

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Council President Don Johnson.
- ROLL CALL** Present: Council President Don Johnson; Councilors Tita Montero, Dana Phillips, Jay Barber, Seth Morrisey, and Randy Frank.
- Absent: None
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Dale McDowell, Public Works Director; Russ Vandenberg, Seaside Civic and Convention Center and Seaside Visitors Bureau General Manager; Dave Ham, Seaside Police Chief; Jon Rahl, Convention Center & Visitors Bureau Assistant Manager; and RJ Marx, Daily Astorian/Seaside Signal.
- AGENDA** Council President Johnson asked for an amendment to the agenda to add the Proclamation for Pearl Harbor.
- Councilor Phillips so moved with a second from Councilor Barber; carried unanimously. (Phillips/Barber)
- PROCLAMATION** Councilor Morrisey read the Proclamation for Pearl Harbor.
- COMMENTS – STUDENT REPRESENTATIVE** Lizzy Barnes, Seaside High School Student Representative, stated this was finals week and finals were on Wednesday, November 30, 2016, and Thursday, December 1, 2016, and then an in-service day on Friday, December 2, 2016. Last week seniors put their orders in for caps, gowns, and whatever other senior items they wanted. This week the first wrestling meet was on Wednesday, November 30, 2016, there was a boys and girls basketball games on Friday, December 2, 2016, and it was Seaside Basketball Alumni Friday night, and Saturday, December 3, 2016. The first swim meet is on Saturday in Tillamook.
- COMMENTS – PUBLIC** John Dunzer, 2964 Keepsake Drive, Seaside, stated he attended the 3:00 pm barbecue here with the City Council about picking out a Mayor, and he noticed it was not on the agenda. Council was seeking input at that meeting and at the next meeting. Mr. Dunzer further stated it appeared to him there were two guys that would run and that would be Jay Barber and Don Johnson. Don was criticized because he was beat and if you elect him Council would be doing the Good Ole Boy’s Network. Mr. Dunzer further stated he was sure he did not get along with the ideal behind either one of these gentlemen but would like to point out what happened with the election of Mr. Horning. It was not that Don Johnson is not doing a good job but it was because finally Mr. Horning ran on a Platform and the people responded to that. Mr. Dunzer further stated it would be his hope that Council would get behind Mr. Horning who has somewhat of a mandate of the people of Seaside and what they want to have happen, and that would be advised. Mr. Dunzer didn’t care who was selected and what Council does he just wanted Council to get behind this mandate to get things moving on this emergency preparedness. If Council would put their heads together there were a lot of things that can be done to save a lot of lives.
- Bill Carpenter, 1081 Beach Drive, Seaside, invited all to the Convention Center at 9:00am on December 7, 2016, to attend the memorial for Pearl Harbor. Mr. Carpenter stated the memorial starts at 9:00 am and the wreath will be tossed into the river at 9:55 am which represents the time of the first wave that hit Pearl Harbor.
- CONFLICT** Council President Johnson asked whether any Councilor wished to declare a conflict of interest.
- No one declared a conflict of interest.
- CONSENT AGENDA** Council President Johnson stated the consent agenda payment of the bills.
- Consent Agenda: Payment of the Bills - \$369,987.10.
- No minutes available for November 14, 2016. (will be available for approval at the December 12, 2016, meeting)
- Councilor Frank so moved Council pays the bills with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

**VACANCY –  
CONVENTION CENTER  
COMMISSION**

Council President Johnson stated there was one vacancy on the Seaside Civic and Convention Center Commission with three applications received from Sandra McDowall, Shaun Wagner, and Alan Evans. Council President Johnson asked Council what they wished to do.

Councilor Barber stated he would like to interview the applicants.

Councilor Phillips nominated Shaun Wagner, Sandra McDowall, and Alan Evans with a second from Councilor Morrissey; carried unanimously. (Phillips/Morrissey)

Russ Vandenberg, Seaside Civic and Convention Center and Seaside Visitors Bureau General Manager, stated he would like to state that Kaarina Vera would not renew her term which would also open up a vacancy on the commission.

Council President Johnson stated Council would interview applicants the first meeting in January, 2017.

Councilor Montero asked if the interviews were conducted January, 2017, can the vacancy be left open for more applicants.

Council consensus to leave the vacancy open for more applicants.

Council President Johnson stated any new applicants can be nominated.

Mr. Winstanley stated if the vacancy was left open until the end of the year would that be appropriate.

Council agreed to leave the vacancy open until the end of the year.

**VACANCY –  
COMMUNITY CENTER  
AND SENIOR COMM.**

Council President Johnson stated there was one vacancy on the Seaside Community and Senior Commission with no applications received.

