

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

Absent: Councilor Tita Montero.

Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Jon Rahl, Assistant City Manager; and RJ Marx, Daily Astorian/Seaside Signal.

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

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

COMMENTS – PUBLIC Mayor Barber stated I will now open the floor to anyone who would like to speak about any issue not on the agenda. Please come here to the podium, introduce yourself and state your address and keep your comments to four minutes.

Linda Trexler, 606 4th Avenue, Seaside, stated I'm here tonight to talk about the property at 412 N. Holladay. The mayor has sent all of you a notification that two years ago the house burned down the owner is not responsive to any inquiries from the city. The mayor also wrote that he is pursuing and asking you to please take action on this. Two weeks ago I saw a rat in my beautiful garden at 11:00 AM in the morning. I came here to find out a little bit about the timeline and to also share with you a little bit of an update. Like could I please hear what timeframe we are looking at and making a difference in tearing this down?

Mayor Barber stated I have no way to answer that. The process starts, we have to go through a process of attempting to contact the owner and then we declare that a nuisance and then there's a process that's involved with that. Unfortunately the bureaucracy takes time but it will be addressed.

Ms. Trexler stated I want to share with you a couple of other things. So my neighbor Tom and Sandy Shirk who couldn't be here tonight, but the next meeting we can all be here, wrote a letter in 2018 after he had been burnt down for over six months and requested action from this committee. We are now desperate for this action to be done. I want to share with you that we hired ORKIN and they came out and they did in fact find a trail from rodents into our property. I also want to share with you that they told me that every 20 days these rodents reproduce. I want to ask is there anything else that you need from ourselves, our neighbors in order to get this going.

Mayor Barber stated the answer is no.

Ms. Trexler stated I want to share with you that in Tom's letter he addressed Bob Mitchell two years ago and I have spoken with him and he has not been able, they have not been able to even through the attorneys to locate this person and I am begging you as if this was in your neighborhood, you would not stand for it. This is also on the parade route and this is a disgrace to the city, a true disgrace and I still am looking for a timeline. In the event that there is no timeline. I am asking the city to please have your workers clear the vines, I'm not sure how to say the name it is a Katsu or whatever that has grown so thick next to our fence from the neighbor's side and I hope that I can regain the confidence to go back into my garden. My mother passed away 20 months ago and I was a caregiver for her. This was my refuge and I'm not asking just for myself, I'm asking for the health and safety of the entire neighborhood. There are children, there's a fourplex that lives right next door. They're children and there are animals. Obviously pesticides can't be used and they have to trap them.

Mayor Barber stated you have 30 seconds.

Ms. Trexler stated can you provide any information on any timeline or are you willing to commit to asking for resources for the city's workers to come in and cut down what's probably housing them?

Mayor Barber stated I can't answer that, but we will work to mitigate this, which is a nuisance. And that process will take as quickly as we can get it.

Ms. Trexler stated does it need to be assigned to a docket in order for you know, 40 of my neighbors to come? Do we need to do any of that?

Mayor Barber stated neighbors are always welcome to come. A lot of it has to do with the legal steps that we need to take.

Ms. Trexler stated and I understand there was a situation like this some 20 years ago and the city did respond quickly and did take care of it.

Mayor Barber stated your time is up. And we're going to address your concern.

Cindy Hawkins Collie, 2073 Cooper Drive, Seaside stated I'm here to speak on behalf of myself and my neighbors and that our CC&Rs that are standing have been violated in that there has been permits given to a person to put a manufactured home on a property on Cooper Drive. It says in our CC&Rs that this is prohibited. I want to address this as a person that is in my neighborhood and doesn't want to see my property devalued by introduction, even fine manufactured home does depreciate and is going to affect values. The second thing is, as a realtor, I hand out CC&Rs. I do it for houses at Pinehurst, Highlands, Surf Pines, they have more of a hand written book. The reserve of all of these places to have CC&R's that are given out and people are guaranteed that the condition of the neighborhood is to stay a certain way based on these CC&Rs. Our CC&Rs are alive, they are not defunct, and they are not out of date. We intend to as a neighborhood extend those. And so what we're here doing is just making the city aware because we were not aware that a manufactured home was going in until just last week we knew that somebody was building, we were out there to open the arm, you know, welcome the new neighbors and everything. And when he said he was going to put in a manufactured home, the welcome didn't turn out so well. But I do want to say, I brought copies of those out of Stillwater, phase three one, two CC&Rs that I've also brought Bear Creek, which is Huckleberry and all of them are similar. All of them prohibit manufactured homes or any home that is 35% built off site. And so we just want to make the city aware and we would like something to be done about that. I brought the CC&R for your review.

Kathy Barnes. 2070 Cooper Street, Seaside, stated actually I think we don't know. The other thing that we've also been doing as a neighborhood is we've, started gathering a petition with signatures of all of our neighbors in Stillwater. As many as we have been able to get to in the last two and a half days since we were available and we found out. So we have lists of that of who we've reached and who has signed it. We haven't, as far as I know, had anybody say we're fine with that. The other last piece was that the driveway, we believe it's the driveway that's going to go in is on the city easement that we have coming up in their next City Council meeting to be hopefully a park slash easement. That was the other piece that I'm not sure why they thought it was okay to just put their driveway on city property. So just that FYI in that part. That's pretty much where we're at with that. I believe we have several members of the audience that.

Mayor Barber stated before we hear another comment, can I ask the city attorney to comment on this? I know this is something that has come before the council in the past. Dan, what about CC&R's and what is the city's role in dealing with that? Can you speak to that?

Dan Van Thiel, City Attorney, stated unfortunately I'm sympathetic to what these folks have to say but the city has absolutely no role. As a matter of fact, the city has no authority to enforce CC&R's, and I have dealt with them for decades and years. No authority whatsoever for any government to exercise or take force conditions and restrictions on real property. Interestingly enough the State of Oregon probably really doesn't take any interest whatsoever with manufactured homes in your placement because of the housing issues that we're confronted with in the state of Oregon. But virtually all the CC&R's that I've ever dealt with and I've dealt with them for decades, is that there's a mechanism within the CC&R's which she describes how they are to be enforced and they're frequently enforced by homeowners association. They can be enforced by the association against people that are in violation theoretically and that type of thing. But this city simply has no legal authority whatsoever to enforce CC&R's and I'm sorry.

