

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

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

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

Mayor LaMear announced that Agenda Item 6.b regarding the appeals for the wireless communication facility would not be heard tonight as Verizon had requested a continuance until January 4, 2016.

## REPORTS OF COUNCILORS

**Item 3(a): Councilor Warr** reported that on Thursday, November 12, he and City Manager Estes attended the Columbia Pacific Economic Development (COL-PAC) District and Northwest Area Commission on Transportation (ACT) meetings in Tillamook. Astoria is still in first place for receiving funding for the sidewalk project near the high school.

**Item 3(b): Councilor Price** reported on her most recent salonical, which was sparsely attended. The main topic was the need for sidewalks on Irving and 33<sup>rd</sup> near the Safeway sign. However, opinions vary on this topic. The next evening, someone told her the only place in Astoria that needs sidewalks is downtown. She also attended the opening of the faculty art center at Clatsop Community College (CCC). The gallery has been renamed for Royal Nebeker. It is rare to be around so many of Royal's works, and she encouraged everyone to see the exhibit. The caliber of art in this community is quite striking. On November 13, she was on the *Friday with Jim* Show, which has been posted on her website [www.cindypriceastoria.com](http://www.cindypriceastoria.com). She invited the public to the reopening of the Irving Street Bridge on Thursday, November 18 at 11:00 am, Coffee with a Cop on Wednesday, December 2 at 1:00 pm at Coffee Girl, and the Library Task Force meeting on November 19 at 6:30 pm in the Flag Room of the library.

**Item 3(c): Councilor Herzig** reported the Lower Columbia Diversity Project (LCDP) hosted a presentation and panel discussion on veteran homelessness. Attendees included Mayor LaMear and State Representative Deborah Boone. The event received good coverage in the *Daily Astorian*. Immediately following the presentation, he went to Salem to sit on a panel to review the Arts Builds Communities grants for this year, noting he had been invited by Brian Wagner, Oregon Arts Commission. The five-member panel reviewed 52 grant applications for projects from communities attempting to build their community through the arts. Projects included murals, public art in gardens and parking lots, literary activities, film projects, and getting theatre into prisons. One film project involved homeless people filming their own lives. The panel was able to fund 27 of the 52 projects. The process provided an interesting overview of how Oregon is trying to bring arts into the community as a community-building tool. He attended a Parks and Recreation Master Plan meeting, where Ian Sisson gave a multimodal presentation. After the last City Council meeting, he reported to Oregon Department of Transportation (ODOT) that citizens had concerns about the pedestrian crossing signals on Marine and Commercial. He had spoken with Mike Schroeder, who said he had not heard any of these concerns. Councilor Herzig was referred to Mark Buffington, who said he would take the concerns under advisement and make adjustments to the signals. The adjustments will leave the walking figure on longer before the "don't walk" hand signal appears. Next year, the traffic signals will be replaced with countdown signals. He was forwarded an email from the emergency room at Columbia Memorial Hospital (CMH), which asked when the warming center would be open. The emergency room is receiving many wet and cold homeless people. The warming center is working to open for this coming weekend. He was overwhelmed knowing that the emergency room was depending on a non-funded, volunteer operation to relieve their load. The community must step up because one small church hall cannot deal with this issue alone. This is a problem everyone shares and everyone needs to be part of the solution.

**Item 3(d): Councilor Nemlowill** reported she was a member of the Parks and Recreation Master Plan Citizens Advisory Committee (CAC), which will be hosting a tour of park facilities on December 5. This will be a great opportunity for the public to learn about most of the parks and facilities in Astoria. The tour will include a trolley ride, a walk on the Riverwalk, and a hike. Astoria's park system is more vast than most people realize, even people who are familiar with park facilities. The time of the tour is yet to be determined. Next week, the CAC will publish a survey online at [www.astoriaparks.com](http://www.astoriaparks.com) and on Facebook to gather public input about the future of Astoria's parks. As an incentive for taking the survey and sharing it with others, one \$50 park pass will be awarded each day for 40 days. She hoped the survey and incentives would be a good investment that generates a lot of public input. The CAC has already held two public input sessions and conducted a survey at Monster Bash, but the Committee still needs more input. She noted that Dulcye Taylor was also a member of the Committee.

**Item 3(e): Mayor LaMear** reported that she spoke with the Encore group from Clatsop Community College about the Mayors of Coastal Cities Conference in New Hampshire, which addressed rising sea levels and coastal erosion. The group was very interested in the topic and her talk lasted an hour and a half. She enjoyed the opportunity to use what she had learned at the conference. She also attended LCDP's presentation on veteran homelessness, which was very worthwhile. Sidewalks were discussed at her Meet the Mayor event earlier in the month. She met with Suzanne Bonamici to discuss ways the federal government can assist Astoria with housing issues. Even though new housing is being built for the Coast Guard, the city will still have a housing shortage.

#### **CHANGES TO AGENDA**

No changes.

#### **CONSENT CALENDAR**

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of 10/19/15
- 5(b) City Council Work Session Minutes of 10/19/15**
- 5(c) Boards and Commission Minutes
  - (1) Historic Landmarks Commission Meeting of 9/1/15
  - (2) Planning Commission Meeting of 8/25/15
- 5(d) Waiver of Downtown Overtime Parking During the Holiday Season

Councilor Price requested Item 5(b) be removed for further discussion.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Nemlowill, to approve Items 5(a), (c), and (d) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

#### **Item 5(b): City Council Work Session Minutes of 10/19/15**

Councilor Price noted the following correction:

- Page 3, paragraph 1, lines 2 and 3 – "Hillsboro has no strategic plan *on its website*."