**VACANCY –  
PLANNING COMM.**

Council President Johnson stated there were two vacancies on the Seaside Planning Commission with Robert Perkel resigning from the Planning Commission.

**ORDINANCE 2016-06**

**AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 32 OF THE SEASIDE CODE OF ORDINANCE REGARDING TRANSIENT ROOM TAX**

Mark Winstanley, City Manager, explained this was an ordinance of the City of Seaside amending Chapter 32 of the Seaside Code of Ordinances Regarding Transient Room Tax. There were a number of housekeeping changes done to the ordinance but the main amendment was an increase of the room tax revenue from eight percent to ten percent and will be used to fund the renovation of the Seaside Civic and Convention Center. This was approximately a \$14,000,000.00 improvement and would need a funding source to pay for the debt of that improvement.

Council President Johnson asked for public comments and there were no public comments.

Council President Johnson asked for Council comments.

Councilor Morrissey stated he would vote against the ordinance for the same reason as the last Council meeting. The bed tax increase should be reduced once the debt was retired.

Council President Johnson asked for a motion.

Councilor Montero moved for Council to have a second reading by title only with a second from Councilor Phillips; carried with Morrissey opposed. (Montero/Phillips)

Council President Johnson stated there would be a third reading and adoption at the December 12, 2016, City Council meeting.

**APPEAL SEWER  
CHARGE – MIKE  
CORDOVA**

Mr. Winstanley stated this was an appeal being made by Mike Cordova. There was an adjustment to a water leak Mr. Cordova had on his property and this is actually the second water leak he has had, there was another leak approximately a year ago prior. This was a commercial property and the leak was fairly significant and Mr. Cordova pays for both water and sewer based on the water consumption. The City used the normal policy which had been in existence over thirty years and that was to split the difference with Mr. Cordova for the increased water cost and increased sewer cost and because it's a commercial property it was not a flat fee but was based on the water consumption.

The cost were split with Mr. Cordova and he felt the City should further reduce his sewer charge because the water leak that he had did not cause additional impact on the sewer system. The policy for the last thirty years has been that the city does not make that kind of adjustment for sewer and the city does not analyze the type of sewer problem that they have and that was not the adjustment that was made and Mr. Cordova felt it would be more appropriate if the city had reduced his sewer bill back down to what he normally was charged. That was why Mr. Cordova was making the appeal. Mr. Winstanley further stated he gave Council a memo with background information and also provided the letter that Mr. Cordova wrote explaining his position. Mr. Cordova is attending the meeting and Council can certainly address him.

Mark Winstanley Memo to Council:

It is the policy of the City of Seaside to make adjustments to water and sewer bills when a customer has experienced a leak on their property. Water leaks are unusual, but with 3500 customers not uncommon. Many jurisdictions will not make adjustments, but we feel this can result in significant hardship and some adjustment is appropriate. Our policy is the City will split the additional cost of the leak with the customer. This results in customer paying for fifty percent of the water and sewer overage associated with the leak. For residential customers there is not an additional charge for sewer when a water leak occurs because the sewer charge is a flat fee. But for commercial customers the sewer charge is based on consumption and can require an additional adjustment. Again, the City has reduced the bill by half of the overage based on previous usage. Mr. Cordova is requesting all the sewer overage be removed because his leak didn't result in the City processing any additional sewage. The City has never analyzed the type of leak occurring when making an adjustment. If the Council grants Mr. Cordova's appeal this would effectively change the policy moving forward. Mr. Cordova's leak was a broken pipe, but many leaks are caused by equipment failure (i.e. running toilets, dripping faucets, etc.). We are not always privy to all the circumstances surrounding a leak. In most cases customers are pleased with the adjustment the City of Seaside offers.

Mike Cordova Letters:

