

- CALL TO ORDER** The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Larson.
- ROLL CALL** Present: Mayor Don Larson, Council President Don Johnson, Councilors Seth Morrissey, Randy Frank, and Tita Montero. .
- Absent: Councilors Jay Barber and Dana Phillips
- Also Present: Mark Winstanley, City Manager; Dan Van Thiel, City Attorney; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; Neal Wallace, Public Works Director; Kevin Cupples, Planning Director; John McKeivitt, Seaside Water Foreman; Jon Rahl, Convention Center & Visitors Bureau Assistant Manager; and Katherine Lacaze, Daily Astorian/Seaside Signal.
- COMMENTS – STUDENT REPRESENTATIVE** Mayor Larson stated Comments – Student Representative was not on the agenda. Mayor Larson asked Taylor Barnes to give Council an update.
- Taylor Barnes, Seaside High School Student Representative, stated last week was the first week of school and was three days. There was orientation with all the teachers and introducing the new students and the exchange students. There were thirty new students not including the freshman this year. Mr. Barnes further stated there was a couple of new classes this year a College English Class, Computer Class, and a Specialized College Class. There was also a new Ballroom Dancing Club. The football team was 1-1 so far, boy’s soccer was 2-1 and was playing the state champions tomorrow and the Cross Country team was in Tillamook this last weekend and the Three Course Challenge would be at Camp Rilea. Homecoming week was a week early this year and was four days with many contest and events going on. There would be a Homecoming Parade through town with a tailgate party after.
- AGENDA** Councilor Frank so moved to approve the agenda with a second from Councilor Morrissey; carried unanimously. (Frank/Morrissey)
- PROCLAMATION** Councilor Montero read the Proclamation for Constitution Week.
- COMMENTS – PUBLIC** Angela Fairless, 846 10th Avenue, Seaside, stated since Council brought up the Constitution she wanted to say real quickly, I know it’s not on the agenda but were on public comments so its anything goes, right. Since Council would be hosting a workshop in October about the homelessness issue and you are talking about the Constitution tonight she wanted to add to my intended comments that recently the department of justice came out with a statement saying that ordinances like the one that we have, the illegal lodging ordinance that say you cannot sleep on public land is actually unconstitutional so I suggest you guys look into that its just one of those new blurbs out on MSN and wherever else. From the department of justice it was unconstitutional to take away the rights of Americans to sleep on American soil. Ms. Fairless further stated in a couple of weeks or I guess a month or so we will have the possibility of recreational sales through the Medical Marijuana Dispensaries. I’m not sure if the City Attorney or Manager has come out with a statement on whether or not they think that we need to amend the City Charter in the same way that we did for medical marijuana in order to allow these limited recreational sales to be done through the marijuana dispensaries and so that was something she would like to ask the Council to do so we can get that done as soon as possible since that started on October 1, 2015. Ms. Fairless suggested the Council do more work on adding proposed ordinances and amendments and things like that to the City website as soon as they are proposed so that the public has access to them. Kim was really great about getting them to me when asked but the public should not have to ask. The City should do a little bit more in regard to making the public information really easily accessible and now with technology that was fairly easy.
- Mayor Larson asked Ms. Fairless about the event for Vicky from the Sunset Empire Parks and Recreation District (SEPRD).
- Ms. Fairless stated there was a retirement party planned for Vicky Yarborough who worked at SEPRD for over thirty four years. The retirement party was Saturday, September 19, 2015, from 1:00 pm to 3:00 pm at the Mary Blake Playhouse.
- Tyler Walker, 550 S. Roosevelt, Seaside, stated he was a local business owner of a marijuana dispensary that is open in Seaside, Cannabis Nation, and was at the meeting to address the October 1, 2015, recreational sales which had not been addressed by Council if it would be allowed or not. Mr. Walker further stated he would like to have the option to sale recreationally like the State was allowing. Neighboring cities were going to allow this and that would drive the potential business out of here towards other cities. Mr. Walker further stated as long as we follow our strict guidelines and the business was heavily regulated and opened for approximately a month and for the last two weeks there had been a petition sitting on the counter just to get an idea what the locals were feeling and there were two hundred signatures received.