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Warr, to approve Item 5(b) of the Consent Calendar, as corrected. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

#### **REGULAR AGENDA ITEMS**

#### **Item 6(a): Public Hearing and Ordinance A15-03 regarding Development of Code and Comprehensive Plan Language and Corresponding Map Amendments to Implement the Neighborhood Greenway Area (41<sup>st</sup> to 54<sup>th</sup>) of the Riverfront Vision Plan (Community Development) (1<sup>st</sup> Reading)**

In 2008-2009, the City of Astoria developed the Riverfront Vision Plan (RVP) to address issues dealing with open space, land use, and transportation issues along the Columbia River. Significant public involvement

opportunities were designed to gain public input. This process was initiated to plan for these issues in a comprehensive manner and to set a framework for the future of the study area. The City's north Riverfront (Columbia River to West Marine / Marine Drive / Leif Erikson Drive) was divided into four Plan areas of development: Bridge Vista (Port/Smith Point to 2nd Street), Urban Core (2nd to 16th Street), Civic Greenway (16th to 41st Street), and Neighborhood Greenway (41st Street to 54th Street, east end of Alderbrook Lagoon). City Council accepted the Riverfront Vision Plan in December 2009. Since that time, the City Council has set goals regarding implementation of the Riverfront Vision Plan. Implementation of recommendations from the Riverfront Vision Plan in the Neighborhood Greenway Plan Area will take the form of map amendments, Development Code and Comprehensive Plan amendments.

Proposed map amendments will include: 1) Apply the new Neighborhood Greenway Overlay (NGO) Zone to the Neighborhood Greenway Plan Area; and 2) Rezone the water area between 41st and 54th Streets between the shoreline to the pier head line from A-3 (Aquatic Conservation) to A-4 (Aquatic Natural).

Proposed Development Code text amendments will include: 1) Add Neighborhood Greenway Overlay Zone to address the standards for over-water development including structure height and width, allowable uses, and landscaping; 2) Add new design standards for multi-family development in the Neighborhood Greenway Plan Area; 3) Add new design guidelines for multi-family residential and non-residential development in the Neighborhood Greenway Plan Area; 4) Establish landscaping standards for multi-family residential and non-residential construction/uses. There would be no landscaping standards for single-family and two-family dwellings; 5) Allow some exemptions for the few existing over-water buildings to continue to be viable businesses thereby preserving the historic structures; 6) Limit new, over-water development to maximum height of top of bank; and 7) Make miscellaneous "housekeeping" amendments related to references to the above noted amendments.

Proposed Comprehensive Plan text amendments will include: 1) Update the description of the Alderbrook Area and reference the Neighborhood Greenway Overlay Area and Riverfront Vision Plan implementation; 2) Acknowledge the growing impact of traffic to the neighborhood; 3) Add a policy to investigate the possibility of extending the trolley to the Alderbrook area; and 4) Change designation of aquatic area from conservation to natural, and amend allowable uses in the Aquatic Natural designated areas to include the exception for existing structures.

The Planning Commission held a public hearing at the October 27, 2015 APC meeting and unanimously recommended that the Council adopt the proposed amendments. A public hearing on the Amendment is proposed for the November 16, 2015 City Council meeting. It is recommended that Council hold a public hearing and consider adoption of the proposed ordinances. If the Council is in agreement with the recommendation of the Planning Commission, it would be in order for Council to hold a first reading of the two separate ordinances.

City Manager Estes reviewed the Staff report included in the meeting packet.

Mayor LaMear opened the public hearing at 7:28 pm and asked if anyone objected to the jurisdiction of the City Council to hear this matter at this time. There were no objections. She asked if any member of the City Council had any conflicts of interest or ex parte contacts to declare. There were none. She read the procedures governing the conduct of public hearings and rules of appeal to the audience and advised that applicable review criteria was contained in the Staff report, which could be obtained from the Community Development Director. She called for testimony in favor of, impartial to, or against the application. Hearing none, she closed the public hearing at 7:30 pm and called for Council discussion and deliberation.

Councilor Nemlowill asked if the exploration of extending the trolley line through Alderbrook could result in a zone change. Planner Johnson explained the recommended Comprehensive Plan language simply encourages the investigation of whether the trolley line could be extended. If the trolley line were extended, a zone change would not be necessary because utilities, such as the trolley or a railroad, run through all zones. She confirmed that the proposed zone change would not impact railroad tracks.

Councilor Herzig asked if Alderbrook residents understood that extending the trolley line could bring non-residents into the area because the area is so beautiful. It would be wonderful for the Alderbrook residents to be able to ride the trolley into town, but traffic may also come into Alderbrook. Planner Johnson confirmed there was no discussion about visitors riding the trolley into Alderbrook. She noted that visitors would likely ride the trolley

back out of Alderbrook as well, so the trolley extension could reduce the number of pedestrians on Alderbrook's streets.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Price to conduct the first reading of the Ordinance amending the Development Code and Land Use and Zoning Map to implement the Neighborhood Greenway Area of the Riverfront Vision Plan. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Director Cronin conducted the first reading of the ordinance amending the Development Code and Land Use and Zoning Map.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Warr to conduct the first reading of the Ordinance amending the Comprehensive Plan to implement the Neighborhood Greenway Area of the Riverfront Vision Plan. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Engineer Harrington conducted the first reading of the ordinance amending the Comprehensive Plan.

Councilor Herzig noted that much of the correspondence received mentioned tent caterpillars in the Alderbrook area. He asked if Public Works or Parks and Recreation were doing anything to deal with the caterpillar issues. Staff confirmed there were no plans for addressing the caterpillars.

Councilor Herzig understood Parks and Recreation was concerned about the use of pesticides and herbicides. If a plan is developed, he was sure Staff would use caution and refrain from putting toxins into the environment.

**Item 6(b): Appeals by Ron Zilli for the Wireless Communication Facility Permits at 1580 Shively Park Road (Request to Continue Hearings to the December 21, 2015 City Council Meeting) (Community Development)**

**(1) Appeal (AP15-01) on New Construction Permit (NC15-03)**

On August 3, 2015, Verizon Wireless LLC applied for a New Construction permit (NC15-03) to the Historic Landmarks Commission (HLC) to construct a new wireless communication facility at 1580 Shively Park Road within Shively Park. On September 15, 2015, the HLC held a public hearing and approved the request with conditions. A Notice of Appeal on the HLC decision was submitted by Ron Zilli on September 30, 2015 stating that the request should be denied listing several issues for the basis of denial. A public hearing on the Appeal has been advertised and is scheduled for the November 16, 2015 City Council meeting. The applicant has requested that the hearing be continued to the December 21, 2015 City Council meeting. It is recommended that the City Council continue the public hearing to December 21, 2015.

