

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

Absent: Council President Montero

Also Present: Mark Winstanley, City Manager; Jon Rahl, Assistant City Manager; Dan Van Thiel, City Attorney; Kevin Cupples, Planning Director; Dave Ham, Seaside Police Chief; and Brenna Visser, Daily Astorian/Seaside Signal.

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

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

COMMENTS – PUBLIC Mayor Barber stated he would open the floor to public comments to anyone who wanted to speak on any item not on the agenda. Please come forward and identify yourself and give your address and please keep your comments to four minutes please.

Rita Simpson, 800 Mead Avenue Las Vegas, Nevada, stated she was a visitor to this beautiful state and had been traveling to Oregon for two years. Ms. Simpson was attending the City Council meeting to speak on a public safety issue. The vacation rental market is estimated to be valued around one hundred billion now and predicted to be worth nearly one hundred seventy billion by 2019. The public deserves a reasonable standard of care regarding sanitary conditions of accommodations where they will live when away from home. In hotels, motels, even bed and breakfast receive oversight by the health department but not vacation rentals. While more jurisdictions such as Seaside require licensing there are no industry standards for oversight. She was here to share her current situation and she would not use any names of owners or rental agencies associated with the condo that was rented. She was shocked not only by the condition she will describe and she has pictures on her iPhone if anyone would like to see them. She was also shocked by the treatment and comments received when she took her pictures and complaints to the rental agency. There were pictures of pillows and the mattress terribly stained with body fluids and she was told those were not body fluids. There was a question asked about the pillows and mattress having protective covers and the management company asked what those were. The agent was quite aggressive and angry with me for bringing the complaints forward. There was \$4,000.00 spent for a twenty day visit. Every surface had to be wiped in the room and was dirty and she spent the better part of five days cleaning and doing laundry since it was peak season and where would she go but back home and she was trying to make the best of a bad situation. Ms. Simpson further stated she purchased pillows, and a mattress topper, and this is an issue everywhere and was happening in her town too. When she contacted the health department they said there was no oversight and that concerned her. Ms. Simpson stated she traveled all over and this was one of the first times she has encountered something like this.

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 - \$816,601.18, and Approval of Minutes July 9, 2018.

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

UNFINISHED BUSINESS:

ORDINANCE #2018-09 AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING THE ZONING ORDINANCE TEXT IN CODE OF SEASIDE ORDINANCE CHAPTER 158 ALLOWING ACCESSORY DWELLING UNITS.

Kevin Cupples, Planning Director, explained the Council made changes to the recommendations of the Planning Commission and that was to put sideboards on the ADU's of a max of 800 square feet and anything over 525 square feet would require a conditional use by the Planning Commission.

Mayor Barber asked for public comments, and there were no public comments.

Mayor Barber asked for Council comments.

Councilor Frank stated he hates to see it go over the 525 square feet.

Councilor Wright stated if there is anything that comes up in the Planning Department or building codes perhaps it could be passed on to the City Manager so that he report the issues that come up and if the ordinance needed to be revisited Council could do that.

Councilor Morrissey stated it was a good ordinance and he was happy to move forward with the ordinance and he was happy to move forward with it and it will even if a little bit help with the housing crisis.

Mayor Barber asked if there were any other Council comments and there were no other comments. Mayor Barber stated he would entertain a motion for third reading by title only.

Councilor Frank so moved for a third reading of Ordinance 2018-09 by title only with a second from Councilor Morrissey; carried unanimously. (Frank/Morrissey)

Mayor Barber stated he would entertain a motion to adopt.

Councilor Frank so moved to adopt with a second from Councilor Morrissey; carried unanimously. (Frank/Morrissey)

Mayor Barber asked for a roll call vote:

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

ORDINANCE #2018-10

AN ORDINANCE GRANTING CHARTER COMMUNICATIONS A FRANCHISE TO PROVIDE SERVICES, FACILITES, AND EQUIPMENT TO OPERATE AND MAINTAIN CONSTRUCTION AND OPERATION OF A CABLE NETWORK WITHIN THE CITY OF SEASIDE, OREGON.

Mayor Barber stated Ordinance #2018-10 was granting Charter Communications a franchise.

Mayor Barber opened the public comments, there were no public comments.

