

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

Councilors Present: LaMear, Herzig, Warr, Mellin, Mayor Van Dusen

Councilors Excused: None

Staff Present: City Manager Pro Tem Estes, Police Chief Curzon, Parks and Recreation Director Cosby, Finance Director Carlson, Fire Chief Ames, 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.

REPORTS OF COUNCILORS:

Item 3(a): Council Discussion of Goal Setting Session

Mayor Van Dusen said City Council met on February 17, 2014 to set goals for the 2014-2015 fiscal year. The new goals will go into effect on July 1, 2014. Albany City Manager Wes Hare facilitated the goal setting session.

City Manager Pro Tem Estes noted that the goals are still in rough draft form but the wording will be finalized prior to being presented to City Council for approval. The new goals are as follows:

- Implement the Library Renovation Plan.
- Involve the community in developing the eastern half of Heritage Square.
- Support community efforts to provide emergency warming shelters.
- Develop plans for pedestrian and traffic safety on Williamsport Road.
- Continue working to complete landscape plans for the Column.
- Continue implementation of the Riverfront Vision Plan.
- Support community efforts to develop a dog park.
- Complete emergency communication system.
- Develop an affordable housing survey, working through community partners.
- Maintain advocacy for the Astoria bypass, for fishery issues, and for business development and expansion through the Astoria Downtown Historic District Association (ADHDA) Business Development Committee, Columbia Pacific Economic Development District (Col-Pac) and Clatsop Economic Development Resources (CEDR).
- Continue enforcement of the derelict building ordinance.
- Support implementation of CHIPS and all volunteer programs.
- Continue efforts to improve pedestrian safety.
- Continue support of diversity through the Clatsop County Historical Society, Astoria-Warrenton Chamber of Commerce, and Lower Columbia Diversity Project.
- Ensure maintenance plans are developed for all City projects.
- Increase Staff and Council availability to the community through open house meetings (exact language is yet to be determined).

Mayor Van Dusen said the goals would be made available to the public for feedback. It usually takes about two months before City Council adopts the goals.

Councilor Warr noted some of the goals have been carried forward from the last year. Several of the new goals have a great deal of merit and he is very supportive of them.

Councilor Mellin liked the process of setting goals. Mr. Hare sent the Councilors a survey prior to the work session and each Councilor created their own list of goals, which were displayed and discussed at the work session.

Mayor Van Dusen believed completing and implementing the Library Renovation Plan was important. He noted the goal of selling excess City property has been removed. The City will continue to negotiate with those who have already made offers, but all other properties will be removed from the list of properties to be sold.

Councilor Herzig said the work session was very interesting, as City Council decided on a number of actions that were not goals. For example, the budget report will be prepared for the citizens and we will be monitoring the Water Utility Assistance Program. The City will move forward with other actions that Council did not consider long-range goals, and he suggested these actions be included in the report.

Councilor LaMear said the work session was very open. The community has indicated the desire for more open discussions. City Council would also like more open discussion and brain storming sessions. The Councilors had a good time discussing issues and working towards the best conclusions for the citizens of Astoria. The facilitator was wonderful, as he did not impose his ideas. However, as the City Manager of Albany, Mr. Hare was able to share what was happening in Albany. It was nice to hear what was going on in another community. She believed the goal setting session was excellent.

Mayor Van Dusen noted that Mr. Hare is an expert at facilitating goal setting, yet Albany does not set goals. He believes goal setting was important because it allows all of the Councilors to share their thoughts and ideas and get them out to the community.

Item 3(b): Individual Councilor Reports

Councilor Herzig reported that he toured the Ocean View Cemetery with Director Cosby and Maintenance Supervisor Elkins. He learned that the cemetery was built on a sand dune, which creates difficult water issues. Drilling a well should be a good solution. The cemetery is much bigger and more extensive than he originally thought. Xeriscaping would not work and would cause maintenance issues. The cemetery, which is in Warrenton, is difficult to find. However, it is worth the trip because it is a beautiful location. Maintenance does a great job considering the staggering issues at the cemetery.

