

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:00 pm.

Councilors Present: Nemlowill, Warr, Price, Mayor LaMear, and Ward 2 is vacant.

Councilors Excused: None

Staff Present: City Manager Estes, Community Development Director Cronin, Parks and Recreation Director Cosby, Finance Director Brooks, Fire Chief Ames, Police Chief Johnston, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

REPORTS OF COUNCILORS

Item 3(a): Councilor Warr had no reports.

Item 3(b): Councilor Price reported that she attended several sessions at the League of Oregon Cities Conference in Salem. At one of the sessions, Senator Johnson and three of her colleagues spoke about the prospects and challenges of getting a transportation package in 2017. The clear message was that if Oregon wants a transportation package, everyone must have some skin in the game. Nobody wants to pay for anything, but the list of projects totals more than \$15 billion. This list of projects was developed during the committee's statewide listening tour, which only came as close as Newport. The list includes road, marine, air, and rail projects. All members of the committee pleaded with those who attended the session to have robust discussions in their municipalities about what could be done locally and what each jurisdiction would expect from the State. She promised to help Senator Johnson schedule a meeting in the north coast area within the next couple of months. She hoped City Council would discuss transportation as well because it will become very important to Astoria over the coming years. She also reported that her next salonical was scheduled for Friday, October 7th at from 12:00 pm to 1:30 pm in the Waldorf Room at City Hall.

Item 3(c): Councilor Nemlowill reported that the League of Oregon Cities event was educational, fun, and thought provoking. She attended some classes on leadership, growth, innovative character compatible housing, and economic development. Most importantly, she attended a workshop that reaffirmed her desire to make community visioning and strategic planning a top priority for Astoria. She read the following quote by Michael Gara, former Town Manager of Bridgewater, Nova Scotia, Canada: "If you don't know what you want to be, then you have no control over what you'll end up being. You won't know until it's too late if you like how you've turned out."

Item 3(d): Mayor LaMear reported that City Council always picks up a great deal of information at the League of Oregon Cities Conference. She most enjoyed the session that discussed legislative priorities for 2017. The legislature has some big issues to handle, including the transportation package, Public Employees Retirement System (PERS), and comprehensive property tax reforms.

CHANGES TO AGENDA: There were no changes.

Mayor LaMear presented Alana Garner with a certificate honoring Ms. Garner for her service and devotion as Executive Director of the Astoria Downtown Historic District Association (ADHDA). She proclaimed October 4, 2016 as Alana Garner Day.

Alana Garner thanked City Council and said her three years with the ADHDA had been a wonderful experience. She would be moving to La Grande, Oregon to get her Master's Degree in historic preservation and economic development. It was a pleasure working with the Councilors and the City.

PRESENTATIONS

Item 5(a) Update on Construction of New Aerial Fire Truck

Fire Chief Ames gave a PowerPoint presentation on the status of the construction of the new aerial fire truck. He reviewed the work done during each week of construction and described several components of the truck and its equipment. He answered questions about the color of the truck and noted that Staff chose the nicest and least expensive color.

Councilor Nemlowill acknowledged and thanked Chief Ames for facilitating this project.

Councilor Warr said he saw a brand new pumper truck in town about a week ago. He asked if the truck was in Astoria for training purposes. Chief Ames said no, the pumper truck was a demonstration truck on tour along the coast to show municipalities what the manufacturer has available.

Celia Davis asked what aspects of the new truck were unique to Astoria's needs. Chief Ames said the truck has a dual axle rear end and two sets of stabilizing jacks instead of a tripod to accommodate stopping on hills.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

6(a) City Council Minutes of 9/6/16

6(b) Finance Department Status Report

6(c) Fire Department Status Report

6(d) Spur 14 Waterline – Revised Contract Amendment for Construction Engineering Services (Public Works)

6(e) 16th Street CSO Separation Project – Payment Adjustment No. 6 (Public Works)

6(f) Authorization to Award Contract to ArborPro, Inc., for Tree Inventory and Condition Services in Astoria Parks and Open Spaces (Parks)

Councilor Price requested that Item 6(b) be removed for further discussion.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Nemlowill, to approve Items 6(a), (c), (d), (e), and (f) on the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Nemlowill, and Mayor LaMear; Nays: None. Ward 2 is vacant.

Item 6(b): Finance Department Status Report

Councilor Price confirmed that the 13 Occupational Safety and Health Administration (OSHA) Injury Reports had been filed within the calendar year.

City Council Action: Motion made by Councilor Price, seconded by Councilor Warr, to approve Item 6(b) on the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Nemlowill, and Mayor LaMear; Nays: None. Ward 2 is vacant.