Ms. Barnes stated we have contacted a lawyer that our neighborhood group has at this point approved. We've got, we're in place, but we understand this is a civil type manner, but we're definitely wanting to make sure you knew what was going on up on top of the hill. I mean we're doing our part that we wanted to make sure you knew about the little driveway part as well because that is your property,

Mark Winstanley, City Manager, stated we appreciate that information. I was just talking to the Assistant City Manager and we definitely will take a look at that issue.

Ms. Barnes stated all right, thank you.

Ms. Hawkins Collie asked do you want the CC&Rs.

Mr. Van Thiel stated they won't be of any benefit to the Council but you can keep them or whatever you want.

Mayor Barber stated I know there are other people that are concerned about that but I hope you felt that we heard from you and particularly regarding the easement issue and we'll be glad to continue to be in touch with you about that. Thank you very much for bringing that concern to us. Mayor Barber asked John if he had a comment, and John had no comments.

Sandra Gee, 1700 Cooper Street, Seaside, stated I just wanted to add something to Cindy's talk. I contacted the Planning Department about this house and I was told that they applied and received a permit to place that manufactured home up there and said, as a city, we do not get involved in CC&Rs. The State of Oregon wants the cities towns to allow manufactured homes to be placed on the residential lots. I feel that this was total discrimination at this point. We live there, we're under the mandate of these covenants and there are 25 years which expire next year, but then success of 10 years and they just go on and on and on. So we're all stuck on these restrictions. But these people come in and can just do whatever they want. She said she let the buyer know that there were CC&Rs up there. They should greet them and seek legal advice.

She doesn't know if they did or what their attorney said, but he just decided he was going to go ahead and do it anyway. So at this point it is a civil issue between the homeowners association and the property owner, which we are going to take care of it because it does say in all of these covenants, like she said, you know, no manufactured homes. They have to be stick built that can't have sheet 111, all kinds of stuff. I lived in a manufactured home once. I loved it. It was great there was lots of room. They're really made you know, I think pretty well, but it was out in the country. It wasn't there. So what this means to me anyway is it's discriminatory but also if they can put it on any residential property in Seaside, that means Skyline, Hillside, and Thompson Falls. What do you think those people are going to do you're going to hear about it again.

Mayor Barber stated thank you. I can certainly identify your concerns.

John Dunzer, 2964 Keepsake Drive, Seaside, stated this is not on the agenda. I'm all prime for that one when it comes up. But anyway you know, I'm a little upset about the fact that I turned in this thing about, not down zoning the property that the schools are on, we're on, to reflect the fact that we're concerned about people going to be a sort of put out of place there when a Tsunami comes roaring through. The state asked the city to do that and the city has basically ignored. So I think it's sort of like being morally deficient the city and you really should pay attention to the fact that we care about people and that we shouldn't put more people on the land that we moved the kids from up there because maybe there's kids that are now going to live on that land and the 71% of the time they're not in school. It's going to be worse than it was before. Anyway, you didn't do anything, I just read the comprehensive plan. Another thing you never did anything about is we sat right here with Betsy Johnson in here and everything and had a transportation plan and everybody said, don't worry about the schools. Don't worry about, we don't care about schools. When the schools come up, we'll redo the transportation plan. Just relax Mr. Dunzer sit down and shut up and let this transportation plan go ahead. I don't see anybody changing the transportation plan. It's another morally deficient thing. We should have a transportation plan because those, the traffic from the schools, it makes all the difference in the world in terms of the TSP and we were guaranteed as citizens that that was going to be taken care of before those schools went in. It's not even on anybody's agenda. Thank you. It's been a lot of fun.

Bill Barnes, 2070 Cooper Street, Seaside, one of my neighbors wanted to have some photos on file, of what they're doing. Clearly paints city property that they're utilizing during their construction.

Mayor Barber asked if there is anyone else that would like to address the Council on any item that is not on the agenda. We love hearing from our citizens, so please use this if you have something to say. I don't see anybody moving so I will close that part of our meeting. Thank you for your comments and we will be following up on several of them.

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 stated he would entertain a motion to approve the consent agenda.

Consent Agenda: Payment of the Bills - \$444,720.40; and Approval of Minutes July 8, 2019.

Council President Frank so moved we accept this consent agenda and payment of the bills with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

REPORTS AND PRESENTATIONS:

**PRESENTATION –
CLATSOP COUNTY
PUBLIC HEALTH
TOBACCO RETAIL
LICENSING**

Mayor Barber stated we have two reports on the agenda tonight. First is a presentation from the Clatsop County Public Health, Tobacco Retail Licensing with Mike McNickle.

Pamela Wev, Board of Commissioners District 3, Clatsop County, stated she was the board liaison to our public health department. The staff of our department we have a whole section of people whose job it is to try and minimize the use of tobacco, tobacco prevention. The program it's there or supported by the state of Oregon and we are the public health department for the entire county, including cities. You have several agreements with us about restaurant inspections and things like that. We're proposing a tax, excuse me, a licensing fee on retailers, which we hope to be able to use to enforce our new ordinance about location of tobacco, etc. for retailers. Our staff has been working on this ordinance for quite a while. It's very close to being, finished. They've consulted with national experts about the ordinances. Our county attorney is kind of brushing up the ordinance for its final consideration by the commission. And we will be asking the cities to pass the ordinance, by Michael helping, that reference to adopt it by reference to our own ordinance. I hope you'll enjoy the presentation. I'm sure you know that we have a massive problem, in our entire population, but specifically among teenagers, who are very in now to these vaping and other tobacco products. Thank you for listening. Initially you'll hear from us in probably a couple of months.