Councilor Mellin reported that she has served on the Tobacco Free Coalition of Clatsop County for three years. The coalition is currently advocating for smoke-free parks through policy changes. People leave cigarettes all over and e-cigarettes are being sold to young people. The coalition would like more people decide not to smoke. The e-cigarettes are not healthy, but there is a lot of advertising for them and they come in many nice flavors. Smoking also affects health insurance. She reported that she attended the opening of the Garden of Surging Waves with Councilor LaMear and Cliff on Friday, February 14, 2014. Walking into the Garden was an intensely emotional experience. She had not realized how intrusive the fence had been until it was taken down. She returned to the Garden on Sunday, February 16, 2014 when the weather was sunny and many people told her they had not realized the fence had been taken down. She reported that earlier in the day, she and Councilor LaMear had lunch with the Lions Club at the Elks Lodge. Lions Club member Dr. Scovins had just returned from volunteering in El Salvador, where he performed eye surgeries and examined thousands of patients. This made her think about how important volunteerism is. The Lions Club in Astoria is the first Lions Club to collect newspapers as a source of income. The club will also collect eyeglasses with lenses and takes them to places like El Salvador. She reported that the Parks Board would meet on Wednesday, February 26, 2014 at 6:45 a.m. at the Recreation Center.

Mayor Van Dusen recognized the following volunteers: David Oser, Astoria Library Board; Sean Fitzpatrick, Astoria Planning Commission; and Derith Andrews, Design Review Committee. He reported that the Garden of Surging Waves is open. He noted that the Vactor truck, a powerful multi-purpose truck, is in Astoria. He explained some of the tasks performed by the truck, adding that it cost about \$400,000.

CHANGES TO AGENDA: No changes.

PRESENTATIONS:

Item 5(a): Swearing In of New Police Officer Jair Macareno

Mayor Van Dusen stated that Mr. Macareno graduated from Astoria High School, where he was an All-American soccer player. He attended and played soccer at Chemeketa Community College. Mr. Macareno will earn his

degree online. He added that Mr. Macareno has worked at Van Dusen Beverages for six years. He is a fine young man who has become close with the Astoria Police Department and loves the community.

Chief Curzon said Mr. Macareno would be attending the police academy in March or April 2014. Until then, he continues to work at the police station and go on ride-alongs to prepare for the academy.

Mayor Van Dusen conducted the swearing in of Mr. Macareno.

Officer Nicky Riley introduced Sergeant Brian Aydt, Officer AJ Duryea, and Officer Ken Hansen.

Officer Macareno thanked his fiancé for her support and encouragement, his parents and family for their love and support, and Chief Curzon and the Astoria Police Department for allowing him to serve.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

6(a) City Council Minutes of 1/21/14

6(b) City Council Minutes of 2/3/14

6(c) Renewal of Intergovernmental Agreement for State HazMat Team (Fire)

6(d) Acceptance of Kinsman Foundation Grant for Restoration of City Hall 1st Floor and Duane Street Entry Doorway (Community Development)

6(e) Resolution Designating Signators for the City of Astoria (Finance)

Councilor Herzig requested Item 6(b): City Council Minutes of 2/3/14 be removed for further discussion.

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

Item 6(b): City Council Minutes of 2/3/14

Councilor Herzig noted the following two corrections:

- Page 9 of the minutes (Page 29 of the meeting packet) should read "Doris Queener, 4940 Cedar Street, Apt. 2A, Astoria, said she spoke at the last City Council meeting about the process of selling excess city properties. She distributed ~~copies of a 19-page~~ **19 copies of a single-page** petition to the Council, which she read into the record." He noted Ms. Queener was frustrated because she had read the entire petition and it was not included in the record.
- Page 12 (Page 32 of the meeting packet): Carol Lumen should read Carol Newman.

City Manager Pro Tem Estes stated the petition, as it was read, would be added to the minutes and the name would be corrected. The updated minutes would be presented at the next City Council meeting.

Mayor Van Dusen noted that Community Development Director Brett Estes was unanimously appointed City Manager Pro Tem at the City Council meeting on February 3, 2014.