**(2) Appeal (AP15-02) on Variance (V15-03)**

On August 3, 2015, Verizon Wireless LLC applied for a Variance permit (V15-03) to the Astoria Planning Commission (HLC) to construct a new wireless communication facility at 1580 Shively Park Road within Shively Park with a height of 150', which would exceed the maximum 45' height. On September 16, 2015, the APC held a public hearing and approved the request with conditions. A Notice of Appeal on the APC decision was submitted by Ron Zilli on September 30, 2015 stating that the request should be denied listing several issues for the basis of denial. A public hearing on the Appeal has been advertised and is scheduled for the November 16, 2015 City Council meeting. The applicant has requested that the hearing be continued to the December 21, 2015 City Council meeting. It is recommended that the City Council continue the public hearing to December 21, 2015.

**(3) Appeal (AP15-03) on Wireless Communication Facility (WCF15-03)**

On August 3, 2015, Verizon Wireless LLC applied for a Wireless Communications Facility permit (WCF15-03) to the Astoria Planning Commission (HLC) to construct a new wireless communication facility at 1580 Shively Park Road within Shively Park. On September 16, 2015, the APC held a public hearing and approved the request with conditions. A Notice of Appeal on the APC decision was submitted by Ron Zilli on September 30, 2015 stating

that the request should be denied listing several issues for the basis of denial. A public hearing on the Appeal has been advertised and is scheduled for the November 16, 2015 City Council meeting. The applicant has requested that the hearing be continued to the December 21, 2015 City Council meeting. It is recommended that the City Council continue the public hearing to December 21, 2015.

City Manager Estes noted the Staff reports for all three appeals request the hearings be continued to the December 21, 2015 City Council meeting. However, Verizon has requested the hearings be continued to January 4, 2016 to avoid potential conflicts with holidays.

**City Council Action:** Motion made by Councilor Nemlowill, seconded by Councilor Price to continue the public hearings of Appeal AP15-01, Appeal AP15-02, and Appeal AP15-03 by Ron Zilli to January 4, 2016. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Councilor Herzig said these appeals were being discussed on social media. He believed it would be difficult for City Council to avoid ex parte contacts. This is a land use issue that Councilors should not discuss with any member of the public. Any privileged information must be shared with the entire Council. He hoped the public would understand that sharing concerns with an individual Councilor would put Councilors in a difficult situation.

**Item 6(c): Right Turn Permitted Without Stopping Investigation (Public Works)**

There are several primary routes through the City that allow "Right Turn Permitted Without Stopping" secondary signs below stop signs to facilitate movement. While this existing condition has proved successful for many years, it does have some drawbacks that have resulted in complaints. DKS Associates, a transportation engineering and planning firm, investigated the situation. They recently completed both the City of Astoria and Clatsop County Transportation System Plans. DKS has reviewed relevant travel paths through town to identify and will provide recommendations at the City Council meeting. DKS presented the results of their study to the Traffic Safety Advisory Committee at their October 27th meeting. The Traffic Safety Committee recommends adoption of Option 4. Examples include the possible placement of a dedicated right turn lane at the foot of 7th Street turning northbound onto Highway 202 and "Stop Sign Ahead" signs where stop sign violations are known to occur at a rate higher than expected. It is estimated that the cost for these changes will be around \$10,000. This issue is being forwarded to Council to determine if funds should be allocated to address the concerns. Should Council concur with Option 4, Public Works staff will work to implement this within the current Fiscal Year budget.

City Manager Estes stated the Public Works budget had funds available for the signage and striping included in Option 4.

Chris Majeski, DKS Associates, and Engineer Harrington presented the details of Staff's recommendations via Power Point, which were included in the agenda packet. The presentation included the elements and key findings of Staff's investigation and a technical overview of each option. As the details of the changes at each intersection recommended in Option 4 were described, Mr. Majeski and Engineer Harrington responded to questions and comments from Council as follows:

Councilor Nemlowill believed Option 4 was a good option for the intersection of 8<sup>th</sup> and Irving (Figure 16 on Page 167 of the Agenda Packet) because public feedback has indicated the intersection is currently confusing. However, she believed drivers should be clearly directed to use the right turn lane on 8<sup>th</sup> Street instead of driving to the stop sign to make a right turn. Mr. Majeski said if this proposal is implemented, some supplemental ground striping could be added. He could work with Staff to determine if a treatment like this would be appropriate. Engineer Harrington suggested a directional arrow, in addition to the advance warning signs that have already been recommended. The advance warning sign is intended to mitigate against increased accidents that could be the result of the added stop sign by giving as much warning as possible.

Councilor Herzig asked how Option 4 would let drivers know a left turn was permitted from southbound 15<sup>th</sup> on to eastbound Niagara (Figure 17 on Page 168 of the Agenda Packet). The striping shown seems to indicate traffic can only turn right. Even though the striping is a broken line instead of a solid line, he believed it was more confusing than the existing condition at the intersection. Mr. Majeski explained the dashing is part of what indicates turns are allowed. Even a location with a solid double yellow stripe allows turns across the center turn lane. The dashes are a standard striping treatment on any roadway. The Manual on Uniform Traffic Control

Devices recommends the dashed striping to accentuate crossing movements. The dashes are an addition to the striping treatment to make the directions clear.

Councilor Herzig appreciated Mr. Majeski's response, but disagreed. He believed a dotted curved line indicated traffic could only go in one direction. Only people familiar with the traffic manual would know a left turn across the curved dotted line was legal. He believed the dotted line would create confusion about whether one could legally turn across the dotted curving line. Mr. Majeski believed the intent of the policy is to strengthen the need for drivers to stop, use their signals, and yield to traffic turning left heading north. The striping is intended to improve southbound drivers' expectations so they wait for a driver turning left. The dashes are a safety enhancement to make the striping clearer.

Councilor Herzig noted several concerns about the recommended changes to the route that includes the intersections of Niagara and 7<sup>th</sup> and Niagara and 8<sup>th</sup> (Figure 18 on Page 168 of the Agenda Packet). He referred to Figure 18 and asked how a driver would know that a left turn across all of the line was legal. Mr. Majeski said per state law, the driver's manual, and the striping.

