

**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 Steve Wright, Dana Phillips, Tom Horning, Randy Frank, and Seth Morrissey.

Absent: None

Also Present: Dan Van Thiel, City Attorney; Kevin Cupples, Planning Director; Dale McDowell, Public Works Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Dave Ham, Seaside Police Chief; Joey Daniels, Seaside Fire Chief; Esther Moberg, Seaside Library Director; and RJ Marx, Daily Astorian/Seaside Signal.

Absent: Mark Winstanley, City Manager.

**AGENDA** Mayor Barber stated he would entertain a motion to approve the agenda.

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

**RECOGNITION  
TOM HECOX**

Dale McDowell, Public Works Director, stated tonight the City of Seaside was retiring a long time City of Seaside Employee of twenty-nine years, Tom Hecox. Mr. McDowell presented Tom with a Certificate of Appreciation.

Mayor Barber asked if Mr. Hecox had worked at the sewer plant the twenty-nine years.

Tom Hecox stated he worked twenty-six years at the sewer plant, and got out of the street department as soon as he could.

Mayor Barber asked Mr. Hecox if there were any words of wisdom for the Council or his boss.

Mr. Hecox stated "Don't flush any wipes down the toilet".

Councilor Phillips asked who she would go to if they needed to get in the Miss Oregon shed with bolt cutters.

Mr. Hecox stated you can call Tony Biamont but the City does not put their locks on the shed now.

Councilor Phillips stated she really appreciated all that Tom Hecox had done for this City, above and beyond always.

**RECOGNITION  
SEASIDE FIRE AND  
RESCUE**

Joey Daniels, Seaside Fire Chief, stated he wanted to recognize the volunteers and staff for all their hard work. There were a lot of firefighters sent out to help fight the wildfires in Oregon this year and just recently California. There were fifty-four days total spent fighting the fires. Katie Bulletset spent forty-one days out, and Genesee Dennis spent thirty-four days out. There were crews sent to the Hood River Fire, Brookings Fire, Eagle Creek Fire in Hood River, and then the California fires. Chief Daniels further stated while the crews were out fighting the wildfires there were crews here at home covering and running a lot more calls. The Milly Fire at Sisters Oregon was Chief David Rankin and Roy Dague and the average at home was five calls a day. The Brookings Chetco Bar Fire we were gone fourteen days and the department averaged five and a half calls a day at home. Eagle Creek Fire they were gone seven days and the department averaged four and a half calls a day. The California, Santa Rosa Fire the crew was gone twelve days and the average calls were at four and a half each day at home. The Ventura Fire the crew was gone sixteen days and the average calls at home were 5.8 per day. Chief Daniels further stated there were a lot of people sent out and the back fill covered Hood to Coast and Labor Day which were the busier times of the year. Chief Daniels presented plaques and recognized those that fought the wildfires Captain Mike Smith, Roy Dague, Doug Roberts, Chris Dugan, Katie Bulletset, Genesee Dennis, David Rankin, Joey Daniels, and Alex Hernandez.

Mayor Barber thanked the Seaside Fire Department and stated the City of Seaside would not have been able to send those firefighters without the volunteers supporting the community.

**COMMENTS – PUBLIC**

John Dunzer, 2964 Keepsake Drive, Seaside, stated he had a conversation with the Police Chief approximately three months ago about erecting barriers along the Prom so that vehicles couldn't drive up and down the Prom and kill our visitors.

There were a lot of crowds in Seaside and the Prom is an attractive nuisance and everyone has seen what has happened in New York and Nice. A program with these types of barriers and it wouldn't cost anything because the City could put in for a grant with Homeland Security. The people on the Prom should be protected and the City should make it happen.

**CONFLICT**

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

No one declared a conflict of interest.

**CONSENT AGENDA**

Mayor Barber asked for a motion to approve the consent agenda.

Consent Agenda: Payment of the Bills - \$849,568.35; and Approval of Minutes December 11, 2017.