Mike McNickle, Clatsop County Public Health, Astoria, gave a presentation: Clatsop County Public Health Tobacco Retail Licensing. The presentation was on the Clatsop County Public Health Website: <https://www.co.clatsop.or.us/publichealth/page/tobacco-prevention-and-education>. Mr. McNickle stated he was working with Julia Hesse who is the lead health promotions specialist and she and I have been working on this topic for a year and a half, almost two. We do have a packet with all of these things, so you can review, I won't be reading the slides to you, but we'll just go ahead and get started here. The first thing you'll see here is that the one thing that we're trying to deal with tobacco, we're trying to get out of the hands of anyone under the age of 21. So in 2018, the State of Oregon passed the tobacco twenty-one law that anyone cannot purchase tobacco or tobacco products under the age of 21. Actually they're the only ones that you have to have a permit to own a dog, or sell a tree, but not to sell tobacco. So what we're trying to do is make sure that we have a program in place to deal with that. There were statistics given about tobacco 21. Illegal tobacco sales to minors is really our focus. When you see it in our schools, you've probably heard about vaping. We actually just finished a project on looking at all of these schools in Clatsop County and we'll share those things as 74%, got them from a physical retail location, 52% from a social source of a family or peer or mentor and 6% off of the Internet. We're concerned about the 74% being able to just purchase these products right off the retailers. E-Cigarette use is tripled among youth in Oregon. It really is being targeted at the youth. You see this everywhere. You've probably heard the radio addresses about saying that juul is a great alternative to smoking that has been shown. Juul has changed the game entirely and only using surveys. Now public health is playing catch up again. And this is why we're here to talk to you. What can we do? Tobacco retail licensing. In a nutshell, basically what we're trying to propose is a county wide ordinance that would allow public health to have all retailers of tobacco products get a license. That would be a yearly annual fee. And what we would do then is we would inspect them twice a year and also do decoys throughout the county to make sure that those they're following tobacco 21 of this will also include outreach and education to make sure they understand what the rules are. The petition enforcement piece. Right now there's no incentive to follow tobacco 21 the retailer itself and they wouldn't really have a problem. But if we do, the decoys with fines that would happen. If you read the ordinance, there's substantial fines up to, and if we do catch them four times, we can actually pull the license and they wouldn't be able to sell tobacco anymore. This is the results of tobacco retail survey results and you can read it yourself but actually 82% of the ones that we surveyed said that this would have no impact on their business. We are seeing some successes, through tobacco retail license and most effective when implemented county wide. So that's why we've come to speak to all the city councils because if we adopt one at the county level. If you have all the cities and the county working on the same page, then we have in a complete program. Benefits of tobacco retail licensing. We reduced the initial tobacco use. If they can't get to it, then they probably won't be able to get these from the retailer. Check news from a lifelong tobacco addiction, reduce lifelong tobacco use, reduce the tobacco tendencies and death and increased productivity and healthcare savings. Or we can keep all these folks becoming addicted to smoking cigarettes. The long term costs will go down before all the insurance as well as all the social costs. Do you have any questions?

Council President Frank stated doesn't this put a burden on county health.

Mr. McNickle stated right.

Council President Frank stated you are increasing staff is that what the fees goes towards.

Mr. McNickle stated I already have a department of health specialist team that already does retail food and pool inspections. There is about sixty tobacco retail facilities in the county that would have a fee and we can cover all those facilities without an increase in staff.

Council President Frank stated that is odd because when I was in the restaurant business and when I wanted a health inspections I couldn't get one.

Mr. McNickle stated since then according to the state all inspections were 90% done the last two years.

Council President Frank stated I sold two years ago and I'm all for enforcing and keeping these products away from under 21-year old's but I am just wondering about the enforcement of all this. If there is a ticket involved who writes the ticket. Are you asking each individual city to dedicate officers?

Mr. McNickle stated what we're asking for is for us to do the work. The city would have to adopt an ordinance to allow us licensing and the enforcement piece. Your police would have no staffing or anything.

Councilor Morrissey stated you mentioned other counties in the state had tried this. Is your fee in line with theirs or is it lower or higher? How does that differ?

Mr. McNickle stated it's about the same. We did notice that Multnomah County started out much lower, but then they had to go back and figure out that wasn't working. So it's all in between \$300 to \$350 from the ones I've seen. So right in the middle.

Councilor Wright stated the state passed this law a year ago. And basically it is another unfunded mandate, right?

Mr. McNickle stated that is correct.

Councilor Wright stated it's up to the counties or cities to figure out how to make it actually work.

Mr. McNickle stated well the County the city doesn't have to actually.

Councilor Wright stated we're signing on with you.

Mayor Barber stated it is a good idea. We don't have the money for it.

Councilor Phillips stated I just have a question with, I guess along with your particular agency, continuing classes, promoting not smoking to be in the schools and having programs. Is that something that you do at all?

Julia Hesse stated no, basically what they found is more cost effective and efficient is to work on a policy level of education doesn't work. The hospitals mostly have taken up the cessation piece of it. They help people quit. But when we work with education, we're fighting the tobacco companies with their billions of dollars in advertising. I wanted to say a few words about the ordinance itself. When we read the copy you have, we completed in December last year and our attorney signed off on it. Since then we did the school survey and we had the explosion with e-cigarette use. We've added a few things where the process of adding a few more items to this ordinance. So this isn't the most recent, it's most recent approved, but we're working with our national partners to put in a flavor ban and would prohibit flavor on any tobacco products right now. And then the other case we're changing there's three of them, but another one, we have a location close to schools. We changed our schools to use oriented facilities. So no real tobacco retailers grandfathering again in the existing loads with no new ones. Licenses will not be issued to retailers within a thousand feet of parks, centers, and schools.

Councilor Horning stated I am a little curious. We're at a time when growth rate through the use of these e-cigarettes is rising. I think I've heard on the news last week that I think that number has risen from 15% to about 32% as of last year. So we're looking at the eventual diversion of people who take the E-cigarettes and go back to the regular roll tobacco cigarettes and inhale combustion products that contributes so much to health problems. Is the nicotine itself carcinogenic or the association of other things with it that that leads to the lung cancers?

Mr. McNickle stated nicotine itself is not a carcinogenic but it is probably the most addictive substance. It is everything else in the combustion products tobacco. But the issue with the juul pods is they don't even know how that vapor right now is actually impacting the human body. It's super-heated vapor. You inhale it and then it gets immediately dispersed in the lungs. There's still a lot of data coming out in the air showing people getting burns.

Mayor Barber stated we would like to see a revised ordinance as you produce it. My comment was that anything we can do to keep a young person from starting down the path of addiction, we ought to do it. The other side, having worked with young people, a good bit of my career is that they can be very resourceful in getting what it is that they want. But that doesn't mean we shouldn't be doing something to try to complete that.

Councilor Phillips stated but this isn't going to help unless you get to children and stop them from starting.

Ms. Hesse stated we are so underfunded, the CDC recommends the State of Oregon spends \$33 million a year on tobacco control prevention and cessation. We spend 6.7 every two years, we can only choose the most effective strategies.