Letter from October 6, 2016. We would like to request a review of a decision by the City Manager. It is in regards to the property at 581 South Edgewood. My Father and Mother bought this property many years ago and used it for vacationing. Since my Father's passing, I work with my Mother in renting out the units to local workers in Seaside. We live north of Seattle and so manage the property from a distance. This has gotten us into trouble lately because of a water problem. We have had a couple of leaks underneath the individual units over the last couple of years. After the first leak almost 2 years ago we replaced the entire cold water system from the street through the main house and all the individual units. It required digging all the lines out and running all the new lines. The City Manager did grant a request to reduce our water bill. The amount reduced represented the fact that the lost water did not go through the sewer system. The reduction reflected a lowering of the sewer charges. About 6 months ago we experienced another water leak. This time it involved the hot water system under one of the individual units. We did not know about the leak until a city employee reading the meter found the needle spinning. We called our maintenance person who got out to the property as soon as he could and he made an emergency repair. The estimate to replace the entire hot water system is almost \$3,000. We are scheduled to have this job completed now that the busy season is ending. We have asked for relief of charges on our bill that relate to sewer charges. Obviously, most of the leaked water just entered the dirt and was not processed by the sewer system. Our sewer charges during this time period is in the thousands of dollars. The City Manager has refused our request. We are requesting a reduction of our sewer charges that occurred during the 2 billing periods. The reason it was 2 billing periods is because the first billing is when we first found the leak and the second billing occurred after the repair. We are apologetic of the problem that occurred but we have been responsible in fixing the problem as soon as we were made aware of the issue. I ask that we be held responsible for the water that was used but only responsible for the normal sewer usage during the 2 billing cycles. We have made two normal \$600 payments on the account. We appreciate your consideration.

Letter November 8, 2016. I am writing this letter as an addendum to a letter we wrote dated October 6<sup>th</sup>, 2016. The question has been asked of us to detail the amount of money we are asking to be forgiven. We have researched the past billings and here are the actual numbers. Our average water and sewer usage charges for the 2 billing periods before the problem was identified was \$359.32 with a consumption average of 62. After the problem was identified the next 2 billing periods produced billing for water and sewer usage of \$1,956.46 and \$2,027.27 and consumption of 277 and 271. If we asked for total forgiveness that would be \$3983.73 minus 2 months of average usage totaling \$718.64 equaling \$3265.09. We are asking for only a reduction of the sewer charges since the water was absorbed into the ground and not processed through the sewer system. Those figures for 2 billing periods would be \$2,488.13 for the sewer charges minus 2 months of average usage of sewer charges \$414.72 for a total of \$2,073.41. This figure represents the sewer charges not actually used. This is the amount we are asking to be forgiven. We appreciate your consideration.

Council President Johnson asked if Mr. Cordova was attending the meeting and would like to address the Council. Mr. Cordova was not attending the meeting.

Councilor Phillips stated after going through the paperwork and having a similar thing done to her home she thought the city was very fair in halving the bill. This was rules and policies the city has had a long time and Councilor Phillips did not see any reason to change things.

Councilor Montero stated she also had a water leak at her house and she was surprised and did not realize the city had the policy to forgive half the overage due to the water leak. Given that its residential may be different than commercial property and it was the cost of doing business to maintain your property and pipes.

Ms. Montero further stated should Council change the policy midstream then Council puts themselves in the position of having to review every single reason someone might have a water leak. In fairness with other people in the same situation, and looking at the future, Councilor Montero further stated she would vote to maintain the arrangement and policy the city has.

Councilor Barber stated he agreed, and the city was unique because many cities you pay the bill and do not get any adjustments.

Councilor Barber moved to deny the request for an appeal with a second from Councilor Phillips; carried unanimously. (Barber/Phillips)

**IGA STATE OF OREGON –  
3% RECREATIONAL  
MARIJUANA TAX**

Mark Winstanley, City Manager, explained this was an Intergovernmental Agreement between the State of Oregon, acting by and through its Department of Revenue and the City of Seaside. The voters in November approved a three percent tax on Recreational Marijuana Products and the State of Oregon currently placed a tax on recreational marijuana and one of the offers the State of Oregon has made is that if a local jurisdiction has a tax on marijuana, that they are willing to collect that tax on the cities behalf, but an agreement with the State of Oregon needed to be entered into if Council would like to have that done. It would be very advantageous for the city to allow the state to do that. The city currently receives liquor revenue, cigarette tax, and the State performs that function for the City. The State could collect this tax at the same time they are collecting their tax and they would simply pass that money onto the city while charging us a small fee of four percent of the total amount of revenue, the state would perform audits of the operators and that was another service provided.

Councilor Barber asked if Dan Van Thiel had read the IGA.

Dan Van Thiel, City Attorney, stated he had read the agreement and it was a good deal.

Included in packet was:

Marijuana Tax Collection Agreement.

Exhibit A – Dor Secrecy Clause and Secrecy Laws Certificate.

Exhibit B – Resolution #3878 – A Resolution of the City Council of the City of Seaside, Oregon, Approving a Ballot Title to be submitted to the Voters at the next General Election; Regarding a Measure that would impose a Three Percent Tax on the Sale of Recreational Marijuana Products in the City of Seaside.