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

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

Councilor Wright moved to approve third reading by title only Ordinance #2018-10 with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

Mayor Barber stated he would entertain a motion to adopt.

Councilor Wright so moved to adopt with a second from Councilor Phillips; carried unanimously. (Wright/Phillips)

Mayor Barber asked for a roll call vote:

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

**VACANCY –
CITY TREE BOARD**

Mayor Barber stated there was one vacancy on the City Tree Board. Council was still accepting applications for the vacancy.

**VACANCY -
AIRPORT COMMITTEE**

Mayor Barber stated there were two vacancies on the Airport Committee with two applications received from Jeff Gage and Dianne Widdop. Mayor Barber further stated the applicants had been interviewed prior to the City Council meeting. Mayor Barber asked if Council would like to nominate and appoint.

Councilor Frank moved to nominate Dianne Widdop to the Airport Committee with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

Councilor Frank moved to appoint Dianne Widdop to the Airport Committee with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

VACANCY -
PARKS ADVISORY
COMMITTEE

The term expiration for Dianne Widdop would be June 30, 2021.

Mayor Barber stated there was one vacancy on the Parks Advisory Committee with one application received from Pam Bierly who was interviewed prior to the City Council meeting. Mayor Barber asked if Council would like to appoint.

Councilor Horning moved to appoint Pam Bierly to the Parks Advisory Committee with a second from Councilor Phillips; carried unanimously. (Horning/Phillips)

The term expiration for Pam Bierly would be March 31, 2019,

VACANCY –
COMMUNITY CENTER
COMMISSION

Mayor Barber stated there was one vacancy on the Community Center Commission. Mayor Barber further stated Council was still accepting applications for the vacancy.

NEW BUSINESS:

ORDINANCE #2018-11

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CODE OF SEASIDE ORDINANCE CHAPTER 118 MEDICAL MARIJUANA DISPENSARIES AND LICENSE RECREATIONAL RETAILERS

Mayor Barber asked Mr. Winstanley to explain the ordinance.

Mark Winstanley, City Manager, stated Council has had request over the last couple of meetings to make adjustments to the time that marijuana dispensaries can be open and originally the ordinance stated 8:00 PM and there have been request for the dispensaries to be able to stay open until 10:00 PM. Ordinance #2018-11 would allow for that to happen. Mr. Winstanley further stated in addition to that the city had been notified by the State of Oregon that the current ordinance did not allow for any collection penalties and the state said that unless Council added language to the ordinance they could not institute any collection penalties if any vendors were not making payments and that language has been added to the ordinance.

Mayor Barber asked for public comments.

Steve Geiger, 1803 South Roosevelt Drive, Seaside, stated he represented Highway 420. As mentioned in the comments at the last meeting he was not sure exactly why we arrived at 8:00 PM initially with the original ordinance unless there were security concerns or something. With the growth of the amount of dispensaries right now with some right outside the boundaries of Seaside and now there was one added in Gearhart that are able to stay open until 10:00 PM. Seaside was losing out on the revenue along with Mr. Geiger but more importantly were the citizens of Seaside to travel outside the city to get a product they should be able to get here. Mr. Geiger further stated he was not sure they would utilize those hours in the winter because there are not that many people out at that time of night but in the summer it is significant and will be that way through the fall.

Mayor Barber asked for any other public comments, there were no more public comments.

Mayor Barber asked for Council comments.

Councilor Phillips stated to answer Mr. Geiger question. When the ordinance was put together there were no regulations from the state and Council was going by what time the liquor store closed at that time.

Mr. Winstanley stated 10:00 PM was the maximum hours the state would allow dispensaries to be open.

Councilor Phillips stated she asked for this to be put on the agenda and she was in favor of expanding the hours to make it uniform throughout the county.

Councilor Wright stated the rules about the addition of the penalties, thank you for the explanation. Councilor Wright further stated he assumed that went through the legal team, right.

Dan Van Thiel, City Attorney, stated right.

Councilor Wright stated he was curious whether the police chief had any comments.

Dave Ham, Seaside Police Chief, stated he had no comments.

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

Councilor Phillips so moved to read by title only Ordinance #2018-11 with a second from Councilor Morrissey; carried unanimously. (Phillips/Morrissey)

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

Councilor Frank stated he would not mind if this sat for another go around.