Councilor Phillips stated 20 years ago RJ Reynolds, you watch that huge lawsuit and they had to pay, I think it was five to ten thousand per state that had people go in and talk to the students about never smoking. And then all of a sudden that got put away.

Mayor Barber stated thank you very much.

**PRESENTATION –
PARKS MASTER PLAN
MILL PONDS SIGN ART**

Mayor Barber stated we will get ready for the next presentation which is Parks Master Plan Mill Ponds Sign Art and Chair Nancy Holmes is going to present that to us.

Nancy Holmes, Parks Advisory Committee Chair Person, stated this is on a lighter subject I want to talk to you a little bit about the updates for the Mill Ponds. I know that some of you are very familiar with the Mill Ponds and have been staring at this map almost as long as I have, but it is kind of an interesting place and I just and Councilor Wright and Council President Frank were interested, I believe in having a path from each park throughout the city. I want to just show you on this map the Mill Ponds and pointed out Les Schwab, Public Works, and Recycling Center. This is by Les Schwab the city has an easement there, and that would be where your path would be. And hopefully we could snap it up, a little bit, We want a little more pleasant, and it is simple just to come right across on the bridge and, and through the light there and I'm going to go back to this pond and then you would just drop them right here. Looking at several things have happened in the last master plan that we worked so many months on was approved and that was completing the Mill Ponds. A trail was one of the three highest priorities.

And we want to go ahead with the Sunset Empire Parks and Recreation District as their foundation so that we can work through them to get grant funding for the trail and anything else that we want to do out there. Mary Blake and I are working on it and anyone else of course that wants to and as we work through with Skylar Archibald and I think that's going to work very well. That way with a 501C3 we can in-house, the donations that come in. The grants will not come, our budget is fairly large now with this because we are doing it, and we're not doing the in-house things with the city not as much as we thought we were. There will be several grants and its going to be quite a process. There'll be a couple of grants that we can go for this fall and then, two more that will, that are very important at, the beginning of the year. The thing that I want to talk to about tonight is when I started looking at this in detail and also looked at the FEMA map, which I do not have a copy but you can go on line and just say FEMA map and you can say Chaplain Ponds Seaside or the coast highway. Ms. Holmes pointed out areas at the Mill Ponds for the path. I was considering making it a really neat trail. This is an ADA compliant trail that had been in the plans. That means that they have to be three feet wide, but they can build all the things that have been improved to set 16 wide, but you don't have to have a six foot wide highway. You could have a nice nature trail that maybe dwindles down to four feet in so that you can get close to the trees and make an interesting place out of it. In addition to that, I always thought of some other things that we might do to make the trail interesting. And I was definitely at the Willapa Bay National Wildlife Refuge last fall and this is what you would see is in that and then fresh water along the west side. They have installed some beautiful art and I'm sorry that the public art public works director is not here because I'm just, I showed this slide in this picture again to our parks committee and there was an audible yes from Dale when he thought that he might have to clean this up every time, every couple of months. I assure you this is not what I'm talking about when I talk about art. I'm talking about something that is going to be a discovery art that's going to enhance the trail again interpreted actually in a different way and that's what they've done. Ms. Holmes showed different possible art pieces that were on the trails at Willapa Bay. I was thinking after looking at the feathers that we could interpret our trees and have silhouette. So we've got three of the iconic conifers out there in the end as well as a couple of the deciduous trees that are really found on the coast. And a silhouette a trees wouldn't be a bad idea. That's the field that we can put a big gathering area in the area between the two ponds. I was, and I'm to stop now. I just wanted to say that in plans we would, the main road would be to come in here through the gate and have some parking in this area. And then this is the area that I just showed you. This also is a fall picture. It just changes with the seasons and it's the vegetation changes and we can't do anything about this pond. We don't know where it's going to go until we get all things, all the money in or promised. We go to bid and have a contractor they get the survey and the engineer and the certification. And then as the director of public works said the land, will dictate where that trail is going to go. But we're thinking about it.

Mayor Barber stated a couple of questions. Several times I heard I want this, I want that. But I think you're speaking for your committee and you have several members here.

Ms. Holmes stated I'm sorry, yes, I have several members here and introduced the members attending the presentation. The members have been kind of excited about it so far and yes it is a committee effort.

Mayor Barber stated let me just verify also that you're asking us for some kind of action tonight. I don't think the Council was ready to take action other than to say we're excited about your report, we're ready to move ahead. This has been a part of our goal setting for some time. A lot of this is going to come through public works and to the city manager, the bids and all of that sort of thing. Funding so wonderful that you're raising grant funding instead of it coming out of the tax base. So it's great work that you and the commission have done is wonderful.

Ms. Holmes stated that's one reason I mention any kind of approval is, as you know, with grants, more of the community that is behind us and, and we can actually have those letters to send in with the grants. It's very important. That's not tonight of course, but that's what we'll be going for all or any part of the community, all of them, you know.

Mayor Barber stated letters of support.

Ms. Holmes stated letters of support for the entire project.

Mayor Barber stated Tom I know you are the liaison there you want to make any comments?

Councilor Horning stated well, I think it's been a long time coming in. Things are jumping now, so we're at the point of finding where the actions can take place with the assistance of staff. And so the staff to some degree is tied up with the water tank and the school district and that's kind of put a little delay on it, but I think the work that Nancy's talking about will get us over the hump so that when they are freed up things are falling in place. And so maybe it's about a year and a half out before significant action starts taking place. But this is one of the starting point.

Mayor Barber stated excellent, were there other comments or questions?

Councilor Wright stated I'd like to just ask one question. You haven't answered any kind of actual dollar amount you can give us. Do you have any idea of what kind of grant funding you're looking for? Definitely over six figures, is not seven figures.

Ms. Holmes stated I never know how to count those figures but around \$200,000 and going into the whole art thing is a different ballgame.

Councilor Wright stated but still having a number out there it is helpful.

Ms. Holmes stated I think that is a generous number.

Councilor Wright stated assuming that part of the funding needs to be raised by the public either in-kind or actual dollars. And so there will be a piece of that project that will be this way.

Ms. Holmes stated some are and some aren't and yes we know.

Councilor Wright stated well I think, you know, I've told you this before personally, I'm all for it. You know, sign me up as soon as you come up with that. But I think it's a wider community thing too when we get that project out there and say, hey, we're actually moving on it now. Will you write a check, I think you'll find the community will do that?

