

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Barber.
- ROLL CALL** Present: Mayor Jay Barber; Council President Tita Montero; Councilors Randy Frank, Dana Phillips, Seth Morrisey, Tom Horning, and Steve Wright.
- Absent: None
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney, Dale McDowell, Public Works Director; Kevin Cupples, Planning Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Joey Daniels, Seaside Fire Chief; Esther Moberg, Seaside Library Director; Dave Ham, Seaside Police Chief; and RJ Marx, Daily Astorian/Seaside Signal.
- AGENDA** Mayor Barber stated he would entertain a motion for approval of the agenda.
- Councilor Frank so moved with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)
- PROCLAMATION** Dave Ham, Seaside Police Chief read a Proclamation: National Night Out 2017. Chief Ham announced National Night Out 2017 would be held Tuesday, August 1, 2017, at Cartwright Park from 5:00 - 7:00 PM.
- COMMENTS – PUBLIC** John Dunzer, 2964 Keepsake Drive, Seaside, presented Council with paperwork with the subject title: Southeast Urban Renewal Project, Inputs to Parks Plan, and Inputs to School Traffic Study. Mr. Dunzer stated he wanted to talk about the Urban Renewal Zone because he did not believe that this project should be approved as designed for the following reasons: The heart of this urban renewal area is the commercial area along South 101 and South Holladay which is underdeveloped. However adding new infrastructure will not increase its development because today there is no un-served commercial market in Seaside. Since the State says that Seaside has stopped growing, there will be no future need for development of these commercial properties. Seaside has too much commercially zoned property in this area. First, commercial real estate everywhere is a glut on the market because internet shopping has remade the shopping experience and made the need for many retail brick and mortar retail stores obsolete. Second, the remaining regional Clatsop County commercial market is being consolidated at the Warrenton Commercial Center. The State has confirmed this in its latest population estimates which show growth in Warrenton and little growth elsewhere in Clatsop County. Seaside, by law has to consider this future forecast in its planning for the future. Third, on a local commercial basis, Seaside has stopped growing because it primarily has low-paying seasonal jobs coupled with expensive housing costs.
- John Baldrige, 850 7th Avenue, Seaside, stated he had been to a couple of City Council meetings to talk about smoke hazards and things like that and there were some things accomplished. Recently he was asking for a little more from Seaside. Anywhere you drive the fire departments have their readerboards or signs out for fire restrictions in place. The Seaside Fire Department has a sign but cannot put it out on the highway. Mr. Baldrige further stated he did not want his house to burn down or anything like that because people do not know what the restrictions were. He would like to see a postcard sent out to people with the restrictions because he goes to hundreds of peoples homes around here and not a single one of them are following the rules and everybody is breaking the rules. Mr. Baldrige further stated there are rules for our safety and he would like to see a sign out there, a postcard, or something. Mr. Baldrige discussed incidents that had taken place in the past.
- Mayor Barber stated he wanted to clarify that he did not like it when people say everybody because there were many law abiding citizens in Seaside.
- CONFLICT** Mayor Barber asked whether any Councilor wished to declare a conflict of interest.
- Councilor Wright recused himself from City Council agenda item 10a - Update - Withdrawal of Antoine Simmons Variance at 341 S. Prom.
- Councilor Horning recused himself from City Council agenda item 10a - Update - Withdrawal of Antoine Simmons Variance at 341 S. Prom.
- Dan Van Thiel, City Attorney, discussed agenda item 10a with Councilor Wright and Councilor Horning who indicated they wanted to still recuse themselves.
- CONSENT AGENDA** Mayor Barber stated he would entertain a motion for approval to the consent agenda.
- Consent Agenda: Payment of the Bills - \$185,879.73; and Approval of Minutes July 10, 2017.

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

UNFINISHED BUSINESS:

**VACANCY –
BUDGET COMMITTEE**

Mayor Barber stated there was one vacancy on the Budget Committee with one application received from John Dunzer.

There was some confusion on who had turned in an application and Mayor Barber stated Mr. Dunzer was the only application received.

Council President Montero stated she would like the vacancy to stay open in case there was someone new. There was still time to accept more applications.