Councilor Herzig stated he does not drive with the manual in his hand. He believed the striping was very confusing and failed to indicate where turns were allowed, similar to the intersection of 15<sup>th</sup> and Niagara. He believed more confusion and accidents would occur. Drivers, particularly visitors, are likely to stop in the middle of the intersection while deciding which way to go. He added that the retaining wall on the northwest corner of 8<sup>th</sup> and Niagara creates a sight distance issue that requires drivers to proceed into the crosswalk in order to see adequately. Mr. Majeski said research of safety treatments considers the safety of potential decisions that drivers may make when confused. A stop is not a crash, so stopping in the middle of the intersection would be safer than proceeding through the intersection when it is inappropriate to do so. He believed the recommendations erred on the side of safety.

Councilor Herzig disagreed. Locals coming up to the stop sign expect to make a right turn. A car that stopped in that intersection out of confusion could cause an accident.

Mayor LaMear asked what made the new wording "except right turn" more clear than "right turn without stopping." She was not sure the new wording was clearer. Mr. Majeski was unsure why the standard language had been changed in the traffic control devices manual. However, the manual is intended to create nationwide consistency, so as signs are upgraded, all communities will display the same message. He believed the wording may have been changed to make the signs more consistent with other signs that use the word "except."

Mayor LaMear asked how many states allowed right turns without stopping. Mr. Majeski explained that national standards allow right turns without stopping, but he was unsure how many states allowed them. Each state can adopt their own supplements to each standard and Oregon has allowed right turns without stopping for quite some time. He was not aware of other state's exception policies and if they were consistent with the national recommendations.

Mayor LaMear said Oregon is the only state she has ever lived in where right turns are permitted without stopping. Engineer Harrington added that ODOT has indicated no problems as a result of converting to the new signs on state highways, which have higher speeds than the streets included in this traffic analysis. Downtown Nehalem is a good example of this. Mr. Majeski said the Washington County study has higher speed applications of the signs. Where speed is higher, advanced speed curve warning signs will be installed. The County does not want drivers to expect to drive 40 miles per hour through a curve on a rural facility, so the warning signs will indicate the curve is to be driven at 15 miles per hour.

Councilor Price was concerned about a 20 percent increase in travel from the north to the south side of Astoria would take 30 to 60 seconds longer. She preferred Option 1 because it seemed simpler. With Option 4, she was concerned about the maintenance of the paint and the need for additional signage. She understood paint would be easy to change if the striping did not work, but paint would need to be reapplied every couple of years. She asked what fund would be used to pay for these improvements and if spending these funds would require another expenditure to be sacrificed. If there is a sacrifice, will the improvements be worth it? City Manager Estes confirmed the project would be paid for out of the Public Works Street and Roads Fund and nothing would need to be sacrificed. Staff can accommodate these improvements this fiscal year without making any cuts. Staff is attempting to respond to citizens and Councilors concerns about improvements to the streets included in

the traffic analysis in a way that meets statutes. Research Washington County and ODOT indicates other jurisdictions are realizing benefits after making similar improvements.

Councilor Herzig was concerned with the new language "except right turn," which he believed failed to convey a complete thought. He agreed Option 4 was a good proposal for the intersection of 8<sup>th</sup> and Irving. However, he was very concerned about the changes that Option 4 recommended for other intersections. Confusion already exists at several intersections and the recommended striping will accentuate confusion even more. Striping that indicates fewer options is very problematic. He also believed Option 4 would result in significant traffic delays, especially during rush hour. These delays have not been factored in to the recommendations. Engineer Harrington explained that Fire and Police Department comments were included in the traffic analysis because this is an emergency response route. The time delays may not sound like much, but 20 to 40 seconds could be critical to a patient in an ambulance. This is one of the biggest benefits provided by creating this through route. Requiring emergency vehicles to stop at each stop sign would have an impact.

Councilor Warr confirmed the Manual of Uniform Traffic Devices recommends stop signs at intersections with five or more accidents per year. The traffic analysis indicated there had been 19 accidents in 10 intersections over the last five years, which is an average of one accident at each intersection every 2 1/3 years along the studied route. Historically, these intersections have been very safe and he was astounded these recommendations were being discussed. He asked if Mr. Majeski considered the 10 intersections unsafe. Mr. Majeski said the data did not indicate safety issues.

Councilor Warr said he was confused about why these improvements were being discussed because the existing traffic control measures at each intersection have worked for many years. He understood 8<sup>th</sup> Street was confusing, but there has only been one accident at 8<sup>th</sup> and Irving in the last five years. He asked if Mr. Majeski believed Option 4 would make the intersections substantially safer. Mr. Majeski said based on his research, this issue is not about safety, but about clarifying driver expectations and perceptions. He did not believe the recommended improvements would change the accident data substantially.

Councilor Price asked Staff to address her issues with maintenance. It seems like all of the striping would be a lot of maintenance. She asked how often the route would need to be restriped. Engineer Harrington stated the Public Works Department restripes every year. The plan for Option 4 is to stripe the route with paint the first year in case adjustments need to be made. Then, Staff would budget for thermal plastic because it is very important for the dashed striping through the intersections to remain in place. The City currently uses thermal plastic on crosswalks because they get many more years of service out of it. The thermal plastic is almost permanent and only needs occasional patching. Lane lines where traffic does not cross very often does not get too much wear. The thermal plastic wears where the traffic goes through, so the worn pieces would need to be replaced.

Councilor Nemlowill appreciated the TSC's recommendation and the fire and police chiefs' comments in the study. She believed Option 4 made sense. She asked if Staff believed a problem existed that required a solution. She questioned whether the City needed to move forward with these improvements since this was less about safety and more about clarifying driver expectations. City Manager Estes confirmed this issue of driver confusion through certain intersections was presented to the TSC and some Councilors who forwarded comments to Staff. Staff considered how to make the intersections easier to navigate with clear direction that complied with the Manual of Uniform Traffic Control Devices. He believed the improvements were necessary to adequately address the public's perceptions. The improvements will provide benefits and the overall costs are small. There will be an initial set-up cost, but maintaining the thermal plastic will have minimal impact to the budget.

Councilor Nemlowill said she supported the improvements because there would be no negative long-term costs and they address the concerns of the public.