Ms. Holmes stated it's going to be special. I mean to have things in place that will be something for people that can't get around very well. I mean that's what we're talking about and I think that I can envision people coming over there in their vans from their assisted living places and spending a couple of hours.

Councilor Wright stated it will fit in with tourism and one more great city park. A great city park is one of the things as somebody that's closely associated with the museum historical society that we're willing to be involved in anything that shows.

Mr. Winstanley stated first of all, I think Nancy, did a wonderful job of showing you the potential of what it is that can take place out in the Mill Ponds. I also want to make sure that the Council understands that should the city make application for a grant, certainly a grant of this scope that this would come before the Council for the Council's approval to make application. Now you have an idea if we do come before the Council, with that kind of grant application, what that grant application would be for. And I think that's certainly a very important aspect of bringing your grant application before the Council.

Mayor Barber stated early on when I was involved in a committee working on this, we actually said we think that this could be the number two tourist attraction to Seaside. And I still believe that particularly if you're connected with trails around the community, out to the estuary places, I just think it would be a whole added, attraction for tourism in addition to the beach. So our time has been taken well tonight. And again, I reflect on what Mark has said. Great job. We have a vision now what is your wanting to see out there.

Councilor Phillips stated thank you so much Nancy. I love your enthusiasm.

Mayor Barber stated okay, we're going to move ahead with our agenda. Thank you to all the members of the committee. Thank you for being here tonight.

PUBLIC HEARING

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

ORDINANCE 2019-04

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

Mayor Barber stated now I will open a public hearing regarding ordinance 2019-04. Before we open it, I'm going to ask Mark just a little background on the Ordinance annexing certain territories east of the city.

Mr. Winstanley stated Ordinance 2019-04 is an application to annex property. This is being brought to you by the Seaside School District. Originally when the school district, came before the Council and asked for annexation of the properties where the new school complex is being built, they only asked to annex the properties that they needed at that time for the construction of the school. They didn't ask to bring in all of the property that, they owned. The city now is very interested in the school district bringing in this remaining property into the City of Seaside as the Council is well aware. One of the things, one of the major projects that the city has, concert with the school district project is the construction of a new water tank up above where the new school is going to go in. The school district's in the city, I have talked to in great detail about acquiring a piece of property from the school district and where that new water tank would be constructed. One of the things that we're running into though is that part of that property is in the City of Seaside and was originally annexed and part of that property is outside of the city. The city would like to have that new water tank in the City of Seaside and not outside the city. But in addition to that, these cross jurisdictional issues that we run into when we're looking at a, in this case, putting a water tank up there, those are difficult. We don't want to have the county and the city, oftentimes have different rules, and for us to have to juggle, the rules that are germane to the City of Seaside in the rules that are to the county is a difficult situation. Those are also going to be problems that the school district will face in the future.

That's one of the reasons while as we were going through conversation with the school district and talking to them about in this case, making an application to bring in that portion of the property, that they were eventually going to turn over to the City of Seaside for the construction of that water tank. We said, why didn't you bring in all the property at the time that you annexed in? The answer was, well, it was felt that it would be more expedient to simply address that property that they needed at that time. There's no change being made in the zoning of that property and is currently zoned at 80 forest land, which is exactly what the State of Oregon likes to see. An area of maintaining its forest lands and that's fine as far as the city is concerned, this is a designation, that we don't have any issues with as far as bringing this property in. So we continue to be maintained as forest land, placing a water tank in an area where forest land exists is conditionally approved and so this isn't going to be an issue as far as the city is concerned. We would like to see the remaining parts of this property brought into our jurisdiction where we can continue to handle the property as far as our laws are concerned. This would straighten out some land use issues that we potentially could face in the future. They would also straighten out any law enforcement issues that we would have in the future. This is a property that needs to be enforced by county or is it property that needs to be enforced by city? It's difficult for a police officer when he goes up to handle an enforcement issue to know exactly where that line is. This would solve those issues. Also fire enforcement while it is not as critical as law enforcement, it is an issue that we can run into and certainly the fire chief I think would tell you, it's always nice to know whether it's his fire department or it's his rural fire department, that is handling, an issue up in those areas. The part that is annexed currently would be handled by the city's fire department. The part that is not annexed at this point would be handled by the city's rural fire department. There's sometimes can be issues with that. Certainly we're ready to move forward as far as our water tank is concerned and the sooner that we can bring this property into the City of Seaside, the better.

Mayor Barber stated thank you for that background. At this point, I'll open the floor to public hearing regarding Ordinance 2019-04. Is there anyone that would like to speak to that ordinance?

Mr. Dunzer stated for or against?

Mayor Barber stated to just speak.

Mr. Dunzer stated this is this property that he wants to annex is not in the Urban Growth Boundary. You look at everything that's done in the State of Oregon you're not going to do annexation of property before the Urban Growth Boundary. I think it's putting the cart before the horse. I don't think you can do this. And I'm willing to do the research and put up the money to if based on what the research is to do it correctly. I don't trust the school district about anything. This is just another example of things that are just go away and there's just people that are saying this and is just a lie and I don't believe anything. So I'm putting my horses in here to be able to get some sort of, some standing in case I have to go to LUBA but this is the wrong way to approach this. It should be first we do the growth boundary thing. That application page says do you understand the zoning? The answer is yes, there isn't any zoning on that land. Nothing proposed. It's not written down anywhere. Nothing's written down. This is just a plain home blank. Give us what we want. So I'm again, and I'd like to submit this in the minutes here.

Mayor Barber asked is there anyone else who would like to speak in the public hearing.

Jason Boyd. 1940 Huckleberry Drive, I will live somewhat near this new water tank. I've lived there for 15 years. Water pressure is inconsistent at best in that location. Having that new water tank up there with supply, ample pressure to all those areas, not only for home use, but obviously and in case of emergency when you need it for fire. I think that's in the best interests of the City of Seaside to proceed ahead with this water project and annexing in this piece of property.

Mayor Barber stated anyone else would like to speak to the issue? Hearing none. I will close the public hearing. Turn to the Council for any Council comments.

Councilor Morrissey stated I have actually a question for Mark. So I know that we're on a timeline as far as the water tank, assuming that we do two readings tonight, how does that set us up to actually bring this property into the city and get the water tank built as far as the timeline?