Sam Conner, 150 S. Wahanna, Seaside, stated he was here in regard to the City's flags. There were American flags flying at the various parks around the City and back in June, 2015, leading up to the 4th of July celebration it was brought to the City's attention that those flags go unlit all night. Mr. Conner was a veteran and it was possible that Council was as well and could understand the importance of paying proper respect to that flag. The flag lights at Cartwright Park were not functioning for almost a year and a half at least.

John Baldrige, 850 7th Avenue, Seaside, stated he had been at the last few meetings asking for a permit ban on backyard burning in Seaside. In speaking with Mayor Larson he informed Mr. Baldrige there would be a meeting to discuss the ban on outdoor burning. Mr. Baldrige would like to know when that meeting was taking place and also that one or more of our Seaside residents to be present at the meeting to give their opinions as well. Mr. Baldrige's wife who had respiratory disease would also like to be at the meeting.

Mayor Larson stated he had a meeting to discuss the ban on backyard burning. A few years ago this was tried and all the opposition was to not ban burning. Mayor Larson further stated at this time it was not an issue.

Mr. Baldrige stated there was actually opposition.

Mayor Larson stated the last time the issue was brought up nobody wanted to ban burning in Seaside and as of today it was not an issue.

CONFLICT

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

No one declared a conflict of interest.

CONSENT AGENDA

Mayor Larson asked for a motion and a second for approval of the Consent Agenda.

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

**APPEAL – BUSINESS
LICENSE DENIAL,
NORTH COAST
DISTILLING**

There was a business license application received from North Coast Distilling, 10 N. Holladay, for a Spirit Tasting Room (vodka samples) which was denied by the Seaside Police Chief and City Manager. In speaking with the Oregon Liquor Control Commission (OLCC) staff was informed a distilling license did not go before the City Council and was approved by OLCC only. The owners of North Coast Distilling, Lawrence and Christina Cary were appealing the denial of the business license and were attending the City Council meeting for discussion.

Lawrence Carey, North Coast Distilling, stated they were trying to open a retail tasting room in Seaside. Through the State of Oregon we were allotted a certain amount of tasting room not bar per say. They were granted tasting privileges up to two and a half ounces per person per day. What was done in Astoria was to offer a flight of three tastings for \$5.00, and the flights were approximately a half ounce each. Mr. Carey showed Council what a half ounce looked like and what a two ounce glass that was served at bars looked like. Customers come in and they are given a taste and they are given an education on how spirits were made, seasoned, and how to achieve the end products. Mr. Carey brought letters of reference for Council to review.

Mayor Larson stated he could buy three of these for \$5.00

Mr. Carey stated you could try different samples.

Councilor Montero stated but only once a day.

Mr. Carey stated only once a day which was two and a half ounces per day per person.

Councilor Montero stated to some extent you are tracking customers.

Mr. Carey stated he had to and knew exactly what they do and most of his customers were repeats. There were a lot of customers who lived in Seaside that stopped by Astoria to grab a bottle or two. They like the experience of coming in and learning about the process. In Astoria you get to see it and there would be books so when they come to Seaside they can see it.

Councilor Montero stated she read the Oregon Distillery Tasting Privilege, the permit, and there is a section that spoke about a trade visitor. Councilor Montero asked what a trade visitor was.

Mr. Carey stated a trade visitor would probably be a distributor for me and unfortunately for us in the State of Oregon it's all distributed through Oregon. If Mr. Carey had distributors in Washington and they came down he would give them a special glass and it was usually off hours with them and does not interfere.

Mayor Larson asked how long Mr. Carey had been in business in Astoria.