REGULAR AGENDA ITEMS

Item 7(a): Resolution to Place Lien on Flavel Properties for Outstanding Fees (Community Development)

The Flavel properties, located at 627 15th Street, 905 to 943 Commercial Street, and 904 to 936 Commercial Street, have been the subject of numerous Code enforcement actions since adoption of the Property Maintenance Code (Derelict Building Ordinance). All three properties were the subject of numerous citations, which were presented to the Municipal Court on December 16, 2013 with resulting fines for a total amount of \$1,405,500. The City Attorney has filed a Lien on all three properties for these citations. All properties have been vacant for many years and are in violation of the "long term vacant building" ordinance and are subject to yearly Vacant Building fees that are augmented by the "chronic nuisance" provision of the ordinance which doubles some of those fees. The fees for each building are as follows: 627 15th Street - \$3,100; 904- 936

Commercial Street - \$16,400; 905-943 Commercial Street - \$16,400. The vacant building charges on these three properties have not been paid. The Derelict Building Ordinance addresses the process and procedure for enforcement, abatement, and collection of fines/fees. In accordance with City Code Section 5.726(A)1, the City may record a lien on the property. It is recommended that the City Council adopt the attached Resolutions, by three separate motions, to authorize the City Attorney to file a lien as follows: 627 15th Street in the amount of \$3,100; 904-936 Commercial in the amount of \$16,400; and 905-943 Commercial in the amount of \$16,400.

City Attorney Henningsgaard said these liens would be in addition to previously filed liens, including a lien of \$1.4 million. The City has been placing liens on the Flavel properties since 1983 and at some point the City must consider enforcement of the liens through a Sheriff's sale. The City has communicated with Ms. Flavel's attorney, who indicated that she would like to resolve the issues. No timeline for a resolution was given.

Councilor Herzig asked why more liens were being filed, whether it was to push the situation closer to a tipping point, or because it was required by ordinance. City Manager Pro Tem Estes responded the action follows the City's current process. Council was also presented a resolution last year, providing consistency in enforcement with regards to establishing additional liens as they aggregate.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Warr to adopt the resolution to authorize the City Attorney to file a lien on 627 15th Street in the amount of \$3,100. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear to adopt the resolution to authorize the City Attorney to file a lien on 904-936 Commercial in the amount of \$16,400. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Warr to adopt the resolution to authorize the City Attorney to file a lien on 905-943 Commercial in the amount of \$16,400. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(b): Request for Direction Regarding Lighting Color Changes to the Astoria Column (Parks)

In partnership with Columbia Memorial Hospital and the Friends of the Astoria Column the Astor Column lighting was changed to a pink hue for the month of October, 2013 in recognition of Breast Cancer Awareness Month. The Parks and Recreation Department staff has received a request to change the Astor Column lighting to a teal hue for the Month of April in recognition of Sexual Assault Awareness Month and would like direction from City Council on how to proceed with this request as well as, future Astor Column lighting change requests.

Mayor Van Dusen noted that while the Staff report refers to the Column as the Astor Column, the proper name is the Astoria Column. After some confusion in the community about the proper name, historical research revealed that the Column was officially named the Astoria Column.

City Manager Pro Tem Estes noted the Agenda Packet included a list of the lighting colors that relate to various efforts.

Councilor Herzig said he invited Nicole Bateman of the Women's Resource Center to give some information on sexual assault awareness and previous partnerships between the City and the Women's Resource Center.

Nicole Bateman, 3535 Harrison, Astoria, Intimate Partner Violence (IPV) teen specialist and domestic and sexual assault response team (DSART) coordinator, The Harbor, formerly known as the Clatsop County Women's Resource Center, said that one in four women will be sexually assaulted. April is Sexual Assault Awareness Month and The Harbor would appreciate the City's help with bringing awareness to the community. The Harbor and the LCDP thanked the City for their past and future partnerships.

Mayor Van Dusen suggested Council discuss a policy for future lighting color changes at the Column, as there are a number of good projects that may arise.

Councilor LaMear said she supported efforts against domestic and sexual violence, but there are about 100 different organizations that have some kind of color to represent awareness of various issues, some of which are controversial. She anticipated future issues with some of the organizations requesting lighting color changes and she was opposed to the policy.