Mr. Winstanley stated as long as the Council is moving forward with this annexation will continue to move forward with the work that we're doing on the property. At this point, we're still, involved in the clearing of the property. It still will be a little while before we're ready to start the construction. This is something that is important for us to acquire the property. That's one of the reasons why the school district is making the application, as you might guess, while they're interested in the water tank, it's not their project. They've got their own project going on. But we don't want to move too quickly on this project until we're certain that we have all the jurisdictional issues, solved as far as this piece of property is concerned so we can do groundwork and that kind of thing. The actual construction of the tank, yes, we'd like to see this annexation completed before that takes place. The school district, like as we've talked about, will turn this piece of property over to the city. We don't want them to turn it over before this jurisdictional issue is solved. Otherwise we'd have to go back and start all over. And in this case, it would be the city asking to annex and we'd still be going through the same process.

Councilor Horning stated he was concerned about Mr. Dunzer about having to have the Urban Growth Boundary extended out to this property, isn't it? Can you make comment to that?

Mr. Winstanley stated there currently is property that is annexed into the City of Seaside and is not in the Urban Growth Boundaries. That issue can be handled. It is the normal process to go through to bring something into the urban growth. And then eventually when time dictates and needs dictate we have it annexed and into the City of Seaside. This case the need came very quickly and as we've all talked about the need came as fast as the voters saying, yes, we want to build a school up on the hill. It didn't happen in the gradual progression that you'd normally see of a city expanding its Urban Growth Boundary and then later annex the property. It was basically mandated and the voters came back and said, you know, you shall build a school. And so we started into the annexation process as far as property is concerned.

Councilor Morrisey stated there is a legal path to this, you're saying.

Mr. Winstanley stated there is a normal path to doing it, annexing property without having it brought into the Urban Growth Boundary. As I said, the city currently has property that is in that situation.

Mayor Barber stated Dan do you want to amplify that at all.

Dan Van Thiel, City Attorney, stated no.

Mr. Dunzer stated its right there in that piece of paper.

Mr. Van Thiel stated I think we move forward.

Councilor Morrisey stated that what I wanted to hear.

Mayor Barber asked if there were any other comments, hearing no other comments. I'll entertain a motion for the first reading by title only.

Council President Frank moved to read Ordinance 2019-04 by title only with a second from Councilor Wright; carried unanimously. (Frank/Wright)

Council President Frank moved for second reading of Ordinance 2019-04 by title only with a second from Councilor Wright; carried unanimously. (Frank/Wright)

Mayor Barber stated this will be on our agenda for third and final reading and potentially adoption.

UNFINISHED BUSINESS:

VACANCY – COMMUNITY CENTER COMMISSION

Mayor Barber stated there is a vacancy on the Community Center Commission and we interviewed an excellent candidate and does someone want to appoint.

Councilor Phillips moved to appoint Julia Weinberg to the Community Center Commission as she was very pleased with the interview today with a second from Councilor Morrisey; carried unanimously. (Phillip/Morrisey)

Mayor Barber stated she will be an excellent member.

Term expiration for Julia Weinberg is June 1, 2021

NEW BUSINESS:

MOA REGARDING PARTICIPATION IN THE CLATSOP COUNTY UNIFIED MASS NOTIFICATION SYSTEM

Mayor Barber stated in New Business, a Memorandum of Agreement between the City of Seaside regarding participation and the Unified Mass Notification System. Mark give us input.

Mr. Winstanley stated this memorandum of agreement is a memorandum of agreement between Clatsop County and the City of Seaside so that the City of Seaside can have permission by the county to go ahead and use their mass notification system. The county's mass notification system is a very robust system, and they are willing to make it available to the City of Seaside, for our use. I've explained to all the Councilors and the mayor during conversations we've had earlier there were a number of different things that needed to be kind of hashed out as far as the use of the system and one of the major issues for us is that we have our own dispatch center and we have people that are very experienced in communicating, if you will, out to the public. And in fact, we have two PIO's that work, sorry, I shouldn't use acronyms too. Public Information Officers that worked for the city that are extremely well trained. Certainly one of the issues that we ran into with the county was that initially they wanted to make sure that we couldn't use the system without their prior approval to using it.

One of the things, and we spent quite a bit of time negotiating with the county was the idea that under an emergency situation, especially a critical one we wanted to be able to use this system to get information out to the public as quickly as possible and waiting for approval of a draft notification might very well fly in the face of emergency notification if you will. There was a great deal of discussion. We came to an agreement with the county and in fact eventually got to the point where as from a policy standpoint there is a whole policy document that goes along with this but from a policy they also gave us administrative access to the system so that we have people now that are named as administrators and can use the system. We deem it necessary. That was very important as far as the City of Seaside was concerned. So at this point, Mr Mayor, we think we have a very good agreement with Clatsop County. There is a user group that's established for using this system and if we run into issues in the future, I think that user group should be able to hammer out any kind of problems we may run into. And so it is our recommendation that this Council approve this memorandum of agreement, and allow us to move forward so we can use this.

Mayor Barber stated very good. I'll entertain a motion to approve the memorandum.

Mr. Van Thiel stated paragraph 14 needs to be corrected. Paragraph 14 the one that I got at my packet had Clatsop County State of California. They've now made it the State of Oregon, but there's no superior court in the State of Oregon. It's a circuit court a general trial court. That paragraph should, reflect instead of the superior court the circuit court.

Mr. Winstanley stated we did make the change. If you have the document that we put on your desk. We did make the change from California to Oregon. That got taken care of but did not know about the superior court though and we can make that adjustment.

Mayor Barber stated the motion will be to approve the memorandum of agreement as amended.

Council President Frank moved we accept this MOA as amended with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

Mayor Barber stated this is clearly a good move and will be in the best interest of our citizens.

**COMMENTS –
CITY STAFF
AND OTHERS**

Mayor Barber stated comments from the city staff. I think we wore them all out there not here. Some are trying to get some vacation days in and they deserve a break after all the 4th of July activities. But I will go around to Mark. Any comments you'd like to add?

Mr. Winstanley stated if it makes you feel any better, I've just been informed that it may be that my staff meeting tomorrow is not going to happen either because of the large number of staff that seem to be unavailable right now. I do want to remind the Council and the public that you have a workshop scheduled for next Monday. I believe you're going to be discussing vacation rental dwellings at that workshop.