Mr. Carey stated they opened February, 2014.

Councilor Frank asked if the people serving were OLCC permitted.

Mr. Carey stated yes and at this point it was his wife and himself.

Mayor Larson stated he could try three samples and then buy three bottles to take out and cannot open it inside.

Mr. Carey stated that is correct and they were a retail outlet for OLCC. They receive reports of all sales and he had a retail room and was not a bar.

Councilor Frank asked if this went through the normal background check.

Mayor Larson stated yes it does.

Mark Winstanley, City Manger, stated not with the City it does not.

Councilor Frank stated just as a distiller he saw no reason why they shouldn't grant a business license in Seaside.

Council President Johnson asked if that was a move and a second.

Councilor Frank stated yes, with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

**PRESENTATION –
CLATSOP ECONOMIC
DEVELOPMENT
RESOURCES (CEDR)**

Kevin Leahy, Clatsop Economic Development Resources (CEDR) Executive Director, stated CEDR was the connector of businesses in our community. Overview of CEDR and Clatsop Community College Small Business Development Center (SBDC): CEDR Mission: Deliver business-driven economic development services to create, grow and retain businesses in Clatsop County. OSBDCN Mission: Helping Build Oregon's Best Businesses. CEDR Goals: expand, retain and recruit businesses and industry, develop existing and new industry clusters, increase per capita income, diversify the economy and promote managed economic growth through year-round family jobs, lead delivery of professional economic development searches by bringing together the efforts of multiple organizations. OSBDCN Vision: "The Oregon SBDC network is Oregon's preeminent provider of effective and innovative business advising and training services. VALUES: Honesty, Integrity, Responsiveness, Confidentiality, Accessibility, Innovation. Mr. Leahy discussed the CEDR 2015 approved budget for July 2015-June 2016. Mr. Leahy requested from the City Council \$10,000.00 in support funds for this year which was a \$2,500.00 increase from past years which was \$7,500.00.

Mayor Larson asked if CEDR paid twenty-five percent of Penny Rogers's salary.

Mr. Leahy stated that was correct and Clatsop Community College paid seventy-five percent. Mr. Leahy discussed the CEDR Board of Directors for 2015. There was an article included in the packet "Clatsop SBDC wins Small Business Administration's (SBA) honors". Mr. Leahy gave Council the CEDR 2015 year-to-date results for Clatsop Community College (CCC) SBDC Performance recap, and major projects.

RESOLUTION #3854

A RESOLUTION OF INTENT TO VACATE A CERTAIN PROPERTY IN THE CITY OF SEASIDE, OREGON, DIRECTING THE CITY MANAGER TO GIVE PUBLIC NOTICE AND SET A DATE OF HEARING

Mr. Winstanley explained at the Council meeting August 24, 2015, Mr. Poole came before the Council with a request to vacate a certain portion of 21st Street which was by the high school. Mr. Winstanley stated the City Council was provided a resolution of intent to vacate certain property (Street Vacation on a portion of 21st Street, owned by the Marianne Poole Trust) in the City of Seaside and directing the City Manager to give public notice and set a date of hearing. If Council were to pass Resolution #3854 the City Manager is hereby directed to give notice as provided for in ORS Chapter 271. The process of the street vacation: Request or petition to Council, Resolution of intent, posting of notices (2 places within the area of the street vacation), public notice of vacation (2 consecutive times – 14 days prior to public hearing), mail notices to property owners, public hearing, ordinance providing for vacation, and file with county clerk. Mr. Winstanley further stated the question had come up among conversation as far as Councilors were concerned about the possibility of the ability of licensing. Vacating a piece of property means the City gave up all rights to that and basically turned that vacation over to the property owner which in this case was the Poole's. A licensing agreement was a little bit different and allowed for the property owner to enter into an agreement; in this case the City of Seaside would legally allow them to use that portion of public right-of-way.