Exhibit C – Ordinance No. 2014-06 – An Ordinance of the City of Seaside, Oregon, Establishing a Tax on the Sale of Marijuana and Marijuana-Infused Products and Declaring an Emergency.

Councilor Montero so moved that Council sign the IGA with the State of Oregon for the collection of the three percent tax on the sale of recreational marijuana products in the City of Seaside with a second from Councilor Phillips; carried unanimously. (Montero/Phillips)

Mr. Winstanley stated he wanted to point out the State had asked that the City Manager sign the IGA after Council's approval.

**PURCHASE –  
CONVENTION CENTER  
TRASH COMPACTOR**

Russ Vandenberg, Seaside Civic and Convention Center and Seaside Visitors Bureau General Manager, stated the convention center has received the following bids for the replacement of one (1) 20 Cubic Yard Trash Compactor and the price included installation. Compaction and Recycling Equipment, Inc \$23,900.00; Wessco Waste & Recycling \$23,190.00. After making a detailed comparison, staff recommended accepting the bid from Wessco Waste & Recycling in the amount of \$23,190.00. Mr. Vandenberg further stated the prior agreement belonged to Compaction and the agreement contained a five year automatic renewal and due to the assistance of Dan Van Thiel he was able to get that clause removed off the current lease.

Councilor Frank moved Council allow Wessco since they did their due diligence with a second from Councilor Morrissey; carried unanimously. (Frank/Morrissey)

**DONATION –  
CONVENTION CENTER  
READER BOARD  
SIGN – USED**

Mr. Vandenberg stated the convention center would like to donate the following Electronic Message Boards to the Sunset Empire Park and Recreation District: Three (3) Daktronic "Galaxy" Electronic Message Boards.

The Convention Center has recently purchased three (3) new replacement Units. Staff is recommending approval of the request.

Letter from Skylar Archibald requesting the message board:

Please accept this letter as Sunset Empire Park & Recreation District's request to acquire three (3) of the digital message boards currently in use by the Civic and Convention Center in Seaside, but scheduled for replacement in the coming weeks. Since its inception, the Sunset Empire Park & Recreation District has collaborated with the City of Seaside on many community initiatives, projects and agreements. The District feels fortunate to have good relationships with the individuals associated with the Convention Center and the City. The digital message boards currently in use by the Seaside Civic and Convention Center would assist the District in their marketing efforts and the communication of events, schedules and other announcements to our patrons. While the District has intentions of putting two (2) of the Boards to use immediately, we will seek to store the third board and use it for parts as time progresses. Thank you for your time and consideration. Please let me know if you have follow-up questions and I look forward to hearing back from the City of Seaside.

Councilor Frank asked if he was planning on placing the signs in front of the pool building.

Mr. Vandenberg stated Skylar Archibald, Sunset Empire Park and Recreation District Executive Director, stated if he could not use the signs on the outside of the building he was going to possibly use one sign inside but was looking for different options on how to use the signs.

Councilor Frank moved to allow this donation to take place since Skylar has a use for the signs with a second from Councilor Phillips; carried unanimously. (Frank/Phillips)

**VACANCY –  
LIBRARY BOARD**

Council President Johnson stated there were two vacancies on the Library Board with one term expiration from Tess Ratty who wished to be reappointed. James Shipley has served two full consecutive terms on the Library Board and that was the limit. Council President Johnson asked Council what they wished to do.

Councilor Montero moved to reappointed Tess Ratty to the Library Board with a second from Councilor Frank; carried unanimously. (Montero/Frank)

Council President Johnson stated there was a vacancy on the Library Board.

The term expiration for Tess Ratty would be December 31, 2020.

**VACANCY –  
TRANSPORTATION  
ADVISORY COMM.**

Council President Johnson stated there was one vacancy on the Transportation Advisory Commission with Robert Perkel resigning.