Mayor Barber stated and the housing issue and Seth is going to lead us out on that the results of this study and I know the Planning Commissioners really has been wrestling with issues. Looking forward to that 6:00 PM next Monday here in the chambers.

Mayor Barber called on Jon.

Jon Rahl, Assistant City Manager, stated it was discussed at the last meeting a little bit about 4th of July and how the messaging went on that and I wanted to share but I don't have audio capabilities. Jon talked about KOIN weather new cast from the weather cams. When I was still with the Visitor Bureau we created weather cam that was constructed at the Seaside Aquarium. We did a three-year deal where you'll see the Seaside logo throughout points on the weather newscast on a regular basis. Joshua Heineman was able to reach out to our partners there and ask them to share these tips. So these very tips that you're seeing here they ran I think on at least three new different, clips that we were saying. So we know they ran on three consecutive hours and so we're pretty happy with that. This is basically hidden kind of media we're getting on top of the partners separately or any part of, so I just wanted to share that as an element.

**COMMENTS –
COUNCIL**

Mayor Barber stated under comments of the Council I'm going to be first tonight. I think you all saw a memo from me regarding the issue we heard about the property on 4th and Holladay. I'm asking the Council and I will just read this it's very brief. It is past time to declare the above referenced property a nuisance under Ordinance Chapter 96 Nuisances. This burned out residence has been in this state since 2017 and clearly is a nuisance that needs to be abated. I'm requesting that the Council direct the City Manager to begin the process outlined in our ordinance to get this abated within the timeframe required by the ordinance that the owner cannot be located. I request that we impose the provisions of Chapter 96.40 to get this done which means putting a lien on that property until it's sold and would reimburse the city plus interest. I'm asking for consensus.

Mr. Van Thiel stated you'd just direct the city manager to start the process go and take a look at it. You could discuss it with me and I think we should move forward yet.

Mr. Winstanley stated maybe I could ask for some clarification from the Council, if that's in fact the direction you want me to go. One of the things there's obviously cost, to do this and that costs and the other taxpayers of this community will bear that cost or at least that initial cost until the time that the lien can be satisfied, on the property. Do you want to see what those costs are going to be prior to us moving forward or are you simply going to direct us to move forward with whatever costs are associated?

Councilor Morrisey stated I would like to see it just get done.

Council President Frank stated I have a question like, how far do you go with it? I mean, how much, do you remove off that side? And is it the also, is it only the burned stuff or what, what exactly happens there?

Mr. Winstanley stated we will remove what material needs to be removed so they no longer as a nuisance. And that's the best definition I can give you. At this point, I don't know exactly what that is but we will not leave it as a nuisance.

Mayor Barber stated I agree with Seth. It needs to be done and I trust you to get the very best bid or cost to get it done. Recognizing that tax payers are paying that. That's why we have the nuisance ordinance as it's designed. So ultimately taxpayers will be reimbursed plus the interest and that's all, that's the way we've decided that ordinance. Anybody object to that or have any concerns about that?

Mr. Van Thiel stated under caution when you're dealing with structures like that, I haven't seen it, but it sounds to me as it was destroyed by fire at least significantly. And so when we got to piece of junk, but that's probably an older building and it's probably full of pollutants, a lot of chemicals, asbestos, probably deficient wiring, and plumbing. There's any number of things that the city may encounter in moving in the air and any one or all of those things may constitute a disruption. It's been awhile since I've looked at it and Mark and I can talk about it, but I'm not going to persuade this city to move into, spend a lot of money on something. But I also don't want us to go onto a property until we have some assessment because normally what we would do is that we would threaten the property owner and you can always ascertain who is the owner, the property owner, we may not be able to locate that person readily, but there's notice requirements and things that we can, but normally what I would do with that situation is to have some assessment as to what it was going to cost the city to do what we needed to do to bring it into the compliance. I would want to put a cost on that and I would then threaten the property owner. And then if you don't do it, we are going to deal but we don't have any choice and this is what it's going to cost if we do it. Plus if I then have to bring a lawsuit against to get a breach in compliance or to assert a lien because we would claim a lien for whatever our profits are going to be, but then I've got to bring a lawsuit to foreclose on that claim. So I don't want to open up a Pandora's Box here and end up with a huge bill. But I would like them to be able to quantify it in some ways so that when I threatened somebody that I'm going to have to initiate litigation. I don't have any choice, but let me tell you what the bottom line is going to be. And if you want to resolve it yourself now the time to do it cause it's not going to get any cheaper. It's going to get more expensive as we move forward.

Mayor Barber stated thank you Dan for that. I have a very real feeling that this person has walked away from that property for the very issues that you raised, that there's public asbestosis, there's lead. It will have to be mitigated, recognizing all of that will be expensive.

Mr. Van Thiel stated they usually are when they reach that point and everything has to. They probably looked at that property and concluded that it's going to be probably a cost to remediate the problem. I don't know where that property is located. I don't know. But if you took it all down and you've got a piece of bare ground now where are you in relationship to the cost to remediate the problem? And I have a sense that maybe somebody has concluded that cost probably would exceed the value of that property. We didn't do it. I don't know that.

Mayor Barber stated it is for sale, it's posted for sale.

Mr. Van Thiel stated and it won't sell like it.

Mayor Barber stated with all of those comments, any further comments?

Councilor Wright stated I've thought about this and I think we should proceed. I wouldn't say that you should just say, you know, spend whatever it takes. I think I would at least like to see the bill, you know, how much it's going to be so that we make an informed decision. Then, you know, you can do all the legal stuff that's necessary. And you know, I don't know how long that takes.

Mr. Winstanley stated I would only imagine Counselor that we probably without having, as you can see, I don't have a lot of staff down here. I would think that we probably could bring that back to you at your next council meeting and let you know what we estimate that to be.

Councilor Wright stated and then you can look at things like, well is that more than the properties worth. What kind of things should we go into this looking at it and saying, okay, that's why this guy walked away, but at least then the legal things can be done.

Mr. Van Thiel stated and those figures probably will exceed what the value of the property is. I could approach the property owner and say, you're either going to clean it up, and I know what he's going to say, no, he is not going to do it, and they know why. I might as a fallback position and say I'll tell you what the city is compelled to clean it up and we're going to do that. But there's another way to skin this cat. You give this city a deed to the property, assuming that I can persuade the owner if the title is clear, other than it's a piece of junk sitting there. Then maybe get a deed and then we could avoid the necessity of leining property, initiating litigation and getting somebody running up the bill even more.