Mayor Van Dusen suggested City Council approve two lighting color changes at the Column two times each year. This would allow citizen representatives to vote on the issue. He believes changing the lights at the Column worked well for Breast Cancer Awareness, but changing the color every month would make the Column look like a carnival.

Councilor Warr agreed that two colors per year would be good, but Council should also stipulate that the Column would never be lit for a political position.

Mayor Van Dusen agreed, but did not believe Council should set a policy that future City Councils would have to follow. There are laws regarding the separation of religion and state and other issues, so City Council should keep the policy simple, to allow two color changes a year for two separate causes upon approval of City Council. Councilor Warr agreed.

Councilor Mellin was concerned about the number of light bulbs that would need to be purchased and the amount of time spent changing the light bulbs.

Director Cosby explained that in October 2013, when the Column was lit pink, frames covered in pink plastic were made to fit over the light bulbs. The plastic would need to be replaced, not the light bulbs. Columbia Memorial Hospital, who sponsored the event, paid for the plastic sheeting and Staff time to build the frames. Since the frames are already in place, it would only take an hour or two of Staff time to change the plastic. The large roll of plastic sheeting cost about \$100.

Councilor Mellin thanked Ms. Bateman for her work at The Harbor. She recalled her time as the Director at The Harbor, which was called the Women's Crisis Service at the time. The progress and growth over the years, and the support from the community, is incredible. The City of Astoria always gave generously to the organization. Mayor Van Dusen said Councilor Mellin did an excellent job as Director and the community is very appreciative of the hard work she put in over all those years. Councilor Mellin added that the City supported Sexual Assault Awareness Month in 2013. Information on the campaign has been published in the newspaper.

City Council Action: Motion made by Councilor Mellin, seconded by Councilor Herzig, to adopt a policy to allow the Astoria Column to be colored up to two times each year in support of causes, upon approval of the cause by City Council. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Mellin, to approve the lighting of the Column in April 2014 to teal in support of Sexual Assault Awareness Month. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(c): Schedule Public Hearing for Property Sale – 4900 Block of Birch (Public Works)

Area Properties received an offer from Mike and Judith Cahill, 4908 Cedar Street to purchase a portion of City property adjacent to their property. The property is described as T8N R9W Section 10 AB, Tax Lot 3200, Lot 1, Block 18, Alderbrook. This offer was brought before the City Council on October 21, 2013. At that time, Council did not approve the sale. At the February 3, 2014 City Council meeting, Mr. Cahill spoke to Council regarding his desire to purchase the property, and Councilor LaMear subsequently requested that this item be brought back to Council so that a public hearing could be scheduled. It is recommended that the City Council schedule a public hearing for March 3, 2014 to take public comment on the potential property sale and approve or deny the sale of said property.

City Manager Pro Tem Estes stated this offer was brought before City Council on January 6, 2014 and a public hearing was set. The hearing was held on January 21, 2014 and Council did not approve the sale at that time. He noted that while Staff recommended that Council schedule a public hearing, Counsel Henningsgaard had further comments.

City Attorney Henningsgaard noted at the February 3, 2014 City Council meeting, he had answered one of Mr. Cantor's questions poorly. He corrected that the City's agreement with Area Properties is a contract for personal services that was executed in August 2013. This agreement, which he approved, provides for a 6 percent commission on the sale of proceeds. No payment occurs until after the sale. He apologized for not having the correct answer at the previous meeting. He noted the public hearing for the sale of this property was conducted on January 21, 2014, so there is no need to conduct a second public hearing. City Council has the authority to schedule a second public hearing or reconsider its previous decision at any time. He asked City Council to reconsider its original vote and refrain from holding another public hearing.

City Council Action: Motion made by Councilor LaMear to reconsider City Council action taken on January 21, 2014 on the potential property sale of 4900 Block of Birch and approve or deny the sale of said property.

City Attorney Henningsgaard noted that the Staff report indicates the offer was brought before City Council on October 21, 2013, which is a typographical error.