Mayor LaMear said she did not support the recommendations. While she did agree that improvements were needed at 8<sup>th</sup> and Irving, she did not believe the wording on the signs should change. She understood the City has received many complaints about 8<sup>th</sup> and Irving and she was only willing to support the recommended changes for that intersection. No other changes are necessary. Engineer Harrington explained that statutes in the Manual of Uniform Traffic Control Devices require the signs to be changed to the new wording. ODOT has already mandated the new signs on Highway 202 and 7<sup>th</sup> Street to be consistent with their protocol.

Councilor Herzig said since the citizens have brought this concern to the City, the concerns should be addressed. He believed the recommended changes at 8<sup>th</sup> and Irving were good, but he did not want to adopt the

recommended improvements for any of the other intersections. The extra striping creates more confusion and puts people at more risk.

Mayor LaMear called for public comments.

Shel Cantor, 1189 Jerome, Astoria, said DKS produced a well-documented report with creative ideas including a vast improvement for the currently anomalous intersection at 8<sup>th</sup> and Irving. He agreed these improvements were very impressive. Option 1 would simply remove the signs that permit right turns without stopping at all of the studied intersections, which are confusing. Staff could consider combining Option 1 with removing or moving other stop signs at those intersections to convert the intersections to standard intersections. This would eliminate all confusion. Option 4 includes implementing that idea at 14<sup>th</sup> and Jerome. However, standard intersections could be implemented in more areas. He believed standard intersections were the least confusing. Currently, emergency vehicles will slow down as they approach an intersection and if the route is clear, they will make a right turn without stopping where signs indicate this is allowed. Removing the "right turn permitted without stopping" signs will not change this. He did not believe removing these signs would prompt fire trucks to stop in fear of receiving a citation from the police. Therefore, he questioned why the wording on the signs was a concern. When intersections become icy, it would be best for a driver to have full control of their vehicle and come to a full stop before attempting a right turn instead of entering the intersection at speed and making a right turn on ice. He urged City Council to consider Option 1 because he believed it was the least expensive, least confusing, and least risky. The other options are good ideas, but anytime changes are made, there is an added risk.

Larry Bryant, 4915 Leif Erikson, Astoria, said when he first came to Astoria 20 years ago and started seeing the right turn allowed on red signs, he thought the idea was crazy. He has always been concerned about visitors and newcomers approaching intersections with these signs, like 8<sup>th</sup> and Niagara. Visitors and new residents may not know these signs exist because not many states allow right turns without stopping. Astoria's tourism is increasing, so more people are being confused by this situation. Some of the options that call for adding more paint to the ground could add confusion instead of remove confusion. For the benefit of visitors, he suggested signs like one on westbound Niagara that indicates oncoming traffic or traffic from the right does not stop. Pulling up to an intersection and seeing the back side of a stop sign might not be a clear indication of who is supposed to stop.

Daryl Moore, 3377 Grand Avenue, Astoria, stated he was a member of the Planning Commission and Traffic Safety Advisory Committee and he voted to recommend Option 4. He explained that Engineer Harrington is a professional civil engineer who must renew his certification every year, which requires ongoing professional education. The City's professional traffic engineer, who has been employed to make recommendations, has also recommended Option 4, as did the police and fire chiefs. All of these Staff members have quite a bit invested in traffic flow. These professionals have made their careers out of traffic engineering and their work is being judged by people who are not traffic engineers, which he did not understand. He recommended City Council take the advice of the professionals on this issue.

Councilor Price asked if the TSC believed all of the intersections included in the study needed to be fixed and whether there was any discussion about only improving 8<sup>th</sup> and Irving.

Mr. Moore explained that the TSC was presented with the same four options and unanimously voted to recommend Option 4. While he could not speak for the other Commissioners, he did read the data. Based on the professionals' statements, there are no safety concerns at any of the intersections. When he first moved to Astoria 10 years ago, it only took him one time driving through an intersection to figure out how the traffic pattern worked. Everyone already understands what "except right turn" means. Once the wording on the signs change, it will only take one time through the intersection to figure out the traffic pattern. Therefore, the recommended changes will not be a big problem. He did not believe there has been any concern about safety issues, but clarification was the objective. He believed Option 4 provided some clarification and improvements at all of the intersections.

Karin Temple, 1032 Grand Avenue, Astoria, said she receives quite a few visitors from Europe and her guests are completely dumfounded by a stop sign that is not a stop sign. Visitors do not know what to do at these intersections. Astoria receives more than just her personal friends from other countries and she believed the changes were not a good idea.



Chris Farrar, 3023 Harrison Avenue, Astoria, said he lives close to one of the studied intersections. He believed the options were flaky, and that he could judge the professionals work on this project because he drives through the intersection daily. The professionals missed the basic point and their work sucks. His opinion is based on his own practical experience and he has been driving a car longer than the younger professionals have. He questioned why oncoming traffic had the right to drive through the intersection and how he would know that. He has been flipped off, honked at, and yelled at in that intersection multiple times. When he approaches the intersection on Harrison at 33rd, he is required to stop. After stopping, he has the right to drive through the intersection even if there is a vehicle 25 feet away that is still rolling. How would he know the other driver has the right to make a right turn without stopping? The rule is stupid and anyone who cannot understand why is also stupid.

Mary Eng, 856 Harrison, Astoria, said she no longer drives a car. She asked City Council to consider the recommendations from the pedestrian's perspective. A pedestrian first policy would put Astoria at the highest advantage point. She thanked drivers in Astoria for being very courteous. However, there are times when large elevated vehicles like SUVs and trucks are unable to see strollers or pedestrians without safety lighting or safety vests. Therefore, safety should be the first consideration. She encouraged people to look out for children especially.

City Manager Estes said when this issue was raised, Staff studied ways to make the intersections easier to understand. The issue was with intersections where right turns are allowed without stopping. None of the intersections has large crash histories. One option is to make no changes. However, over time, the City would have to change the wording on the signs to comply with national standards. Another option is to make changes at individual intersections. Staff would like City Council to indicate their perspective with regard to policies. Staff reviewed all of the intersections to provide clarity under existing engineering law.