Councilor Wright stated Council knows my feelings that ordinances should go for three separate meetings and he was fine with waiting.

Councilor Morrissey stated he tended to agree unless it was an emergency he was always for three meetings to give the public a chance to weigh in.

Councilor Phillips stated she thought it was unfortunate that this would be through the fall now.

Mayor Barber stated someone can make a motion and we can vote on that.

Councilor Phillips so moved for a second reading by title only Ordinance #2018-11 with no second and the motion failed. (Phillips)

Mayor Barber stated the ordinance will be on the agenda for the August 13, 2018, City Council meeting for second reading by title only.

**COMMENTS –
CITY STAFF
AND OTHERS**

Mr. Cupples stated the building and planning department was very busy and there was a number of new structures going up the Wheel of Fun, Convention Center, Ace Hardware, and the school districts excavation.

Mayor Barber stated is the Wheel of Fun a warehouse.

Mr. Cupples stated no he picked up the train that was downtown and he will incorporate that into his business.

Chief Ham stated he wanted to remind everyone of National Night Out at Broadway Park on Tuesday, August 7, 2018, 5:00 – 7:00 PM.

Brian Owen, Seaside Chamber of Commerce Director, stated one thing the Chamber did last year was move our breakfast meeting into a meeting where we meet in a different location each week that highlighted a business into the city. This week the meeting would be at public works and we would be talking about what public works does for our city and our visitors. Mr. Owen further stated Volleyball was coming up shortly and registration as of this morning was 1360 teams with an anticipation of 1500 teams and the teams were coming from all over the world and there would be two Olympic men playing.

Mr. Winstanley stated we must be having a good summer because most of the complaints were that there were too many people in town. Mr. Winstanley further stated he had a wonderful time in Disneyland and he had a great time. Mr. Winstanley further stated Mr. Rahl is doing an excellent job as the assistant and is very ambitious.

Jon Rahl, Assistant City Manager, stated he would miss the Chamber meeting on Wednesday; he would be attending a meeting that actually talks about the sharing of information in the lodging community between the state and municipalities.

Mr. Van Thiel stated he would miss the Council meeting August 13, 2018, as he would be fishing.

COMMENTS – COUNCIL

Councilor Horning stated he was enjoying the weather and pleased that everything is working out nicely for the city and looking forward to the Council work session coming up Monday, July 30, 2018, 6:00 PM. Councilor Horning further stated Council has been on fieldtrips and this was an opportunity to put it all together.

Councilor Wright stated he was looking forward to seeing what and it was an opportunity for people to take advantage of the law just passed and it will be effective through today. Councilor Morrissey was on the committee for the housing report and find out what was next because we are in a real bad situation. Councilor Wright further stated there was a volunteer needed for the community center because they had some big things coming up.

Councilor Morrissey stated he agreed with Councilor Wright it was one of the biggest issues we were facing if you talked to a lot of the business owners right now they were definitely struggling to find housing for their employees and he was excited to get moving on that and the recommendation will be coming soon.

Councilor Frank stated he had a compliment for whoever got the chair painted it looked good. Once again he would voice his approval and compliments to the lifeguard crew because with more people coming to town meant more people for the lifeguards to watch and it was great to be one of the only towns on the coast that actually have a full lifeguard crew and ours was excellent.

Councilor Phillips stated she was glad the fire department crew that went over to fight the fires are back home safe and sound.

Mayor Barber stated he continued to get lots of comments on the fireworks situation and he was hoping that in the next several weeks we can pull together representatives from the state parks, local law enforcement, concerned community members, and people involved with the Chamber and come together and talk about how we can come to some understanding of the challenge of adding patrols around a very difficult problem. Mayor Barber further stated he was also hearing a lot from citizens about the illegal camping going on in the community. There was one particular place on the beach between Avenue K and Avenue L in the Cypress Trees. A large community of campers over there and the police have been trying to deal with that and there is a homeless issue in the city and that needs to be discussed also. Mayor Barber further stated he would close with this quote by Harold Geneen, "Leadership is practiced not so much in words as in attitude and in actions".

ADJOURNMENT

The regular meeting adjourned at 7:32 PM.

Kim Jordan, Secretary

JAY BARBER, MAYOR