REGULAR AGENDA ITEMS

Item 7(a): Liquor License Application from Michael Cameron-Lattek, doing business as Street 14 Café, Located at 1410 Commercial Street, for an Additional Privilege for an Off-Premises Sales License (Finance)

A Liquor License Application has been filed by Michael Cameron-Lattek, doing business as Street 14 Café, Located at 1410 Commercial Street, Astoria. The application is for an Additional Privilege for an Off-Premises Sales License. The appropriate departments have reviewed the application and it is recommended that Council consider approval of the application.

Councilor Nemlowill recused herself from voting because the Applicant is a client of her family's business, Fort George Brewery.

Mayor LaMear confirmed there were no public comments.

City Council Action: Motion made by Councilor Price , seconded by Councilor Warr, to approve the Liquor License Application by Michael Cameron-Lattek, dba Street 14 Cafe. Motion carried unanimously. Ayes: Councilors Price, Warr, and Mayor LaMear; Nays: None. Ward 2 is vacant.

Item 7(b): Ordinance No. 16-06 Readopting Local Fuel Tax (2nd Reading and Adoption) (Finance)

This proposed ordinance received its first reading at the September 19, 2016 City Council meeting. Ordinance No. 07-02, which was adopted August 20, 2007, pertains to the provision for administration, enforcement and collection of three cents per gallon business license tax on motor vehicle fuel dealers. The use of tax revenue is for the construction, reconstruction, improvement, repair, maintenance, operation and use of City owned roads and streets within the City of Astoria, roads and streets for which the City is contractually or legally obligated to operate and maintain, or roads and streets for which the City has accepted responsibility under intergovernmental agreement. The City of Astoria and the City of Warrenton adopted three cents per gallon business license tax ordinances at the same time and both will sunset in 2017, unless re-adopted. Astoria and Warrenton desire to continue the road tax for road maintenance by readopting their respective ordinances. The City of Astoria has an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) for the collection and administration of the City's fuel tax which was amended in May, 2016 to coincide with City of Warrenton's IGA ending September, 2016. Both Agreements have been extended through September 30, 2021. It is advantageous to have the ordinance renewal coincide with the timeline for the IGA with ODOT and early readoption by both Councils is being sought. City Attorney Henningsgaard prepared the attached readoption ordinance. It is recommended that the City Council hold the second reading and adopt the proposed ordinance readopting a motor vehicle fuel tax.

Director Brooks conducted the second reading of the ordinance.

Mayor LaMear confirmed there were no public comments.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Price to adopt the ordinance readopting a motor vehicle fuel tax. Motion carried unanimously. Ayes: Councilors Price, Warr, Nemlowill, and Mayor LaMear; Nays: None. Ward 2 is vacant.

Item 7(c): Resolution No. 16-19 Declaring a Vacancy for the Position of Councilor, Ward 2 (City Council)

Drew Herzig was elected to the position of Councilor Ward 2 for a four year term expiring on December 31, 2016. Mr. Herzig has submitted his resignation as Councilor of Ward 2 effective September 13, 2016. Pursuant to Astoria City Charter Sections 4.8 and 4.9, the Astoria City Council may appoint an individual to the position or declare that a vacancy exists in the position of Councilor, Ward 2 and that said vacancy will be filled at the next available election, November 8, 2016. It is recommended that Council either determine to make an appointment or consider the attached resolution stating the vacancy will be filled at the next available election, November 8, 2016.

Councilor Price believed Tom Brownson should be appointed immediately because he was running unopposed for the position and had demonstrated a willingness and commitment to serve.

City Council Action: Motion made by Councilor Price to appoint Tom Brownson to the vacant Ward 2 City Council seat and immediately administer the Oath of Office. Motion died for lack of a second.

Councilor Warr said in the past, City Council had always decided to wait for the next election to fill vacancies. He believed this would be the best course of action. Councilor Nemlowill agreed.

Councilor Price wanted to know why Councilors Warr and Nemlowill disagreed with her. The candidate is present, he is running unopposed, and City Council cannot move forward with a full Council.

Councilor Nemlowill stated she did not believe there was any urgency. City Council is well aware of Staff's time and it is not necessary to bring on a new Councilor before January. Staff takes time to give new Councilors tours and educate them about the various departments and she did not believe this was urgent.

Councilor Price said she and Councilor Nemlowill took their tours in November and this year's tour could be postponed until after the November election so that the Ward 4 representative could tour at the same time. She asked if the City Manager considered it a burden on Staff time to fill the seat now. City Manager Estes responded that was a City Council issue.

City Council Action: Motion made Councilor Warr, seconded by Councilor Nemlowill to adopt the resolution stating the vacancy will be filled at the next available election, November 8, 2016. Motion carried 3 to 1. Ayes: Councilors Warr, Nemlowill, and Mayor LaMear; Nays: Councilor Price. Ward 2 is vacant.