Dan Van Thiel, City Attorney, stated a license was something that was temporary in nature and it normally was something that could be extinguished in most instances at the discretion of the party that grants the license. Example: Years ago he loved to fish for steelhead and he had a client that had a nice piece of property on the Necanicum and the owner gave Mr. Van Thiel permission which was a license to use the property and was good as long as he owned the property. Mr. Van Thiel further stated a license was discussed with Mr. Poole and it was generally unacceptable because if there was anybody that would loan money on the property they would generally find a license to be unacceptable because by its very nature it could be withdrawn at the discretion of the City.

Mayor Larson asked for public comments.

Wayne Poole stated he had a pretty good summary and can't add to it. Basically when he found out the pool was built into the undeveloped right-of-way on 21st Avenue then he knew there was a problem. In order to transfer title or change financing there was a proposed vacation. Mr. Poole further stated the property owners were satisfied with the proposal that was presented. The fact is 21st Avenue was not a very good access from Holladay because of the corner. Mr. Poole further stated this was the recommendation in trying to solve a problem.

Bob Cook, Seaside, stated he petitioned the City a few years ago to have the street in front of his property and the river vacated because it was a dead end and was told no that it was not to their advantage. That was the policy at that time and he thought that policy was still there. Mr. Cook asked if the license permit could be sold.

Mr. Van Thiel stated the answer was no.

Mr. Conner asked if by the City vacating the property it would increase the value of their land.

Mr. Van Thiel stated that would be something at the assessor's office for this county to take into consideration. Mr. Van Thiel further stated he would suggest probably little if anything would be added to the value of the property but Mr. Van Thiel stated that would be the assessor's office.

Mr. Conner stated selling the property would increase it and would be a fairly minimum raise in value.

Mayor Larson stated minimum was right, he would assume.

Mayor Larson asked for Council comments.

Councilor Morrissey stated he sympathies with the situation that Mr. Poole was in, as a representative of the tax payer he did not feel the City could simply just give it away and Council tried going over the sale aspect last time and that isn't really an option either. Councilor Morrissey further stated from his perspective the only thing that he could really support was the licensing.

Councilor Montero stated she was not sure what the decision was on whether we could sell it last time, because Mr. Van Thiel said it was a no go last time. Councilor Montero asked Mr. Van Thiel if he could refresh her memory.

Mr. Van Thiel stated the City could probably say I will tell you what this dialogue could take place "We'll consider vacating the street and the owner would contribute x number of dollars to the coffers of the City of Seaside". Mr. Van Thiel had not given a whole lot more thought than that. Mr. Van Thiel represented a number of communities and had not seen a City sell a piece of property as a condition based on a vacation.

Councilor Montero stated she was looking for something else in the ordinances and she just happened to come across a table of all the vacations that we've done as a City since 1941. It doesn't say why, all it says is what was vacated and there was an ordinance for every single one of them. There are probably good twenty or thirty vacations in here but what's very interesting is that there has not been one vacation since April 27, 2009.

Mayor Larson stated that was the streets just south of Coast Hardware.

Councilor Montero stated vacated a portion of Holladay Drive actually was the last one we did in 2009.

Neal Wallace, Public Works Director, stated that was at the south 'Y'.

Councilor Montero stated yea and that was for our purpose, was it. Anyway what I find interesting there's a history of these but none since 2009. This kind of thing is also subject to what people are thinking at that point in time and everything. I've not really changed my opinion about being, I have a fiduciary responsibility to our voters and to our tax payers and I just don't think we can give it away.

Mr. Van Thiel stated he represented the City a long time probably forty to forty-five years. I would be interested to know when you go back forty to forty-five years how many vacations there had been because he could remember that his policy had always been consistent and that was pretty much what Councilor Montero had said. You have a responsibility and this was the public's property and it had to be dealt with care and responsibility and if we deal with people then it had to be on an even basis.