Engineer Harrington explained that on multiple occasions, Staff has shared well-documented studies with the TSC, Councilor Herzig, and others that show the addition of stop signs in unwarranted locations cause accidents and offers a false sense of security for pedestrians. Staff did not make this up. This is a fact that has been proven throughout the country. He spoke with many long time local residents during the study who indicated it only took one time, maybe two, through an intersection to figure out the traffic situation. The traffic rules are clearly stated in the traffic handbook. Anyone who takes the driver's test in Oregon knows about this law. He quizzed his children and their friends and found they were all familiar with the law. Claiming one is unfamiliar with the law is not an excuse because each person must take responsibility for becoming familiar with the laws. Staff is attempting to make the changes that will create the safest conditions while following guidelines. Now, Staff would like direction from City Council so they can take action. However, he could not and would not do something that would cause him to lose his engineering license, nor was he willing to allow an accident unnecessarily.

Councilor Price said she would make a motion to adopt the changes recommended for 8<sup>th</sup> and Irving in Option 4. Eight of the 10 intersections are in Ward 3 and she has only heard complaints about 8<sup>th</sup> and Irving. Occasionally, she will hear that other intersections here and there are kind of confusing. However, 8<sup>th</sup> and Irving is the one intersection that needs attention.

Councilor Warr said originally, he was against making changes at all intersections except 8<sup>th</sup> and Irving. However, he just heard some very compelling arguments and now believed City Council should take the advice of the professionals. If Staff agreed changes were only necessary at 8<sup>th</sup> and Irving, he would support the motion. The professionals should be given the benefit of the doubt and Council should accept their recommendation.

Councilor Nemlowill agreed with Councilor Warr. She apologized for the comments indicating Staff's work sucks, that people have stupid ideas, and that people are stupid. She wanted City Council and the public to agree not to talk to each other like that.

Councilor Herzig believed City Council could do a better job of modeling courteous behavior to each other and maybe the public would pick up on it. Council never intends for their discussions to be disrespectful of Staff, consultants, or other commissions. Recommendations from Staff and commissions are simply starting points for discussion. It is important to keep in mind that a good robust discussion, hopefully a courteous one, is never intended to insult anyone who brought items to the table. The discussions are intended to ensure City Council fully understands the issues and can make an informed decision. City Council is often told to simply follow the direction of professionals. A government run by professionals is called a technocracy, but a government by the

people is a democracy. As much as he respects the opinions of professionals, the will of the people must prevail even if it is misguided. As Councilor Price stated, citizens are concerned about 8<sup>th</sup> and Irving. He believed Staff's recommendations for this intersection were really good. However, it might be beneficial for Council to take more public comments on the other intersections before making changes to them.

**City Council Action:** Motion made by Councilor Price, seconded by Councilor Herzig to adopt the recommendations in Option 4 for 8<sup>th</sup> and Irving and take no action on the other intersections included in the study. Motion carried 3 to 2. Ayes: Councilors Price and Herzig and Mayor LaMear; Nays: Councilors Warr and Nemlowill.

**Item 6(d): Temporary Public Restrooms (Police)**

Over the previous summer, the number of complaints the Astoria Police Department has responded to regarding public urination and defecation is greatly increased. We have also heard from business owners in the downtown that this is a major issue affecting them regularly. The clear message received from the Astoria Downtown Historic District Association was that this is not just an issue with the members of our community who are homeless but also for tourists who are visiting the community. While public restrooms are available at the Sunset Empire Transportation District office and the City owned restrooms are available east of 12th on Exchange, these facilities are not located where they positively affect this issue.

Since September, the City of Astoria Coalition on Community Homeless Interaction has been meeting. While they are moving toward some other recommendations, one recommendation that was quite unified and was deemed as "low hanging fruit" is to site more public restrooms. This recommendation was unanimous.

Overlaying this issue is the ongoing problems Astoria Parks and Recreation faces with vandalism to existing bathrooms. There has been significant repeated damage to the downtown bathrooms, the Doughboy Monument bathrooms, and the bathrooms at Tapiola Park.

Long term, staff has identified a potential permanent solution to the issue of public restrooms with a facility referred to as the Portland Loo. While these units have a fairly high initial purchase price they are designed in a way that incorporates the concepts of crime prevention through environmental design (CEPTED), a proven community policing and planning concept for crime reduction. These solutions would be brought back to Council as part of the budget process for FY 16-17 if they develop.

In the interim, Angela Cosby and Brad Johnston have developed two locations where temporary portable toilet facilities could be located. The criteria for locations were that they had to be:

- High traffic areas that offered easy visual surveillance (the presence of many eyes reduces crime).
- Not over or under combustible materials (to avoid associated fires where portable are vandalized with fire).
- In an area where they can be easily serviced.
- In a location where their presence would not be visually shocking.
- In an area where calls, complaints, and anecdotal evidence demonstrate a need for public restrooms.

Given these criteria the Parks Director, Angela Cosby, and Police Chief, Brad Johnston, recommend that the City contract to place two portable toilets at People's Park (16th and Marine) in the parking area and one portable toilet at 9th and Astor in the right of way near the street terminus where concrete blocks currently block the street. These toilets would be serviced twice a week. Funding for the service and toilets would come from the Promote Astoria Fund, as these are services provided to support tourism. Cost for this service is estimated to be \$130.40 per unit per 28-day billing period. Staff recommends purchasing the \$7.95 per billing period damage waiver. If delivery is scheduled to coincide with routine trips, there will be no charge for delivery or set up. The total cost for one year of service is \$5,395.65.

Staff will continue to monitor the service levels and explore the possibility of more permanent solutions that may alleviate some of the issues, which cause ongoing problems for Astoria Parks and Recreation with the existing public restrooms. It is recommended that Council contract for placement of three temporary toilets.

Police Chief Johnston said \$7.95 per month for insurance on the portable restrooms was a good price considering the amount of money vandalism costs the Parks Department. Staff confirmed that the portable

restrooms would be serviced by Portland Loo, a private company that also owns the facilities, not the Parks Department. However, payment for and maintenance of the facilities would be paid for out of the Parks Department Fund.