Mayor Van Dusen noted that Councilor LaMear originally voted against the sale of the property and asked if she would be afforded different rights with regards to this issue. City Attorney Henningsgaard responded the City of Astoria has never adopted formal rules or procedures for these situations. Strictly following Robert's Rules of Order allows a Councilor on the losing side to make a motion to reconsider.

Motion died due to lack of a second.

City Council Action: Motion made by Councilor Warr to reconsider City Council action taken on January 21, 2014 on the potential property sale of 4900 Block of Birch and approve or deny the sale of said property.

Mayor Van Dusen suggested another public hearing be conducted. He recalled that everyone who testified at the public hearing was opposed to the sale and many of those people are in the audience expecting to hear the outcome of this issue. He voted against the sale, but Mr. Cahill has made comments that have led Mayor Van Dusen to want to reconsider his vote. Mr. Cahill's comments were not made during the public hearing and Mayor Van Dusen would like his comments included in a public hearing.

Councilor Herzig believed overturning a vote without another public hearing would be setting a dangerous precedent. He was only in favor of voting on this issue if another public hearing was held.

Councilor LaMear said she was fine with conducting a public hearing.

Motion died due to lack of a second.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to reconsider City Council action taken on January 21, 2014 on the potential property sale of 4900 Block of Birch and schedule a public hearing on March 3, 2014 to approve or deny the sale of said property.

Councilor Herzig said he assumed Mr. Cahill was notified about the first public hearing, but he did not appear to testify. He asked if Mr. Cahill filed an appeal. He supported the public hearing, but was concerned about setting a precedent that one public hearing is inadequate if someone is unhappy with the result. City Manager Pro Tem Estes confirmed that no appeal had been filed. City Attorney Henningsgaard added that there is no right to appeal a City Council decision to sell or not sell City property unless there is a constitutional issue or a violation of statutes. Councilor Herzig was concerned because this second public hearing is being extended as a courtesy to a citizen who expressed concerns. A number of other citizens have expressed concerns about other issues. Conducting a second public hearing in this manner sets a precedent.

Mayor Van Dusen reminded that a majority of the elected officials want to revisit this issue. City Council should not be afraid of setting a precedent to revisit any issue, as City Council does make mistakes. Councilor Herzig agreed, but wanted to make it clear that City Council would be setting precedent. Mayor Van Dusen disagreed, noting that this has been done before so the precedent has already been set.

Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None

Item 7(d): Authorization to Award – Williamsport Road and Highway 202 Water Main Project (Public Works)

On October 8, 2013, Council authorized staff to solicit quotes for the Williamsport and Highway 202 Water Main Project. The project will include installation of 600 feet of eight-inch PVC water line, two new fire hydrants, and other associated water appurtenances. Prior to construction, the Public Works Department will install a temporary two inch above ground water line to serve the area. The following competitive quotes were received:

Contractor	Total Bid
Bob McEwan Construction Inc.	\$ 88,995.00
Big River Construction Inc.	\$ 99,658.00
TFT Construction Inc.	\$144,770.41

HLB Otak, Inc. will be providing construction support services and will also complete the certification to the State Drinking Water Program upon project completion.

Construction Budget Summary:

Description	Total Amount
Bob McEwan Construction Contract	\$ 88,995.00
Construction Contingency (10%)	\$ 8,900.00
Construction Support Services (HLB Otak)	\$ 5,564.00
Anticipated Construction Total	\$ 103,459.00

It is recommended that City Council authorize award of a construction contract to Bob McEwan Construction Inc. in the amount of \$88,995.00 and approve the associated budget for contingency and construction support services. Funds for this project are available in the Public Works Improvement Fund.