Mayor Larson stated Council would treat someone who did a good job or didn't do a good job equal.

Mr. Van Thiel stated he would hope Council would. There was tendency to want to look at people differently.

Mayor Larson stated to Councilor Montero that he had looked at these vacations before and south of Coast Hardware Council had vacated those streets three times. Mayor Larson did not think there was ever any value paid to us. This was a mistake that was evidently made maybe forty-five to fifty years ago.

Councilor Johnson stated since 1976.

Mayor Larson stated he can't imagine that Council wanted to sit on a fifty foot by forty-three foot piece of street for eternity. If the piece of property was for sale and this was a piece that was hanging up, fine he did not think it meant anything to anybody. Mayor Larson stated to Councilor Montero he did not believe that most of the people that voted for any of them know about this street. This is just not a known item; this was only known by the people here and the people in the audience. Nobody realizes there is supposed to be a street down there.

Council President Johnson stated the only thing he was afraid of was setting a standard. Somebody has a fence or a shed or something else that had been built on City right-of-way, City property, or City anything else.

Councilor Frank stated he felt the same way even though he knew the family pretty well and members of the family he just can't. Councilor Frank would have to go with what Mr. Van Thiel recommends to us and don't want to set that precedence for any reason. Besides Bob I know a few other people who have asked for vacation streets including Tom Horning and I think it was a wise thing that the Council stick to what we do and abide by that recommendation.

Mayor Larson asked Mr. Van Thiel and Mr. Winstanley to tell him about the precedence. Vacating three streets at the south end was that setting precedence. Council just vacated them.

Mr. Van Thiel stated he could not speak to that because he did not know what the bases of it was. Mr. Van Thiel assumed you could reach a point on a vacation when you look at what's asking to be vacated that it is absolutely worthless to the City and in so far as you can look into your crystal ball and also conclude it will never be any value to the City. That was kind of a hard bar to reach. Mr. Van Thiel did not know about those other vacations, but he will bet there had not been very many vacations he had been providing advice for.

Mr. Winstanley stated he was not sure he could remember a situation where the City found a property owner in the right-of-way and having told the property owner to get out or something along those lines. Having said that there's lots of property owners that were in our right-of-way and was very common and was not unusual to go to the property owners especially with street improvements and tell them they have to move a fence or lawn. In addition something that was more common was when property owners exceeded their setbacks and that was almost the same kind of situation even though they were still on their property. Mr. Winstanley stated for the most part it would not bother the City unless the City had a need and that was for Council to decide.

Councilor Frank stated it was his understanding that this would not cancel the sale of the property and it could still be sold.

Mr. Poole stated financing would be difficult because the bank would take the property as collateral and they would have an issue with the title.

Mr. Van Thiel stated it could be transferred. The Poole's can sell the property but they could not just sell it and warrant it to somebody.

Councilor Montero stated so if there was a lease on it they could potentially sell the property. They can't sell the lease so the new owner would have to come back to the City for the lease.

Mr. Van Thiel stated that affects the sale of the property. Mr. Van Thiel further stated he was sure there was other ways in which we could create a lease on the property and how long does the lease need to be. There could be an easement created

Councilor Morrissey stated there was a distinction that had not been made yet. Wouldn't the average vacation request be done prior to the development for instance like a company wants to come in like the outlet mall and take over the City streets they apply for that application request before they do the development as opposed to this where the development was already there and coming after the effect.

Councilor Montero stated that was the kind of vacation she believed the Mayor had been referencing.

Mayor Larson stated it was very hard to project what was going to happen four years or forty years.

Motion to accept this resolution and give them the property fifteen by forty-three; **failed with no second** (Larson)

Mr. Poole stated he understood the concern with treating people equally and he did not want to be treated differently but was just trying to solve a problem and what was suggested to us was the vacation just with the general theory that streets are dedicated to the public and were donated and if not needed would go back to the adjoining land owners. If the idea that was not really necessary as a street was acceptable to the Council I would have no issue with doing some compensation and could there be a discussion and a way that it could be bought.

