor Barber stated the next item for Council is Resolution #3903. Mayor Barber asked for public comments.

Jorge Guterrez, Lower Columbia Hispanic Council Executive Director, was the translator: Minerva Moulin, 1020 S. Downing Street, Seaside, stated she served on the La Voz de la Comunidad which was an advisory committee to the Lower Columbia Hispanic Council. Ms. Moulin stated she was here to speak about our community briefly about the Hispanic Community and we are here in the community because we want to work hard and want to make sure our children are part of both cultures the Hispanic Culture and American Culture. Ms. Moulin thanked the City for putting this on the agenda for a vote.

Councilor Frank asked in your opinion do you feel this changes how you and your children will be treated.

Ms. Moulin stated it will have a difference in the way other organizations look at us and will help us grow and prosper economically.

Mr. Guterrez thanked the Council for the resolution which is an important gesture and this was a way to show the support in the community and this puts it on record.

Mayor Barber asked for Council comments.

Councilor Frank stated he did not understand why there was this resolution. Councilor Frank further stated he has lived in Seaside for fifty-two years and went to school here and he did not know of anybody being excluded on any basis. Councilor Frank further stated he did know these inclusivity movements are part of a political alignment and that is what he objects to and he certainly does not object to the premise that one could be all inclusive but he did not see the need to do that since he believed the city was already.

Councilor Morrissey stated of course all of the Council respects immigrants, refugees, and Hispanics. The resolution was written very ambiguous and vague intentionally and is not really clear cut whether we are talking about something that is legal and illegal. Being a city that has always supported law enforcement it did not make any sense to put something like this on the books that is going to pit our police chief against potentially the federal law enforcement.

Councilor Morrisey further stated there is already a law in the books ORS. 181.850 – No law enforcement agency in the State of Oregon or any political sub-division of the state shall use agencies money and equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws. Councilor Morrisey further stated he did not know why there would be a city law when there was already an Oregon law.

Council President Montero stated she did not think a resolution was a law but was a policy and there was nothing in the resolution that says we will expend any of the cities resources to hunt or protect. Council President Montero further stated she sees the resolution as us talking about our boundaries and it was a value statement that she values everyone. Organizations have mission, vision, and value statements and this was putting out there what one of our values was.

Councilor Phillips stated her values were very important but she happened to question this particular policy and having to deal with this because she really believed that Seaside was an inclusive community already and always has been.

Councilor Montero stated Council was all white people and are the majority and haven't seen what happens other places.

Councilor Phillips stated she had family members and lived in many areas and she might be white but she did not agree with Councilor Montero on that standpoint.

Council President Montero stated none of us see it all.

Councilor Franks stated he did not understand why we need to say this.

Councilor Wright stated if this was some kind of ordinance he was not sure he would say yes but because it was just a resolution and a comment to say we are all immigrants of some way or another.

Councilor Horning stated he agreed with Councilor Wright this states a very obvious characteristic of our community and he supported the statements and did not see them as being tools for anything other then to wish good will to everybody.

Councilor Wright stated it doesn't point out any particular type of immigrants but says all immigrants and refugees.

Mayor Barber stated the thing about sanctuary cities it was very controversial and Council decided not to take that position or feel that it was necessary in Seaside. Mayor Barber further stated he supported the resolution after there was language taken out from the original document which would have put our police in a difficult position. The resolution does affirm who we are as a community. Mayor Barber stated he would entertain a motion to read by title only.

Council President Montero so moved to read Resolution #3903 by title only with a second from Councilor Horning; carried with Councilor Morrisey opposed. (Montero/Horning)

Mayor Barber asked for a motion to adopt.

Council President Montero so moved to adopt with a second from Councilor Phillips; carried with Councilor Frank and Councilor Morrisey opposed. (Montero/Phillips)

Mayor Barber asked for a roll call vote:

YEAS: HORNING, BARBER, MONTERO, WRIGHT, PHILLIPS,

NAYS: FRANK, MORRISEY

ABSENT: NONE

ABSTAIN: NONE

**TRAVEL AND EXPENSE
REIMBURSEMENT
POLICY AMEND.**

Mr. Winstanley stated you will find a proposed Travel & Expense Reimbursement Policy which was last updated in 2009. This policy defines requirements for Elected Officials and more particularly City employees to better clarify what is allowed and what is not allowed when traveling on City related business. Mr. Winstanley further stated on page one of the policy the City added the wording "A daily conference schedule must be submitted along with the payment request". On page two of the policy the City proposes to maintain the City's current meal reimbursement amounts in Clatsop County and added that no Per Diem will be paid for meals in Clatsop County, and the City has proposed an increase in meal reimbursement amounts inside Clatsop County and outside Clatsop County. Wording was also added that the City reimburses up to an eighteen percent gratuity. The proposed meal reimbursement increase and per diem option was researched by acquiring and comparing policies from the State of Oregon and other Oregon cities.

Mayor Barber stated he was assuming the employees brought these changes as recommended to the Council.

Mr. Winstanley stated there was somebody in City Hall who was responsible for paying for travel reimbursements and these are some of the things she has been hearing from individuals who were seeking reimbursement from the city. Mr. Winstanley further stated he was not here to defend it one way or another, that was up to Council to decide but certainly in eight years a number of things have changed. There are employees out traveling all the time and the reimbursement caps were no longer covering what they are faced with when traveling.