Councilor Price asked if the restrooms had timers to prevent people from sleeping in them. Police Chief Johnston said no, but Staff made a conscious decision to refrain from including ADA accessible restrooms. The ADA units are about four times larger than the standard units are and through his career in law enforcement, he has learned that people will use the larger units for a variety of inappropriate activities.

Councilor Warr asked if the restrooms at Tapiola, Doughboy, and 12<sup>th</sup> Street would be closed to avoid vandalism to those facilities. Police Chief Johnston said not as part of this recommendation. However, if the City moves towards the concept of more permanent, more crime resistant public facilities, Staff might consider closing some of the restrooms and replacing them with facilities designed for crime prevention. Staff is already looking into a stainless steel unit that offers minimal privacy and could resist a lot more damage than the existing restrooms. However, Staff is only looking into these units for now because they will be discussed further during the budget process.

Councilor Warr asked why only two locations were selected, as renting three units could provide facilities to three locations. Police Chief Johnston explained that Staff received anecdotal evidence from a business owner near People's Park who went through eleven rolls of toilet paper on a Saturday. Staff believes restrooms at People's Park will get more use than most. Therefore, Staff is recommending two portable restrooms at People's Park.

Councilor Nemlowill asked how Staff decided on the two recommended sites and whom the restrooms would serve. Police Chief Johnston explained parks user and business owners have indicated two issues that Staff is trying to address. One issue is that people who use the Riverwalk do not know how to find restrooms. The other issue is that homeless people in the community need access to restrooms. He believed Staff's recommendation would solve both problems while providing more facilities to parks users. Director Cosby added that the costs of installing a brand new vandal proof unit could be made up in two years just on the money currently spent on repairing vandalism each year.

Councilor Warr confirmed Director Cosby was talking about a Portland Loo unit.

Mayor LaMear asked if the restroom at the East End Mooring Basin was owned by the City. Police Chief Johnston stated this restroom was owned and maintained by the Port of Astoria.

Councilor Nemlowill asked how Staff planned to measure the effectiveness of these portable restrooms. She has heard of urination and defecation inside and outside of restaurants that are near restrooms. Police Chief Johnston confirmed he had heard the same stories. The effectiveness of these restrooms will not be evident until the end of next summer. Staff believes the behaviors seen this last summer will go away. Restroom usage and behaviors will change because of the weather, which has already turned. Therefore, there is no way to get a good indication soon.

Councilor Nemlowill said she was surprised this recommendation was made by the homelessness taskforce because it seemed to be beyond the original scope of the taskforces agenda, as she understood it. Police Chief Johnston explained that the taskforce intends to effect interaction between the homeless population and the community with particular focus on negative reactions. The taskforce began by brainstorming on the current issues. Urination and defecation were mentioned more often than any other issue. As the taskforce began to consider best practices and actions other communities were taking, this conversation developed. He noted he was trying very hard to use appropriate language when referring to people who are without homes because he has been chastised about his language several times throughout this process. The language used is a very important aspect of making people without homes a part of the community.

Councilor Herzig thanked Police Chief Johnston for working through the process. Initially, there was a lot of anger and talking through the issues made a big difference to everyone. Taskforce meetings were rocky at first, but a lot of understanding and compassion has been achieved. Other communities have found that there is no benefit in asking people to change behaviors without giving them the means to change those behaviors. Urination and defecation is a huge issue downtown, but there are no alternatives. This recommendation benefits the entire community, people with homes, people without homes, and visitors. Many of Astoria's restaurants only

allow patrons to use their restrooms, leaving no place for people to go. While this recommendation seems beyond the taskforce's mission, it directly addresses the community friction that these situations cause. He believed the recommendation was a great start that benefited the community.

Mayor LaMear confirmed there were no public comments.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Price to contract with Portland Loo for one year to place two portable toilets at People's Park (16th and Marine) and one portable toilet at 9th and Astor, and purchase a damage waiver. Motion carried 4 to 1. Ayes: Councilors Price, Warr, Herzig, and Mayor LaMear; Nays: Councilor Nemlowill.

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

Ingrid (Sunnie) Bell, 865 Jerome, Astoria, said she owned business property at 1319 Commercial. She learned a lot at Director Cronin's meeting on Heritage Square. Since that meeting, the American Legion and people associated with the Scandinavian festival have had a lot of discussions. She has only lived in Astoria for four years, but she is getting to know a lot about the city and the tone of the community. Newcomers and people who have lived in the community for much longer have put together some ideas she wanted to share. She believed there would be more communication about Heritage Square as time goes on. She understood that part of this meeting would be dedicated to Heritage Square, so she was confused about when to speak. She indicated that Mr. Phelps would introduce why they were speaking before Council.

Mike Phelps, American Legion Bastion Leader, said the Legion has planned some events leading up to the 100-year anniversary of the American Legion. The state's anniversary celebration will be held in Astoria in 2019 because the post in Astoria is one of the oldest in the country. The Legion has begun repairing the east wall of their building by removing the siding. Every wall will be restored to its 1947 condition. The south, and possibly the north wall, will be restored next year. The main wall will be restored the year after that. Storefront windows have been blocked in and there is a possibility the Eisenhower lights are still in place. If so, the lights will be restored. The Legion will notify the historical society about their plans for the south wall, which will demonstrate the significance that the Doughboy Monument, the eagle, the Statue of Liberty, and the flag has to the American Legion. The south wall will also have a memorial for each war beginning with the Spanish-American War. Ceramic tiles with pictures will depict all of the members that have fallen in or after the wars, up through the Middle East conflicts. The Legion will make every effort to restore the building to its 1947 condition. When the Legion purchased the building during World War II, they spent \$60,000 restoring it. Once the restoration was complete, the Legion hosted an open house, which brought between 500 and 1,000 people to the post. The Legion sponsored a bike crew that rode across the United States to raise money for Operation Comfort Warriors, which is a Legion program that gives 100 percent of the donations directly to veterans. The event raised \$22,000 and the bike crew included three high school students from Astoria and a 70-year old Vietnam veteran. The Legion has done a lot of work and the building is paid for. There are artifacts hidden in the building that cannot be displayed. Therefore, the Legion plans to use the top floor as a museum. The flag memorial is already on the top floor. The *Salvage Chief* is back in town and Ms. Bell is finishing a book that will go to the publisher this week. This book is currently being reviewed by the History Channel because they are considering making a movie on it.