Item 7(d): Parklet Proposal (Community Development)

On August 3, 2015, Council unanimously approved the launch of the Parklet Pilot Program. City staff has received an application from a business owner regarding the potential of a "parklet" to be located within a designated, on street parking space in downtown Astoria. The application and supporting documents are attached. A parklet will facilitate the use of public space for small, outdoor, commercial spaces in the street rights of way adjacent to storefront locations. In many cities that permit this activity, the street becomes an activated and inviting community space. In downtowns or older commercial areas where public space might be underutilized, parklets are an urban design tool to provide more outdoor seating, landscaping, and to inject more activity into the streetscape. Since parklets involve the private use of a public right of way, City staff (including ADHDA) has drawn on work done in other cities, including Sacramento and Portland, to develop and adapt several policies which were adopted by Council August 3, 2015. The ADHDA Executive Director and Board President reviewed the revised proposal and reiterated their support. As a reminder, once a property owner proposes a parklet project, staff would review the project and then present the proposal with a recommendation to the City Council for final approval. It is recommended that Council approve the proposed parklet with the conditions contained in the memorandum.

City Planner Nancy Ferber reminded that this Parklet Program is in the pilot stage, so the policy could still be changed as needed. She displayed a timeline of the project and gave a brief history of the proposal. She gave a detailed description of the proposed parklet area, noting the City's design and installation requirements and features of the proposed parklet.

Councilor Nemlowill asked why the Applicant was willing to give up a parking space in front of his business.

Jim Defeo, Astoria Coffee House, said he believed there were a lot of parking spaces in town and he rents seven parking spaces for his customers.

Mayor LaMear said she has seen quite a few parklets in other areas and most of them have a platform with tables and chairs. This proposed parklet looks very different.

Mr. Defeo noted there would be some built in benches and room to add tables.

Councilor Price stated the parklet has been available for viewing for several weeks. This is great for a pilot project because of the different elements this parklet contains. People can see how the various elements react in the weather. She appreciated the reclaimed wood.

Mayor LaMear confirmed the Applicant had the option to include tables and called for public comments.

Jeff Daly said he helped design the parklet, which will be seven feet deep and built within the confines of the parking spots. The flooring will be made of recycled plastic water bottles with a row of black tiles separating the flooring from the curb. Tables may be added. The bench is a pier from underneath the 14th Street Dock. After the installation is complete, improvements and additions can be made. As part of this pilot program, he was looking for involvement from the City and the public about what works and what does not work. He has worked with the ADHDA and City planners to develop this concept and see how it works. The community can learn from

this project to establish a great program. He noted that all of the wood and some of the copper is recycled. The concept was to utilize free materials. The materials are finished with water resistant products so the colors will not fade. Mr. Defeo will maintain the parklet, so there will be no expense to the City. He believed the parklet would be exactly as Michelle Reeves described, a place that gives people the opportunity to discover the businesses on the street and allows people to socialize. He believed the parklet would be a great addition to the City and he hoped to see more.

Mayor LaMear asked if the benches would only face one direction. Mr. Daily confirmed the benches would face the curb. The four-foot tall retaining wall would protect people in the parklet from vehicle traffic. Everything will be modular so they can be quickly and easily be removed at any time for any reason. He believed the agenda packet included about 150 signatures from people who supported this concept. Everyone he has spoken to has been enthusiastic about the parklet. San Francisco has parking issues, but also has parklets that bring people together and make neighborhoods more unified. This was his goal, to get people downtown during the day and night to celebrate the local businesses.

Mayor LaMear said she supported parklets, but she had never seen one like the one being proposed. Mr. Daily said most parklets use painted materials, but the guidelines in this pilot program requests that recycled materials be used.

Mayor LaMear asked if parklets in other areas had limited widths. Mr. Daily said yes, a parklet takes up one parking spot, which is approximately 18 feet by 7 feet. This parklet will not take up that entire space, so there will still be plenty of clearance.

City Council Action: Motion made by Councilor Price, seconded by Councilor Warr to approve the proposed parklet with the conditions contained in the memorandum. Motion carried unanimously. Ayes: Councilors Price, Warr, Nemlowill, and Mayor LaMear; Nays: None. Ward 2 is vacant.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS (NON-AGENDA)

There was none.

City Council recessed to convene the Astoria Development Commission meeting at 7:43 pm. The City Council meeting reconvened at 8:01 and went into Executive Session.

EXECUTIVE SESSION

Item 9(a): ORS 192.660(2)(i) – Performance Evaluations of Public Officers and Employees

The City Council will meet in Executive Session to discuss a performance evaluation.


Item 9(b): ORS 192.660(2)(d) – Labor Negotiation Consultations

The City Council will meet in Executive Session to consult with members of its labor contract negotiating team.

ADJOURNMENT


There being no further business, the meeting was adjourned at 9:05 pm.

ATTEST:



Finance Director

APPROVED



City Manager