Council President Johnson stated he had no problem with staff working with Mr. Poole to see if they could come up with some kind of arbitration or something like that.

Mr. Van Thiel stated certainly the staff could enter into those discussions. It was not up to him to look at the value of property or anything. If Council took that approach however if that was a criteria, would that be for anyone that wanted a vacation.

Mayor Larson stated was Council saying if staff comes up with something like a reimbursement or a sale or cost. Council had not wanted to give the property away at all. Was Council willing to let Mr. Poole buy the piece of property? There was no reason for staff to work with Mr. Poole if Council was not going to do it. Mayor Larson stated those three streets that were vacated three times and money was not exchanged.

Councilor Morrissey was still concerned about a precedence being set.

Mayor Larson stated the City had done more vacation he thought then they had turned down over the years.

Councilor Montero stated not according to these records. The records that are in the ordinances only show the vacations that had taken place.

Mr. Winstanley stated he wanted to make sure Council realized that it was not unusual for individuals to inquire of the City as to whether we would vacate property and the message that from a staff standpoint the City did not vacate streets because they were not being used.

Mr. VanThiel stated his thought was that the City would listen to anything the Poole family might propose. The City should look at any options the Poole family has to present.

**PRESENTATION –
VARIABLE INTAKE
INSTALLATION**

John McKeivitt, Public Works Water Foreman, presented Council with a video presentation for the Peterson Point Reservoir Variable Intake Installation. This would help to bring the water quality up even more and would cut down on the cost of chemicals and supplies. There was now flexibility since it was a variable intake and we can determine the depth in which we withdraw the water now. Previously it was a fixed intake at a depth of thirty feet.

Councilor Frank stated the intake always takes from the same area but from different depths.

Mr. McKeivitt stated that was correct but there is the ability to move very slightly east and west.

Councilor Frank stated the algae bloom that happened a couple of years ago was all surface.

Mr. McKeivitt stated algae went through a process and traveled throughout the water.

**BID RESULTS –
RFQ SEASIDE
BRAND REFRESH**

Jon Rahl, Convention Center & Visitors Bureau Assistant Manager, stated the Visitors Bureau received five proposals for the City of Seaside Visitors Bureau Branding Refresh and Style Guide Development. The five bids received: Bradshaw Advertising from Portland, Oregon not selected as a finalist, DHX Advertising from Portland, Oregon not selected as a finalist, DVA Advertising from Bend, Oregon selected as a interview finalist \$25,000.00 bid, Lookout Consulting from Portland, Oregon selected as a interview finalist \$20,000.00, and Vertigo Marketing from Bend, Oregon selected as a interview finalist \$12,000.00. Mr. Rahl further stated early last month there were five submissions reviewed for the project rights to conduct a brand refresh and develop a communications style guide for the Seaside Visitors Bureau. After consulting with the Tourism Advisory Committee (TAC) at the regular August meeting, the committee agreed to move forward with three finalists. Mr. Rahl further stated August 27, 2015, TAC Chair Marci Utti and Mr. Rahl conducted three, one-hour video conferencing interviews to see who might be the best fit for the project. All candidates were asked the same series of 14 questions. After making a very detailed comparison, the Seaside Visitors Bureau recommended Lookout Consulting for the project.

Although one finalist projected the costs to be significantly lower than the other two project bids the organization did not have the same skillset of expertise that was needed to commence the project. Lookout Consulting had an overwhelming amount of destination marketing experience in communities throughout Oregon. Mr. Rahl further stated Seaside had been a leader in tourism marketing and as a travel destination for many years and was important that during this strong growth a step back was taken to analyze future marketing materials and where the focus of advertising dollars should be spent. Mr. Rahl was extremely confident and comfortable offering the contract to Lookout Consulting, as they would help to refresh the look while providing a completed brand style guide – something Seaside had never had before. The finished product would ensure very consistent communications in all promotional efforts.