NEW BUSINESS:

**UPDATE – ANTOINE
SIMMONS VARIANCE**

Kevin Cupples, Planning Director, explained the background on the Antoine Simmons Variance. Staff received confirmation from Antoine Simmons that he has sold his property at 341 S Prom and he no longer plans to develop the property pursuant to the height variance that was approved by the City Council and Planning Commission. He also indicated the purchaser was not planning to pursue the proposed development project, so the request has effectively been withdrawn from consideration at this point. The Calefs' appealed the City's decision to approve the variance request to the Land Use Board of Appeals (LUBA), and to avoid wasting additional staff time & money preparing for a case concerning a proposal that was null and void, Mr. Van Thiel filed a Notice of Withdrawal for Reconsideration with LUBA. This pulled the decision back to the City; however, we still need to take formal action on the reconsideration within 90 days in order to suspend any further action on the appeal. Mr. Cupples further stated the recommended City Council Action, and in order to suspend any further action on the appeal, Council should make the following motion. In light of the original applicant's withdrawal of the proposed development project and defense of height variance 16-074V, under reconsideration, the City Council hereby approves the Calefs' appeal 16-074VA; based on a finding of no further contest by the original applicant, Antoine Simmons. The Council further directs staff to complete a revised final order reflecting the Council's decision and finding under reconsideration. Attachments presented in the packet: Letter from Antoine Simmons, Antoine's Email to Calef's, LUBA Reconsideration Letter.

Councilor Frank moved the City Council hereby approves the Calefs' appeal 16-074VA; based on a finding of no further contest by the original applicant, Antoine Simmons. The Council further directs staff to complete a revised final order reflecting the Council's decision and finding under reconsideration with a second from Council President Montero; carried unanimously. (Frank/Montero)

Mayor Barber asked for a roll call vote:

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

**UPDATE – SEASIDE
PARKS SURVEY AND
COMMUNITY FORUM**

Dale McDowell, Public Works Director, stated the Parks Master Plan was being spearheaded by Christian Montbriand who was the RARE Student for the City. The previous plan was from 2004 and one of the things in the plan was to have Community Forums and this was the first forum and there was a pretty good turn out with a lot of great ideas from neighbors and Hispanic neighbors as well. What do people want to see done with our parks? There was a survey monkey put out about the parks and there were 84 comments received online and there were more survey done at the meeting.

Mayor Barber asked what the role of the Parks Advisory Committee would be.

Mr. McDowell stated they would be guiding and keeping us updated on the parks. The public works department takes care of the parks but the community needs to give input on what they want to see in the parks for themselves and the children.

**BID RESULTS -
LIBRARY GENERATOR**

Esther Moberg, Library Director, stated the Library received one bid for the Library Generator project from Inland Electric, Inc. The bid was in response to a one month long public request for bids. There were several contractors who expressed interest throughout the bid process, but the library received just the one bid.

The bid received from Inland Electric is from a local company that the City has had previous contracts with and a solid history of work delivered. The bid quote matched our expectations of the price for this project based on an independent specifications and review by R&W Engineering in Portland, Oregon. The City currently uses similar Kohler generators at several pump stations for Public Works. The bid proposal is for \$72,950. This would be the total amount for this project if approved by City Council. Outside work would start in September of 2017 with wiring and indoor work to follow. The request for bids included comprehensive specifications of over 30 pages, put together by R&W Engineering that we believe includes all work on this project from the cement pad to the final install of the generator. Dale McDowell, our Public Works Director, has agreed to oversee this project for the Library if approved.

Mayor Barber stated he would entertain a motion to accept the bid.

Councilor Frank moved to approve the bid from Inland Electric in the amount of \$72,950.00, with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

**DISCUSSION -
BUILDING OFFICIAL
AGREEMENT WITH
CANNON BEACH**

Mark Winstanley, City Manager, stated the City of Seaside entered into a contract with the City of Cannon Beach three and a half years ago to provide building review/inspection services for Cannon Beach. At the time we entered into the agreement, Cannon Beach no longer had a building official and was not in a financial position to rehire. This arrangement has worked well for the last several years, but as business has increased the City of Cannon Beach had decided to hire an in-house building official. Mr. Winstanley stated recently Cannon Beach decided to get back into the business and hired a building official and they are no longer in need of our services. The current contract required 90 days' notice to terminate. This was done to protect both parties from any sudden changes in service or financial hardship. The City of Cannon Beach is requesting the City of Seaside recognize June 1, 2017 as the date of notification and we accept a termination date of July 15, 2017. For acceptance of these terms, Cannon Beach has paid for June services (\$8,215.45) and will pay a termination fee of \$10,000. We have had preliminary conversation concerning a future agreement. If one is deemed necessary, we will provide a draft to the Council for your consideration.

Councilor Wright stated basically we were giving mercy for about one month and it was always a good idea to give mercy.

Councilor Morrissey stated he agreed Cannon Beach was a great partner and we should let them off the hook as soon as possible.

Mayor Barber stated he would entertain a motion to approve the termination of the agreement.