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

**UNFINISHED BUSINESS:**

**VACANCY –  
PARKS ADVISORY  
COMMITTEE**

Mayor Barber stated there were two vacancies on the Parks Advisory Committee with three applications received from John Carter, Matthew Stolberg, and Melyssa Graeper. Mayor Barber stated Council has continued to work on changes regarding eligibility of membership. Councilor Wright has been working on the changes and he was hoping at the next meeting in January Council will be able to consider the changes. Mayor Barber asked Council if they were interested in doing interviews at the next meeting in January and interview all three applicants.

Council consensus to schedule interviews at the January 22, 2018, City Council meeting.

**NEW BUSINESS:**

**PUBLIC HEARING**

This was the duly advertised time and place to hold a public hearing regarding An Ordinance of the City of Seaside, Oregon, Annexing Certain Territory East of the City (Seaside School District Property located East of Seaside Heights Elementary School, 2000 Spruce Drive)

**ORDINANCE 2018-01**

AN ORDINANCE OF THE CITY OF THE SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY (Seaside School District Property located east of Seaside Heights Elementary School, 2000 Spruce Drive)

Kevin Cupples, Planning Director, explained Ordinance 2018-01 was the annexation of the school property. The school had submitted a request for a zone change and that zone change incorporated some additional land into the Urban Growth Boundary. The ordinance would annex the property and incorporate it into the City limits and that will be the school district moving forward with the proposed expansion of the school. Mr. Cupples further stated the school district still has applications to file after that but this is the next step of the process.

Greg Winterowd, Winterbrook Planning 310 SW 4th Avenue, Suite 1100, Portland, stated there was an application submitted to Council for annexation and was originally part of a larger application submitted in June, 2017, but there were no metes and bounds description which has been provided to Council now. There is information submitted in record to show the City would complete the district as a capacity and provide sewer, storm drainage, water, and transportation services to the site.

Mayor Barber opened the public hearing.

Mr. Dunzer stated he was against annexing the property and he had prepared some written input for this and assumed Council received it. Mr. Dunzer wrote: "Over four years ago I met with Nancy McCarthy who was then Editor of the Seaside Signal to discuss an upcoming school bond election. The conclusion of our meeting was that we considered a 150 million dollar proposed bond for new schools for the 1500 students of the district to be excessive. Our on-line research at that time showed that new secondary schools in Oregon were currently being built by Oregon school districts for between \$30,000 and \$40,000 a student and that the Seaside proposal was to spend \$100,000 a student. Several months later the bond issue vote rejected the 150 million bond proposal. After the voter rejection I did some research with DOGAMI about the possibility of the continued use of Seaside Heights Elementary School. They said that a school within the tsunami inundation zone would not have to be relocated if students could be evacuated above the tsunami inundation zone in the 15-20 minutes between a Cascadia earthquake and the arrival of a tsunami. Because of this information over 3 years ago I met with the Seaside school district and suggested that it would be possible to reduce the size of the needed bond issue by not replacing Seaside Heights Elementary.