Director Cook confirmed that Bob McEwan Construction is located in Seaside. He also noted that Engineer Nathan Crater signed the memo in his place because he was in Salem before the Infrastructure Finance Authority trying to obtain funding for the next CSO project.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Mellin to authorize award of a construction contract to Bob McEwan Construction Inc. in the amount of \$88,995.00 and approve the associated budget for contingency and construction support services. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(e): Authorization to Purchase Additional CSO Monitors (Public Works)

The City of Astoria's Combined Sewer Overflow (CSO) Plan will continue to control overflows to Youngs Bay and the Columbia River through a series of projects over the next eight years. In order to assure the performance of the completed control projects, the City is required to monitor outfalls that have been controlled to certify compliance with state and federal requirements. In August 2010, Council authorized award of the CSO Monitor Upgrade project to SFE Global for purchase and installation of monitors and rain gauges. There are 24 sites that are currently monitored for compliance with control requirements.

Monitoring data provides flow data that accurately determines the scope of future CSO projects. City staff is in the process of confirming the scope for the next CSO project that is expected to control five outfalls. An additional five monitors are needed at the upcoming project sites to confirm the project scope, then the instrumentation will transition to compliance monitoring when the project is complete. It is recommended that Council execute a contract with SFE Global for a total not to exceed the amount of \$27,575, for procurement of five CSO monitors and associated technical support, as needed. Funds for this project are available in the current Combined Sewer Overflow Maintenance Fund budget.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Herzig to execute a contract with SFE Global for a total not to exceed the amount of \$27,575, for procurement of five CSO monitors and

associated technical support, as needed. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Item 7(f): Public Hearing – Public Comments on the Desired Qualities and Skillsets for the New City Manager

Mayor Van Dusen explained that City Council is asking the community to speak about the qualities and skillsets desired in the next City Manager. He opened the public hearing at 7:59 p.m.

Doris Queener, 4940 Cedar Street, Apt. 2A, Astoria, said she would like to see a job description. She was unsure how old the City's job description was or if they it been reviewed. She suggested the Council to look at job descriptions from Astoria and Albany and use them as a catalyst for the discussion about the desired qualities, skillsets, and attributes for the position.

Frank Spence, 5169 Birch Street, Astoria, said he is a professional city manager with 40 years of city management experience in Florida. He has experienced the recruitment process personally, and when hiring others. Astoria is a very stable city with two city managers over the last 14 years. He supported City Manager Pro Tem Estes. A job description is a starting point, but Council must consider whether it wants the same continuity of the last two city managers or a manager that will take the City in a new direction. The Oregon City Managers Association will help Astoria. The association has a program called Range Riders, which Dan Bartlet is a member of as a retired city manager. Mr. Spence also offered his assistance. Similar to the desired qualities of a Boy Scout, the City is looking for a manager that is trustworthy, loyal, helpful, friendly, courteous, kind, obedient to City Council, brave, reverent, and morally [inaudible]. These characteristics and good chemistry will be necessary as the city manager works with Staff, the community, and City Council. He added that he is proud and honored to have been elected Treasurer of the ADHDA.

Mayor Van Dusen added that Mr. Spence sent City Council a letter that went into more detail about the comments he made. He noted that former City Manager Paul Benoit has used Mr. Spence as a resource many times.

George McCartin, 490 Franklin Avenue, Astoria, said he has spoken to City Council a number of times over the past few months and believes that openness to the citizens and to City Council is one of the outstanding qualities the City should look for in a new city manager. This will be difficult because the manager will be hired by and must answer to City Council. There will be controversial issues, so a lot of openness will be necessary. The City must expect the city manager to insist on disclosure by every means necessary for the benefit of the taxpayers.

David Oser, 254 West Irving, Astoria, said that the Library Advisory Board has received invaluable assistance from former City Manager Paul Benoit and City Manager Pro Tem Estes. Since the library renovation is one of the main priorities and goals of City Council, he wanted the new city manager to give the same whole-hearted and tireless support to the library renovation project.

Mayor Van Dusen closed the public hearing at 8:05 p.m.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

Mayor Van Dusen announced that Salmon for All has asked City Council to sign a letter from the City of Astoria to Chairman Bob Levy of the Oregon Department of Fish and Wildlife (ODFW), which he read into the record. The letter asked ODFW to monitor the recreational harvest bubble outside of Young's Bay to determine if it is large enough to meet the objectives of the Kitzhaber Plan and suggests that ODFW expand the conservation zone if sports catches in 2014 impact off-channel salmon. Considering the substantial amounts of Chinook and Coho Salmon predicted to enter the Columbia River in 2014, the logic of the Kitzhaber Plan was in question. The City of Astoria and tourism benefit from recreational and commercial fishing, as fish related industries create employment and stability. Mayor Van Dusen believed City Council should sign and send the letter.