Councilor Frank moved to approve the termination of the agreement for Building Officials services with the City of Cannon Beach with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

**COMMENTS -
CITY STAFF
AND OTHERS**

Joey Daniels, Seaside Fire Chief, stated there was water rescue training this last weekend. The Fire Department had their annual picnic and invited the police department this year.

Mayor Barber thanked Chief Daniels for the work that your team and volunteers do.

Mr. McDowell stated tomorrow Holladay Drive would be striped and we were very excited.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated the Convention Center recently had a twenty-nine year employee retire Roy Ford and his last day would be the end of July and a conditional employment offer has been made to Nick McKenzie who was currently a part time employee with the convention center the last two years. Mr. Vandenberg further stated the Gem and Mineral Show was at the convention center this week.

Mr. Cupples stated he was looking forward to closing out his time working on the Pearl.

Ms. Moberg stated she attended the Astoria City Council meeting as they recognized former library director Bruce Berney who they renamed their historical collection after. Ms. Moberg further stated the Summer Reading Program at Seaside Library has signed up over 230 kids for the summer.

Chief Ham stated several from the police departments and fire department attended the Jason Gooding Memorial Golf Tournament put on in the Sherwood area on Friday, July 21, 2017.

Mr. Van Thiel stated he represented communities in Eastern Oregon and one was Baker City. There was a significant tragedy during the last parade where a seven year old boy fell off the back of a trailer.

There has never been this kind of situation and this trailer was being pulled by a tractor and these children were sitting on a flatbed trailer with no rails or anything and no adults in close proximity. The boy fell off the flatbed and the tractor ran over him and he was killed. Mr. Van Thiel further stated there were no safety policies in place and this is all being researched and he thought he would bring it up because of the parades in this area.

There were discussions further on the safety and who takes care of the parades in Seaside.

COMMENTS – COUNCIL

Councilor Horning stated he was glad to hear the parks project moving along and was glad to see people out enjoying the rivers with their canoes and kayaks.

Councilor Frank stated we are in the height of our summer season.

Councilor Phillips asked if the fire department had a sign to put out.

Chief Daniels stated the fire department did have a sign that was put out in the parking lot on Lincoln Street.

Council President Montero discussed signs on the beach.

Chief Daniels stated Oregon State Parks is in charge of the signs that go on the beach and there were signs put up during the 4th of July by public works.

Council President Montero stated last year during the 4th of July there were signs put up for the fireworks and she did not see any of those this year.

Mr. McDowell stated there were sixty signs put up this year regarding fireworks and we work with State Parks on where they want signs located.

Mayor Barber stated at the Sailors Grave there are signs posted on the logs about burning and other things which seemed to help.

Council President Montero stated she read that Bob Mushen is resigning from the Port Commission and she encouraged people from the South County to look at putting their names in for Port Commissioner for the representation.

Councilor Morrissey stated he was looking forward to Mr. Winstanley's annual evaluation.

Councilor Wright stated he attended the Parks meeting and was very pleased by the turn out and the most suggestions seemed about Cartwright Park and that was near and dear to him because he lived close to the park. Councilor Wright further stated he looked forward to seeing the chief at the park next Tuesday for National Night Out.

Mayor Barber stated there were people that walked by his house and would visit with them and this last weekend there were two different families that talked about the launching ramp at Broadway Park. Mayor Barber further stated that was such a great addition to our community.

EXECUTIVE SESSION

RECESS INTO EXECUTIVE SESSION AT 7:53 PM IN ACCORDANCE WITH ORS 192.610 (1) (i) REGARDING ANNUAL EVALUATION OF CITY MANAGER.

RECONVENE INTO REGULAR SESSION AT 9:29 PM – COUNCIL ACTION REGARDING CITY MANAGER EVALUATION.

Mayor Barber stated he would read Council's action regarding the City Manager's Evaluation: Each of the City Councilors and the Mayor rated the City Manager's performance over the last year in the following categories: Organizational Management and Leadership; Fiscal and Business Management; Communication and Relationship with Mayor and City Council; Community and Intergovernmental Relations; Personal and Professional Traits; and Overall Performance Rating. We rated his job performance as "Exceeds Expectations" and all agree that we are privileged to have his leadership and service in our City. We give him high credit for his recruitment of his leadership team. We acknowledge that much of his success is that he has surrounded himself with an excellent team of leaders. As we look to the future we encouraged him to fill some vacant leadership positions that he currently fills in addition to his regular duties and to be sure to take time off for relaxation and rest. We look forward to a great year ahead!

ADJOURNMENT

The regular meeting adjourned at 9:31PM.

Kim Jordan, Secretary

JAY BARBER, MAYOR