Mayor Barber stated that's why we have you in that chair.

Councilor Phillips stated that neighborhood with rats and everything else it has to be taken care of.

Mr. Van Thiel stated it will take a while. I think the Mayor point that out with the lady who spoke to that. Whatever I have to do, I'll move along on that because I sense it is an urgent need, but it will take time.

Mr. Winstanley stated I wanted this on the record but our code enforcement people have attempted multiple times to contact the owner. It's not that the city has not tried to do it. We're just running into an issue where this property owner at this point does not want to be contacted and you know, not answering the phone and not accepting the mail, those kinds of things can effectively make you not come in a situation where we can't contact. That's been a big part of the delay.

Mayor Barber stated did we have an understanding Council and city manager.

Council consensus.

Mayor Barber stated I will start with Steve.

Councilor Wright stated just a quick follow-up to the school superintendent's presentation last time. One of the things she said was that the traffic from her understanding would be going in on S and leaving on Wahanna and up to 12th and going back out that way to the highway. I have seen a significant number of trucks just in the few times we've been around we're coming out here on Broadway, just for what it's worth. One comment from Mr. Dunzer we are working on the TSP and it is being revised and we are addressing all of the things he mentioned and it's just one of those things where right now staff time and all that, you know, because other things are being done. The transportation committee, began that revision a year ago and I think it's basically waiting to get re-typed and come back for a change in draft. I'm very pleased with the fire response out on the Prom and Avenue 'K' and the cleanup that took place afterwards. It just also points out that probably needed to make sure we get that prescription process going. And I will be missing the work session, but I will submit my comments to all of you via email so that you can know how I feel about both of the VRD's and our housing situation. I won't be able to add anything to it other than what's you see in writing.

Councilor Morrisey stated on the workshop that we're going to have on the 29th I've been contacted by several members of the public and they asked if they would be able to make a statement. I wanted to get the pulse of the Council if that's something we wanted to allow or if we're just wanting to have a discussion, I'm fine with a lot of people to make a statement if everyone's okay with it. But I just wanted a concrete answer before I get a yes or no.

Mayor Barber stated typically a workshop is just the discussion with the Planning Commission and the City Council. There will be other opportunities, my only concern would be the 6:00 PM meeting,

Councilor Phillips stated well that's the way we've had it in the past discussion for us to get on the same page and then allow the public to come to our City Council meetings.

Mr. Van Thiel stated I might just add be careful because if you do, so you may set a precedent for that. If you've never done it before, workshops as you are normally just that workshop session, they're not for the purpose of listening to the public. If you decide you want to do that, not that you can't do that, but that's not normally the way it's done. I would only be concerned, I wouldn't want somebody going back and say, well you did it for this group and so why won't you let us do it for this one? I don't want to put you in there.

Councilor Morrisey stated so maybe it would be appropriate for them to submit a letter.

Mr. Van Thiel stated that would be okay.

Mr. Winstanley stated I also want to remind the Council that out of workshop, no decisions can be made and oftentimes if you allow the public to be engaged in these things, they're looking for an answer for them. I think it is important to let the public know that you're having a discussion so you can figure out your path forward not at that meeting to be making any kind of decisions, concerning that path. I think that's an important aspect.

Councilor Morrisey stated that's all I had and I just look forward to the meeting.

Council President Frank stated summer seems so calm. Comment on the Mill Ponds and I'm hoping that with the signage and interpreted things that there's some kind of reflection with the Chinook Tribe that inhabited our area.

Ms. Holmes stated I didn't hear what you said I missed all the good stuff.

Council President Frank stated I hope to see at the Mill Ponds some type of influence or reflection of our local Chinook Tribe.

Ms. Holmes stated she would love to do that. I've always been wary of giving away mitten sites and that kind of thing. But I think it would be terrific to do that.

Council President Frank stated that was just a little bit there. Then I'd like to commend city staff not only the fire that Steve mentioned, but First Avenue and all the, the work that's been happening in the town and stuff. It's a lot to deal with the traffic this time of the year. And I know that they have done things in spite of the weather. The street looks good.

Councilor Phillips stated it was interesting that a dear friend of ours was visiting a week and a half ago when his grand children were out in the ocean. And he's very appreciative of our incredible, life guards and saving his grandchildren and he was sitting there, didn't know that they're in trouble and, those of you that know him that is Larry Lehman, our past city manager. He was so appreciative and said that we should be so very proud of our lifeguards and how they handle situations like that. And Nancy, thank you for your presentation. I really appreciated it. The only thing I have a question about but we never seem to talk about is that I know we've had homelessness problems out there, and to make sure that somehow we can continue to monitor that so we don't have our visitors startled or whatever else. So I guess that's another thing, another aspect that we need to make sure that we take care of.

Ms. Holmes stated I agree it's not going to happen overnight. We've got to just gradually work on all of it the same time.

Councilor Horning stated well, I would echo everybody else about the Mill Ponds and the good work that the committee's done. One of the curious things is translating plans into actions, funding, finding staff time and getting priority. It's one thing to come up with great ideas and try to figure out how long is it going to take before we get this done. I know one of the things that has made it a little bit complicated is the fact that it's in a FEMA floodway, which means you don't get to have to do anything that results in a net rise in the water flow, such as blocking it with a pile of earth for example. But the good news is you can dig something out and result in declining water flow and then save by filling in somewhere else. You can sort of work your way by excavating landscape. One of the things we need to get is a certificate from the appropriate engineer who would then give us a, get rid of one of our major stumbling blocks that prevents us from doing certain things. And move forward with some of our actions to the plans. Because right now going all the way around the Mill Ponds isn't particularly easy to do because you would be doing work in a no rise floodway. If we can get that fixed, it'd be much better. And I'm looking forward to that.

Mayor Barber stated it's been a long meeting. Thank you, all the way through. I thought, as I consider the agenda coming up for this evening about the wonderful kind of life quote that I try to live by from Paul Young. He says this, "You are what you do, not what you say you'll do".

ADJOURNMENT

The regular meeting adjourned at 8:49 PM.

Judy Ann Dugan, Secretary

JAY BARBER, MAYOR