Mr. Dunzer also suggested that they investigate building a new school over the Seaside Heights parking lot to further reduce the size of the needed bond. This new school would be located above the 80 foot inundation zone and provide a needed evacuation site not only for students but for the community. There was no feedback from the school district so I continued to do research on the results of DOGAMI research on the structural integrity of the existing Seaside schools. The district had used in its literature and in their application for growth boundary expansion the following quote " DOGAMI has determined that Broadway Middle School has a high potential for collapse in the event of a major earthquake. Since that time school district consultants have testified that they were incorrect and that DOGAMI actually has determined that the risk for collapse is "low" with a possible exception of the boy's gym. My research has thus shown that it is feasible to continue to use not only Seaside Elementary School but also Broadway Middle School. It is true that one new school will have to be built to meet all objectives. I have continually asked the school district and the City to evaluate locating this new school on the 50 acre Seaside Heights site which would drastically reduce the size of the bond issue needed. This evaluation is required under Oregon Law (Planning Goal #14). It was Seaside's contention, when they approved the urban boundary expansion, that because the school District's plan had been prepared by an Oregon licensed architect then it must meet Oregon requirements. Finally, one minute before the start of the Clatsop County Board of Commissioners meeting, the District presented the architect's analysis of my proposal. The school district may have finally concluded that they were possibly legally vulnerable for not following the law. The key sentence of Mr. Hess's (school architect) report is" WITHOUT DOING AN ACTUAL LAYOUT, IT SEEMS REASONABLE TO ASSUME THAT THE PARKING AND MIDDLE SCHOOL WOULD RESULT IN A SIX TO SEVEN STORY BUILDING". I spent the next day at the Seaside Heights site preparing the actual layout. It is true that I am not a licensed Oregon Engineer but I am a civil engineer with a master's degree and over 50 years of engineering experience. It is my opinion that Mr. Hess, as a professional, owes the people of Oregon more than looking at an aerial photo where the tree shadows on the edge of a parking lot conceal the real size of the available building level site. Mr. Hess said the requirement was for a level building site that would handle 150 cars at ground level. The actual layout that I prepared shows that the site will handle 179 cars on one level. Above the parking lot a 76,000 single story middle school can be built that is above the 80 foot required elevation. Mr. Hess's assumptions are not reasonable. I prepared a report with this layout and submitted it to Clatsop County as written testimony two days before their approval meeting. The County refused to accept this report as testimony and approved the urban growth boundary expansion. I filed an appeal with LUBA along with a standard form requesting fee deferral which is allowed under ORS 197.850 which was denied and the appeal dismissed. Mr. Dunzer further stated he would read the last paragraph to the Council: "Tonight, the 8th of January 2018, the Seaside City Council is holding a public hearing to proceed with the annexation of land for a school project that has been shown, as described above, does not meet the State's Land Planning Goal #14. The city's proposal is to proceed with this annexation without an election of city voters. This school project as now proposed will require that the City of Seaside expend large sums of its tax resources for the expansion of its water and sewer infrastructure and its road network. As presently being planned, these expenditures which are only necessary to support this project will not be reimbursed by the School District which is the conventional way these types of improvements are financed. The citizens of Seaside need to know what the amount of these unreimbursed expenditures will be and the impact on their taxes. The Seaside City Council should require an election before approving this annexation". Mr. Dunzer further stated the tax bill was already raised \$1,000.00 because of the school district and now the public will be paying for the water and sewer for the school district and it is not needed.

There were no other public comments and Mayor Barber closed the public hearing.

Mayor Barber asked for Council comments.

Councilor Frank stated there was a question for Sheila Roley but she was not at the meeting. Councilor Frank asked once those schools move off those properties what will happen with the land. Was it going to be sold and if so what happens with the money.

Justine Hill, Seaside School District Business Manager, stated the goal with all the properties is to sell them. There was an appraiser coming next Tuesday to appraise all the properties and get a price for them. The goal was to try and put Cannon Beach, Gearhart, and Seaside Properties on the market. The school district wants to sell the properties and take the proceeds from the properties and put them back into the development of our K12 Campus so anything reduced or not in the ballot like an auditorium, fields, turfs and hopefully add those back in.

Council President Montero stated the thought isn't that you would reduce the tax payer load by the amount you get for the properties but would be that the school district would add on to the building projects.

Ms. Hill stated our understanding is as far as taking the money and paying down the taxes is that we borrowed that money and the payments have to be made. The money can be taken to pay the payment for the year and not impose the tax for the year but it would be just one or two years and would be a temporary relief from the taxes but that was not the district's intent.

Council President Montero stated she did not think Mr. Dunzer point was unreasonable about the cost of the City having increased cost for the increased infrastructure to support the school. There is talk about a water tank, etc.

How much is in the budget for the school district to be participating in the cost for the City for the infrastructure like the roads, water, and public safety.

Ms. Hill stated the school district anticipated System Development Cost and anticipated our portion of increased water and sewer and knew those would have to be put in. If the City chose or if it worked into a plan where maybe something they needed like a better sewer system or enhanced water tank the school district would just pay their portion.

Councilor Morrissey stated the System Development Fees were worked into the original budget.