City Council Action: Motion made by Councilor Warr, seconded by Councilor LaMear, that each Councilor sign and send the letter to Chairman Bob Levy of the Oregon Department of Wildlife. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

Mayor Van Dusen added that the City of Warrenton has signed a similar letter.

Sue Skinner, 511 Jerome, Astoria, asked which properties the City still plans to sell. She recalled City Attorney Henningsgaard's comments indicating the citizens did not have any legal way to require the City to refrain from selling excess property and could not participate in the process. She requested clarification on City Council's pledge to drop the land sales and asked how many of the 30+ properties were in the sales pipeline process.

Councilor LaMear understood that one property has a potential contract, eight properties have firm offers, and seven properties are being negotiated. The seven being negotiated may still be sold. All of the properties are small lots that were offered to adjacent property owners.

Councilor Herzig suggested information about these properties be made available to the public. City Manager Pro Tem Estes stated this information can be provided. One property is ready to be brought to City Council with an agreed upon offer and seven or eight properties are involved in ongoing negotiations with the City.

Mayor Van Dusen clarified that no new offers will be considered if current negotiations do not result in a sale. He confirmed that the list of properties currently being negotiated would be made public and posted on the City website on February 19, 2014.

Ms. Skinner asked if the community could trust that the City would not sell any other properties without a public hearing process. The community asked for a town hall meeting so that citizens could learn about the process for future land sales.

Mayor Van Dusen answered yes, the community can trust the City and explained that a public hearing is legally required for any City property that is sold. City Council did not have to conduct a second public hearing for the property at the 4900 Block of Birch, but City Council unanimously decided to schedule another public hearing.

Teresa Hoyer, 176 West Franklin Avenue, Astoria, said 10 years ago she asked the City not to sell the property at the 100 Block of West Exchange, which is the property currently being negotiated. She understood this property would never be offered again for sale. Area Properties indicated to her that the buyer did not want the property sold 10 years ago and is buying it now so that no one can build on it. She asked if there was anything she could do.

Mayor Van Dusen said she could testify at the public hearing.

Ms. Hoyer asked if a property could still be sold after a sale was stopped. She understood this property would not be sold.

Mayor Van Dusen asked that she bring the information about the sale being stopped at a City Council meeting to the public hearing.

Ms. Hoyer added that there was not a full Council the night the sale of the property was denied.

Mayor Van Dusen explained that a quorum is required, not a full Council. Her information may not stop the sale, but will add information to the decision-making process. He appreciated Ms. Hoyer coming forward because a lot of information has resulted when a city employee, even for example, a seasonal employee, has said a property will not be sold.

City Manager Pro Tem Estes confirmed for Councilor Herzig that staff has Ms. Hoyer's address.

The City Council meeting recessed at 8:16 p.m. to convene the Executive Session.

EXECUTIVE SESSION

The City Council Executive Session was convened at 8:18 p.m.

Item 8(a): ORS 192.660(2)(e) – Real Property Transactions

The City Council Executive Session was adjourned at 8:40 p.m. and the City Council regular session meeting reconvened.

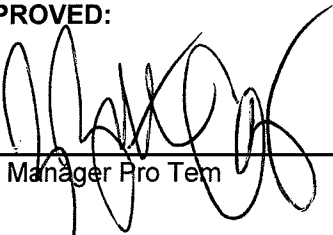
Mayor Van Dusen said that during the Executive Session, City Council discussed property transactions, management positions, and compensation for City Manager Pro Tem Estes as he fills both positions as City Manager Pro Tem and Community Development Director.

City Council Action: Motion made by Councilor LaMear, seconded by Councilor Herzig, to approve a 15 percent raise in the compensation of Brett Estes for the period of time that he serves as both City Manager Pro Tem and Community Development Director. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:42 p.m.

APPROVED:



City Manager Pro Tem