Councilor Frank asked if there was a time frame once someone was hired.

Mr. Rahl stated the Visitors Bureau was under a timeline and the goal was to have it finished by the end of November.

Councilor Frank stated if you guys have chosen to look at consulting I would move that we go with your recommendation with a second from Council President Johnson; carried unanimously. (Frank)

Mr. Rahl stated there were fewer visitors at the Visitor Bureaus but lots of information being pushed out.

**FEDERAL AVIATION
ADMINISTRATION (FAA)
GRANT**

Mr. Wallace stated the Federal Aviation Administration (FAA) had awarded the City of Seaside AIP Grant #3-41-0057-005-2015. The grant was for pavement repairs and upgrades, fencing along the boundary with the Four Winds residential community, and new pilot controlled runway lighting. The FAA would fund 90% of the allowable cost of the project up to a maximum obligation of \$475,000.00. This would allow for a total project cost of \$527,778.00 and a maximum city obligation of \$52,778.00. Mr. Wallace further stated this would be the last of the regular AIP funding for the Seaside Airport. Our airport was declassified last year based on the number of flights and the number of aircraft based at the airport. A positive change in those numbers could see us reclassified. FAA would automatically revisit our airport conditions in ten years. Until then, we would still be eligible for Pavement Management Program (PMP) funds for basic repair and maintenance. Mr. Wallace further state staff recommended Council accepts the grant to put the Seaside Airport in the best shape which would get us through until the next evaluation.

Councilor Frank moved to accept the grant with a second from Councilor Morrisey; carried unanimously. (Frank/Morrisey)

RESOLUTION #3853

A RESOLUTION OF THE CITY OF SEASIDE, OREGON, ESTABLISHING FEES FOR MEDICAL MARIJUANA GROW SITE PRODUCTION AND PROCESSING LICENSE APPLICATIONS AND ASSOCIATED BACKGROUND CHECKS

The City Council had adopted an ordinance that would establish licensing provisions for medical marijuana grow sites. In conjunction with this effort, the approval of Resolution #3853 would establish a fee schedule for the new licensing process. It is intended to help offset the costs associated with processing the new licenses when the ordinance became effective. After hearing any public comments on Resolution 3853; review the new medical marijuana grow site projection and processing license fees.

Mayor Larson asked for public comments.

Ms. Fairless stated she would be super fast because it is bedtime for her child. A couple of things, the word may should be taken out. Either decide if it was for businesses or resident. Define that, the word may should not be in any law and needs to be more defined than that. \$700.00 a day penalty seemed crazy especially if it isn't for businesses. I would just encourage Council to try to be less limiting and restricting. Ms. Fairless further stated she was trying to do something to better her life and family as a lot of business owners heard Mr. Lehigh talk about how the majority of businesses in Clatsop County were family owned. Stop discriminating against medical marijuana or recreational marijuana it's just another plant that's going to be used. You got a bunch of shot glasses in front of you and you think that's all fine. I'm tired, and I'm just tired so I don't have the patience to be all kind and sweet. I'm sick and tired of having discrimination and restrictions, it's freakin America. And my brother, I watched like we are told this stuff about freedom and I watched my brother go through so much and I watched him pull shrapnel from his head and the stuff we are told about freedom is not what you guys are doing in regard to marijuana so please rethink it, hold a workshop, take your time, do your research, and stop being so restricted it's the land of the free. Thank you.

Eric Saucedo, 846 10th Avenue, Seaside, stated kind of the same think she said. Loosely written, home inspections they don't say how many or how frequent. \$700.00 a day if you're not compliant seemed a little bit unfair. I have space I've been working on, got injured. The word may as she said put any patient at risk of the inspections and these fines which that doesn't sound fair as far as a person's medical coverage.