Ms. Hill stated there was money in the budget to cover and we haven't negotiated the fees. The school district did anticipate the cost of all the items needed.

Councilor Frank stated he would like to be updated on all the appraisals for the school properties and that they are used to offset the cost to the City.

Councilor Morrissey stated it was his understanding the City does not have that number yet because we don't have the final school plan.

Council President Montero stated she has talked with the people in the neighborhood that had concerns with the transportation and the one way in and the one way out. Concerns with cars going onto other streets and she did not know the plans the City had or the plans the school district has but that was something very serious for Council to look at. Council President Montero gave examples: Football game at the new school and traffic trying to get out and a fire with only one way in and one way out.

Councilor Phillips asked if the school district has had open houses with the people in that community.

Ms. Hill stated there were letter sent to all properties owners and parents of the students because everyone in the Community was invited to attend a meeting at Seaside Heights to hear about their concerns and the meeting was very successful. There was another meeting on Wednesday, at Broadway Middle School which is a community meeting and a presentation would be given and there would also be one in Cannon Beach in a couple of weeks.

Councilor Morrissey stated a concern he had at the last meeting was construction equipment going up and down Spruce Drive, has that issue been addressed.

Ms. Hill stated the construction management firm was at the last meeting and talked about that. They were talking with the local concrete companies and the City and the goal was to try and get as much traffic around but there is not a firm plan as yet.

Mayor Barber stated those are some of the issues Council would like to have specific data and decisions in this process of the annexation.

Councilor Frank stated it's tough to listen to because the school district says they are listening to people talk but Council is not hearing that anything is happening or decisions are being made or the concerns are being addressed and what the plans were.

Councilor Horning stated if there is a traffic study or some way of projecting what the traffic impacts would be he would like that available at the next meeting.

Ms. Hill stated the school district does have a traffic study.

Councilor Wright stated the Transportation System Plan (TSP) was being redone and this was a perfect opportunity for everyone to come and have a say. The meeting is on Thursday, January 18, 2018.

Councilor Morrissey stated as far as his understanding is this is the last point for Council to really clarify these issues before this moves forward and the annexation takes place.

Mayor Barber stated there were a lot of issues that had to still be negotiated regarding traffic, and infrastructure but this was a big step towards moving in that direction. The citizens of the school district voted this bond issue and this is going to happen and it was important for us as a City Council to negotiate from the best interest of the community and school district.

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

Councilor Phillips so moved to read Ordinance 2018-01 by title only with a second from Councilor Morrissey; carried unanimously. (Phillips/Morrissey)

**APPROVAL –  
PREPARE A REPORT  
AVENUE 'H' LID**

Mr. McDowell stated the Avenue H Local Improvement District Project consists of installing new Storm drainage Catch Basins and piping, reconstruction of the existing road bed and Asphalt Paving the roadway on Avenue H between King Street and the Railroad Park.

The new Asphalt Paved Street will be approximately 20 feet wide and 250 feet in length. With the adoption of the City's Transportation System Plan (TSP) and because this is a low speed, non-connective street, and because there are no other streets within the Bradbury's Addition subdivision that have curbs and sidewalks, the TSP will allow us to adopt the smaller footprint road standard to fit existing neighborhood aesthetics. The engineer's estimate for this project is under \$30,000 and there are 5 owners and 7 tax lots that either front the project or have access directly to the project area. In conjunction with this project is a City project along King Street and Avenue I. This project extends the Storm Drainage from Avenue H, and continues the storm drainage down King Street to Avenue I and turns to include the intersection of South Lincoln. In addition, a new Waterline will be installed in order to upgrade the old Galvanized Steel Pipe. The roadway will then receive an Asphalt Overlay. The engineer's estimate for this project is under \$65,000.

Mayor Barber stated he would entertain a motion to prepare the report.