Ms. Bell added that all of the proceeds of the book will go to the *Salvage Chief* Foundation. She read the following proposed community plan for Heritage Square:

"Described here is a brief overview of a plan developed and composed by responsible, respected, experienced, and capable community members of Astoria. This plan is in keeping with preservation of an important structure, promoting use of space for use by a large portion of local residents, as well as visitors to the city, and protective of City finances. With concern for taxpayers and all citizens of Astoria, we come before the Council with a proposal regarding what is known as Heritage Square. A number of worthy, workable, and economical ideas appropriate to and supportive of the community have come forth from the citizenry. Serious consideration is due these ideas. History does not consistently show that such consideration is afforded to the will of communities, even when such ideas truly and fully represent their heritage. Consideration of these ideas presents a great opportunity to reverse that history and also may provide the greatest number of Astorians, children, retirees, business owners, business frequenters, as well as visitors to the area a solid, affordable, long-lasting,

vibrant, life-central, activity-supporting Heritage Square with true potential for extending that heritage into its long and fitting future.

Steps to the better plan:

1. Decontaminate and fill the hole. Install concrete over the cleaned and filled soil.
2. Install a large gazebo for public use as has been done in Poulsbo, Washington with success. Around the gazebo, install perimeter kiosks to represent other nationalities being inclusive of most or all of the ethnic and cultural groups who have contributed over time to Astorian history and heritage. These would include, but not be limited to, Pakistanis, Indians, Native American Indians, Germans, and British, including special tribute to Lord Astor, Scandinavians, Finns, Danes, Swedes, Norwegians, Icelanders, and all citizens of mixed Heinz 57 heritage.
3. Create a set of signage on the eastern side of the existing American Legion building to include murals.
4. Retain the existing library and continue to honor its official dedication as the Astor Library and Veterans Memorial, as well as to recognize and honor Astorian citizens who provided funding for the memorial, trusting that it would be maintained in perpetuity. Pressure wash the existing library. Renovate the basement of the existing library to acquire additional space to meet square footage expansion needs. Install an elevator to the basement for ease of access.
5. Transfer the Sunday Market to the waterfront area near the train station. This would be supportive of parking, pedestrian concentration and safety, protection for the business of established downtown vendors including restaurants and others of all types who would like to continue business on Sundays.
6. The current proposal, which includes removing curbs on Exchange Street, is not feasible due to potential flooding of the area during rainy periods.

Much of the present contamination was caused by moving soil from the present site of the Garden of Surging Waves prior to its construction. It is important to also note that the garden did not have general public approval and that such approval would be sought for all components of this plan. Full disclosure, including costs and utilization comparisons, should be provided prior to public vote.

It is inappropriate for privately owned housing to be constructed atop a proposed new public library.

The currently proposed underground parking area would be an invitation to inappropriate usage, crime, and flooding.

The American Legion, along with other proponents of this plan, are in the process of developing an artistic rendering.

It is the belief of the plan proponents that the taxpayers of Astoria should be given opportunity to evaluate this plan. In any case, we believe that a decision should go to the voters. The start of developing Heritage Square with construction of the Garden of Surging Waves did not go to the voters. They should have had opportunity for input as to how City property would be used.”

She noted the community group that developed this proposal is in the process of preparing a rendering of their plan. She also noted that the murals on the east side of the American Legion would depict all branches of the military. Incorporating part or all of this plan would help avoid another large unoccupied building, which would be the current library. Only a professional could really examine the relative costs, but the proponents of this plan believe that for a minimum cost, a beautiful site in the center of town could be developed for everyone to access. She gave a copy of the proposal to Council.

Mr. Phelps added that Loran Mathews and the Scandinavian Festival Association support this plan. The Scandinavian Festival Association would love a spot in central Astoria. The existing library is a dedicated memorial to the Astor family and to veterans.

Mary Eng, 865 Harrison, Astoria, said she wanted to speak in a noncontroversial and non-devicive way about water quality issues and the larger context of environmental issues. California’s Proposition 65 involves warning consumers about neurological fetal damage that may occur when eating seafood. This is exciting because a fully informed public is a public that can feel confident about their choices. Biomedical ethics is another issue she wanted to consider. Biomedical ethics involves biomedical choice, choice of decision and healthcare planning,

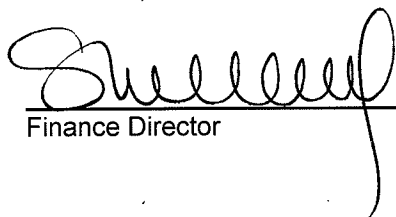
and how people think of their future in terms of independent medical decisions or one's competency to make those medical decisions. Toxicity of the landscape is obvious, but a lot is going on with the water, including the chemical treatment used to fight forest fires and pharmaceuticals and household cleaners that enter water streams. Everyone faces multiple issues of health consideration, so the best thing is to keep an open mind to the scientific method. In a scientific experiment, too many variables can prevent pure cause and effect results. While one thing might be good for one issue, it might also have a deleterious effect on other systems. Therefore, an integrated system of analysis is needed to look at human health from a holistic viewpoint. Additives, chemicals, vitamins, or minerals can have an effect on pre-existing health conditions. She suggested the City create a committee to evaluate the transparency of the Public Works Department with regard to the fluoride additives being added to the water, evaluate the tank and toxicity of the plastic with the chemical mixing, and consider recent science regarding high levels of fluoridation. She believed people who have moved to the area from Mexico have toxified systems that resulted in conditions like flourosis and brittle bone disease, caused by excessive fluoride pollution in the ground water.

Alana Garner, 1 12<sup>th</sup> Street, Suite 114, Astoria, invited City Council and the public to attend the Astoria Downtown Historic District Association's (ADHDA) Annual Holiday Lighting on Saturday, November 28 at 5:00 pm. The downtown area will be decorated on November 21<sup>st</sup> in anticipation of the lighting event.


**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:07 pm.

**ATTEST:**

  
\_\_\_\_\_  
Finance Director

**APPROVED:**

  
\_\_\_\_\_  
City Manager