Councilor Montero stated she was going to interrupt Mr. Saucedo there. Am I blind, I don't see that?

Mayor Larson stated this was only a business license fee.

Mr. Saucedo stated when he saw it earlier its not posted online or anywhere for the public to just Google and find it.

Mayor Larson stated this was a resolution for the Medical Marijuana Grow Site License application fees.

Ms. Montero stated this is exactly what were looking at tonight.

Kevin Cupples, Planning Director, stated this was the fee for doing the license for Medical Marijuana Grow sites.

Councilor Montero stated the ordinance had already been passed.

Mr. Saucedo stated the ordinance had passed and had to sit there for a while.

Mr. Winstanley stated that ordinance had been passed and was now in effect.

Mr. Saucedo apologized for the confusion. It's the rest of the actual bill that seemed like it needed to be reworded just so it doesn't damage the sick people or anyone just trying to take care of themselves.

Councilor Morrisey stated Eric and Angela were referring to the original ordinance.

Mayor Larson asked for Council comments.

Council President Johnson moved to read by title only with a second from Councilor Montero; carried unanimously. (Johnson/Montero)

Council President Johnson moved to adopt with a second from Councilor Frank; carried unanimously. (Johnson/Frank)

COMMENTS – COUNCIL

Councilor Frank stated there was a workshop next week and he would encouraged anyone who wanted to weigh in on Hood to Coast in any way to show up to that next Monday, 6:30 pm.

Councilor Morrisey stated he was downtown for the Hood to Coast and obviously the beach festivities were destroyed by the winds and when he was down on the beach it seemed like a lot of the runners had a great time.

Mayor Larson stated pictures were taken in the basement of the Shilo Inn.

Councilor Morrisey stated he thought Council should at least take a look at the ordinance for Medical Marijuana Grow Sites because he was looking at the language and there might be some issues and maybe was something for everyone to take a look at and address.

Mayor Larson asked how soon Councilor Morrisey wanted to do that.

Mr. Winstanley stated he needed some clarification. Was Councilor Morrisey talking about Medical Marijuana Distribution or Medical Marijuana on a production?

Councilor Morrisey stated production.

Councilor Montero stated while many of the runners seemed to have a lot of fun, etc. As I walked around downtown I heard a lot of information from merchants who were somewhat harmed financially by the turn of events and so I am hoping that information comes out next week. Councilor Montero further stated we had a very successful Wheels and Waves this past weekend with about 300 cars which is a high in the recent past.

Mayor Larson stated he wanted to remind staff he talked about this in January that he did not like skateboards and bicycles on the sidewalks at Broadway and he did not like bicycles riding the wrong way. There was an ordinance posted and it was our policy and the police were not as busy as they were two weeks ago and it was time to enforce that. Mayor Larson further stated he really wanted that enforced.

Bill Carpenter gave an update after attending the Act meeting tomorrow. A couple of quick notes we had a very good discussion concerning some non highway projects. There was \$9,000,000.00 allocated by the state among four different regions which gave approximately \$2,000,000.00 for each region and there was \$11,000,000.00 worth of projects. There was not a lot of money out there because of the way the feds and the State had handled their transportation obligations. Mr. Carpenter further stated the Highway 101 widening between Safeway and the 'Y' was going to happen and that money was guaranteed and would happen in 2018.

COMMENTS – STAFF

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated there was a new event this year which was the Oregon Association Municipal Recorders (OAMR). The Woman in Recovery would be this weekend.

Mr. Cupples stated Tuesday, September 15, 2015; he would be attending the Planning Work Session for the potential expansion of the Urban Growth Boundary.

Mr. Winstanley stated he would like to compliment the police department, fire department, and public works department. It was difficult doing the Hood to Coast event and was even more difficult with the kind of condition the event was faced with.

ADJOURNMENT

The regular meeting adjourned at 8:09 PM.

Kim Jordan, Secretary

DON LARSON, MAYOR