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

**COMMENTS –  
CITY STAFF  
AND OTHERS**

Esther Moberg, Library Director, stated the library will have an Author Talk on My Three Friends” on January 13, 2018, and was about the Seaside Riots in the 1960’s. Ms. Moberg further stated in partnership with the Necanicum Watershed Council and North Coast Land Conservancy there will be talking or speaking events throughout the wintertime and the first one is “The wild and rare in our own backyard”, on January 17, 2018.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager stated the Tillamook Head Gathering which was an annual fundraiser for the Seaside High School Arts Program was this weekend and next week there will be about 225 of Chief Dave Ham’s closest friends throughout the state because it was the Oregon Association of Chief’s of Police, and after that is the Alcohol, Firearms, and Tobacco Winter School during the weekend.

Dave Ham, Seaside Police Chief, stated the department was moving along with the New Year. Chief Ham further stated there will be a Jason Goodding Remembrance on February 5, 2018.

Kevin Cupples, Planning Commission, stated the Planning Commission continued to work on accessory dwelling units which Oregon passed a law which was going to require us to have on our books something about accessory dwelling units and the City had to be put into ordinance by July 1, 2018. Mr. Cupples further stated FEMA was working on completing the updates on the flood plain maps and the flood plain ordinance would need to be updated and then the flood plain maps updated by June, 2018.

Mr. McDowell stated there was a grant application received today and the new water tank above the school would be eligible for that and they would pay seventy-five percent of the funding. Mr. McDowell further stated the City was working with the school district pretty much on a weekly basis with the water pump station designed in house we were getting information from the school district that the City will take it from there and they would take it up to the site itself. The sewer pump station by the hospital is a bad design and it will be good to upgrade that. With the new water tank going up on the hill the City would be able to get rid of two water pump stations, the 1940’s one at the bottom of Sunset Hills, and the 1938 one at the bottom of Underhill Road. The City was excited about a water tank because this was something on the construction long term plan for many years.

Chief Daniels stated he did have concerns about fire and fire movement for the new schools and there was a meeting on Wednesday and some items were being addressed. There is a lot of stuff like access during major emergencies.

Brian Owen, Chamber of Commerce Director, stated 2017 was a real building opportunity for the Chamber. There was a new Chamber board member Bob Perkel. Mr. Owen further stated looking at the next 1, 3, 5, years there would be a lot of work done to look at the Chamber of Commerce and look at all the programs and what and why are we doing things.

Mr. Vandenberg stated on the Visitors Bureau side the new Welcome Signs have been placed on the North and South entrances of town.

**COMMENTS – COUNCIL**

Councilor Horning wished everyone a Happy New Year and stated he hoped our 2018 was as productive and compatible as the last one.

Councilor Frank stated just to repeat how appreciative Council was of the fire department and also it might be Police Officer Appreciation Day tomorrow and Council appreciates all the people spending their time and hours and risk taken.

Councilor Phillips stated she wanted to publically thank Tom Hecox not only for his many years of service for the City but also as a volunteer fireman.

Councilor Wright stated congratulations to the fire and rescue as well as the police department and we want to appreciate them every day and want them always in our thoughts. Councilor Wright further stated from a historic standpoint he wanted to offer congratulations to our neighbors to the North who were turning one hundred and there will be a celebration at Gearhart Fire on January 28, 2018. Councilor Wright thanked RJ Marx, Daily Astorian, for the nice article in the newspaper.

Councilor Morrissey wished everyone a Happy New Year, and further stated the Housing Study Advisory Committee did meet in November, 2017, and would be drafting our view for the county wide Housing Study and it should be going out here shortly.

Council President Montero thanked the public safety officers from the fire department and police department. Seaside was very lucky to have the quality of people protecting us and helping us.

Mayor Barber stated he just got back from a business trip from Florida where it was twenty-nine degrees. Mayor Barber further stated the quote he wanted to end the meeting with tonight has to do with our firefighters. The quote: "When a person becomes a firefighter their greatest act of bravery has been accomplished. What is done after that is all in the line of work". Mayor Barber thanked the Chief and his staff and volunteers for everything.

**ADJOURNMENT**

The regular meeting adjourned at 7:52 PM.

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Kim Jordan, Secretary

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JAY BARBER, MAYOR