Councilor Frank stated he liked the policy and thinks it is probably time for people to have a little larger per diem.

Councilor Phillips stated the new gratuity is eighteen percent and right now it was fifteen percent.

Mr. Winstanley stated the gratuity was fifteen percent right now and it was an interesting problem. Mr. Winstanley used an example of a meal reimbursement including the gratuity which was included.

Councilor Phillips stated she had a real problem with tax payers picking up the tab for gratuities.

Councilor Horning asked how much money annually these kinds of things total.

Mr. Winstanley stated the City had a number of individuals and used the City Council and the League of Oregon Cities Conference as an example. The total travel expenses were approximately \$25,000.00 to \$30,000.00 a year which covers a very broad area. Mr. Winstanley further stated this was simply the maximum amount an employee can be reimbursed.

Councilor Horning stated it equals out over eight years to be approximately two percent a year.

Mayor Barber stated he would entertain a motion.

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

**COMMENTS –
CITY STAFF
AND OTHERS**

Kevin Cupples, Planning Director, stated he saw Councilor Frank on the beach during Hood to Coast and he enjoyed Hood to Coast every year. Everyone complains about Hood to Coast and he likes Hood to Coast. The traffic is a little heavy and there were not many complaints with the vacation rentals this year.

Dale McDowell stated he would echo what Mr. Cupples stated and it was a busy weekend but no real complaints or problems but we did notice the parking garage was a little empty.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated with the building empty during Hood to Coast this last weekend the convention center is back in business with the Seaside Golf Classic on Wednesday, August 30, 2017, with a dinner and auction. The popular event Irish Dance Competition moves into the building on Friday, September 1, 2017.

Brian Owen, Seaside Chamber of Commerce Director, stated the Chamber hosted the annual Volleyball tournament which was classified as one of the largest tournaments on the beach with 154 nets with just under 1600 teams from all countries. The four days of Volleyball brings in approximately \$9,000,000.00 in revenue. This last weekend was the Hood to Coast event which was a great event with some great comments that were positive this year.

Mr. Winstanley stated there were very few phone calls this weekend for Hood to Coast. Mr. Winstanley stated the City had one crew at the Sister's fire and they returned Thursday and a crew was now sent out to the Brookings fire and were still there.

COMMENTS – COUNCIL

Councilor Wright stated he walked through the town this weekend and it sure looked busy. Councilor Wright further stated to keep the gulf people in your prayers and everyone get involved and don't come to one meeting complain and leave.

Councilor Morrissey stated he has lived on Lewis and Clark for seven years now and he has always been so inconvenienced with Hood to Coast blocking his driveway and he decided to start running it, might as well participate. This was his second year participating and it is such a different perspective when you start at Mount Hood and there is this huge event going through Portland and it ends in Seaside. Councilor Morrissey further stated he has a new appreciation for it and since it is his team he takes the leg that ends in Seaside.

Council President Montero stated she walked around also over the weekend and also drove around and had no problem. Council President Montero further stated she stood at the final shoot for quite a while waiting for her brother to come in and she spoke to many volunteers who did a great job.

Councilor Phillips stated she was sorry she missed two major events but was in Richland enjoying her Grand Niece and also to watch the eclipse while she was there. Councilor Phillips further stated her brother n law James Pat Phillips was actively involved with the Planning Commission until approximately five years ago when he became ill and he passed yesterday.

Councilor Frank stated he was on the beach for both of the big events since he does not work as much as he used to and he thought they were both really well done and this year he volunteered at the event. The Hood to Coast event has gotten better and better and they have refined it.

Councilor Horning stated the eclipse was great and with four cameras he did not get good pictures. Councilor Horning further stated someone had showed him a website with Hood to Coast in Pacific City next year.

Mr. Owen stated Hood to Coast was a business that ran multiple events and Hood to Coast would be managing an event called Reach the Beach a bicycle event that ended in Pacific City.

Mayor Barber stated he has been hearing rumors all over town like the Chamber of Commerce would not have the beer garden after this year.

Mr. Owen stated the Chamber of Commerce will and had agreements with Hood to Coast and the partnership was great and moving forward was the best possible case.

Mr. Winstanley stated two years ago there was a meeting with Hood to Coast and Council approved the event for two years. Mr. Winstanley asked if the Council was interested in getting back together with the organization in a workshop or do you simply want them to come before the Council?

Mayor Barber stated he would like them to come before the Council and bring a check with them. Mayor Barber further stated what Council is hearing and feeling tonight is the spirit of wanting to extend the contract. Hood to Coast was a great experience and he enjoyed it with his wife Jan and when walking around the restaurants throughout town were very busy. Mayor Barber further stated the police department did this Hood to Coast weekend so well and their presence was very strategic and if they needed to be there they were there. The fire department was very active in working with the Hood to Coast event also. Mayor Barber further stated he would like to end the meeting spending thirty seconds in silence thinking about our fellow countrymen in Texas and Louisiana because this is a terrible time for those people living there.

ADJOURNMENT

The regular meeting adjourned at 8:39 PM.

Kim Jordan, Secretary

JAY BARBER, MAYOR