**UPDATE –  
CITY SIGNAGE  
PROJECT**

Jon Rahl, Convention Center & Visitors Bureau Assistant Manager, presented the Council with a power point presentation regarding Seaside Signage. Mr. Rahl stated there was money approved in this year's budget toward this special project, which was a little over \$50,000.00 for the infrastructure project. The Tourism Advisory Committee had been reviewing this information and this is what was being recommended so far. The power point presentation: The "Welcome to Seaside" signs on 101 are a great opportunity to entice folks who hadn't planned on stopping to turn off into town. New signs with our new logo would get people's attention, and could really help potential visitors understand all the great things to do in Seaside. They also provide visitors yet another iconic image to pose next to and share on social media. New Design — Icon Spinners: Idea for a different sign on each end of town: what if the main sign was the same, but they had different icons that SPUN attached on top? They would act like weather vanes and rotate on a pole attached to the top of the main sign. This would not only be eye-catching because of the bold, graphic and colorful nature of the icons, but also for their movement. It retains the fun nature of our brand, but in an elevated and original way. It would certainly differentiate Seaside, as no one else has signs like this. Lighting: Letters will be raised from background with lighting behind, so they are backlit and glow at night. Contextual Examples: There were examples of signs with lighting behind metal letters, so you can see the result we are aiming for. There were examples of how the sign would look from both front and back. With "OREGON" on the side. New Design #2 — Icon Spinners: Comparison: The new design greatly increases the visibility of our city's name. It is larger (spanning the whole width between the lamp posts), the letters are bolder, thicker and larger, and stand out in contrast to the background due to the bright brand colors and the moving parts. It also sits higher off the concrete base to make it more visible from the road. Existing Signage and New Design Ideas: One way to brand this sign is to simply update the current information, as it currently exists. We can also add the universal "information" symbol to help visitors. Here's a way to draw people to the Visitors Center and provide a special opportunity for people to stop, take photos and engage with the Visitors Center staff. Comparison: Applying the new look to the downtown kiosk will tie the brand together. We can also use a spinner on the top as a nod to the town welcome signs. Existing Signage: Our other big opportunity for carrying out your brand is here, at the sign near the Chevron. Since we have already welcomed newcomers to Seaside.

We can eliminate the "welcome" message. and make this sign different and special to encourage people to stop and take photos. New Design #1 — Logo: One way to make a splash is to use our logo as big as possible. showcasing all its icons in full color. Depending on engineering and cost. there's a chance we could add spinning elements to this sign as well. New Design #2 — Multi-directional Arrows: Another way to use this area is to place a multi-directional sign here, like the one which used to live by the turnaround during World War II (below). This would not only provide a colorful photo opportunity, but it could also guide visitors to their destinations and inform them of what else there is to do, that they might not already know about. New Design #3 — Art Installation: Or we could create an installation to combine these two elements in a fresh, new way of giving Seaside a new piece of public art which is also as functional as it is fun to look at. Some of the elements could also spin.

Council President Johnson stated Council had quite a few questions and wanted to schedule a workshop with the Tourism Advisory Commission.

Councilor Frank asked when the Tourism Advisory Committee meeting was.

Mr. Rahl stated the third Wednesday of each month at 3:00 pm.

Councilor Barber stated he was voting for moving the south sign closer in the city.

Councilor Morrissey stated Mr. Rahl and the Tourism Advisory Committee has done a great job on the project and he really like the directional signs.

**UPDATE -  
NORTH HOLLADAY  
DRIVE IMPROVE.  
PROJECT**

Dale McDowell, Public Works Director, stated there was not a lot to update on the North Holladay Project, the punch list was being worked on. There was a stop sign, street sign, and fire hydrant damaged on the North end with a vehicle running into them. This was a very nice clean project. The striping will be finished once the pavement dries out.

**COMMENTS –  
CITY STAFF  
AND OTHERS**

Dave Ham, Seaside Police Chief, stated Kiwanis would be selling Christmas Trees starting on Wednesday, November 30, 2016.

Russ Vandenberg, Seaside Civic and Convention Center and Seaside Visitors Bureau General Manager, stated there are twenty six surveillance cameras installed inside the convention center and four cameras on the exterior of the convention center. A camera on the outside's already captured a person spray painting the facility at 1:30am and the footage was turned over to the police department. The Festival of Trees event would be at the convention center on Saturday, December 3, 2016.

Mr. Rahl stated the 2017 Visitor Bureau's Guide was being proofed which will go out to press sometime around Christmas.

Brian Owen, Chamber of Commerce Director, stated the Yuletide in Seaside Parade turned out quite well and the Gift Fair which was at the convention center had eighty vendors this year.

Mr. Winstanley complimented the police and fire departments who have been fairly busy at this time of year.

**COMMENTS – COUNCIL**

Councilor Morrissey stated there was a great meeting today discussing the Mayor appointment that was upcoming and Council welcomes any public feedback on that until the next Council meeting.

Councilor Frank stated the Festival of Trees was a benefit and raised money for Seaside Providence Hospital for equipment that is needed.

Councilor Barber agreed with Councilor Frank and the parade was wonderful.

Council President Johnson stated he helped volunteer at the Community Thanksgiving at the Community Center. There were two hundred and thirty five people who attended.

**ADJOURNMENT**

The regular meeting adjourned at 7:55 PM.

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Kim Jordan, Secretary

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DON JOHNSON, COUNCIL PRESIDENT