

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, Mayor LaMear

Councilors Excused: Price

Staff Present: City Manager Estes, Assistant City Manager/Police Chief Johnston, Parks and Recreation Director Cosby, Financial Analyst Snyder, Fire Chief Ames, Interim Planner Morgan, 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): Councilor Nemlowill reported that she attended the Port of Astoria meeting because she was concerned about the possibility of the boat yard closing. The Port has formed a committee to examine the issue and work with the State to keep the boat yard open. Sea lions were also discussed at the meeting. With regard to the Enterprise Zone, she told the Port Commission and Director that she appreciated the positive dialogue between City Council and the Port, which she hoped would continue. She planned to continue attending Port meetings and learn about what is going on at the Port because that information is important. She attended the Clatsop Economic Development Resources (CEDR) Business Awards, which was like the Academy Awards for local businesses. Becky Johnson from Vintage Hardware won Outstanding Entrepreneur and Kevin Leahy, CEDR Director, won a state-wide award for doing such a great job. She attended the Coast Guard housing groundbreaking earlier that day. Twelve new homes will be built next to existing Coast Guard housing. There are an average of 500 active Coast Guard men and women in Astoria at any given time. Family members of those active Coast Guard employees total about 1,300 people, which make up a significant portion of Astoria's population. A Coast Guard leader said their employees and their families fully integrate into the community because they feel welcome in Astoria, and he thanked the City for their strong partnership.

Item 3(b): Councilor Herzig reported he watched some of the sea lions get branded since there have been so many comments about it. The sea lions are treated as humanely as possible. There were three veterinarians, two marine biologists, and people with decades of experience with sea lions at the branding. Blood and urine tests are conducted on the sea lions to check for diseases and gauge their health. The amount of care put into recording data on the sea lion population is remarkable. This time of year, only adult male sea lions come to Astoria to put on weight through feeding and to get in shape for breeding season. During the branding, the sea lions are sedated and treated compassionately. Branding is the only way to put an indelible mark on their fur. Catching the sea lions once for branding is less traumatic than catching them annually to mark them with paint or a tag. He attended an annual traffic safety presentation given by Police Officers Kenny Hansen and Matt Clausen at Astoria Elementary School, and the Astoria CERT Team and Public Works Department participated. A city was set up with streets and crosswalks so children could navigate the city as pedestrians and motorists. The children have a good time while learning. He is always glad to see the Police Department get involved in pedestrian safety education. On Friday, April 3rd, the Column was lit teal in recognition of Sexual Assault Awareness Month. Mayor LaMear and Coast Guard Commander Daniel Travers spoke at the ceremony, which was very moving. Many comments have been made about the sign at Annie's Tavern. He thanked Annie's for showing the community that the culture of sexual violence is perpetuated when women are made into sexual objects. The sign is a good example of what Astoria is trying to operate against by reducing sexual assault. He attended the Latinos in Oregon presentation on Thursday, April 2nd. Cynthia Livar and Jorge Gutierrez were mentioned in the *Daily Astorian*. On Sunday, April 12th, there will be a presentation on wage inequality at 2:00 pm in the Judge Boyington Building and Oregon's new Secretary of State Jeanne Atkins will be on the panel. The discussion will be about women making less than men. He also attended the Coast Guard groundbreaking and it is very nice they will be getting more housing. Astoria has a huge need for affordable housing and rentals are practically unavailable. Women trying to avoid domestic violence cannot move out because there is no place a single woman could afford to rent in Astoria. People are trapped in abusive environments and women may have to stay with an abusive partner because Astoria does not have affordable rentals. The Coast Guard is very aware of this issue. He hoped the community would continue to make the Coast Guard feel welcome and that the City would deal with their pedestrian safety concerns in a quick and effective manner.

Item 3(c): Councilor Warr reported that on March 22nd, he attended the funeral of former Nehalem Mayor Shirley Kalkhoven. At 87 years old, she never forgot a person or fact, never took a note, and was involved in everything. He served with Ms. Kalkhoven on the Northwest Area Commission on Transportation, Col-Pac, and the Northwest Oregon Economic Alliance. Her death is such a loss to the coastal community because she was smart, tough, involved, and had more energy than most people. She played a key role in Astoria's ability to receive funding for the 17th Street Dock. Earlier that day, he attended the Maritime Memorial Committee meeting. Currently, the memorial has received about 56 names to engrave on the wall this year and he expected about five or six more names. Even though the memorial is 22 years old, it is getting more popular. He believed space to engrave names would run out in the next few years, so the Committee has begun to discuss the memorial's sixth expansion. Over the next year or two, more information about rate increases and building plans will be announced.

Item 3(d): Mayor LaMear asked all board and commission members to stand and called for a round of applause. She said Astoria is amazing and people give so much of their time and effort. She reported that she attended the CEDR awards ceremony, as well as the OBON 2015 Ceremony at the Maritime Museum, which was amazing. United States veterans returned flags collected as souvenirs from dead Japanese. The veterans have realized the flags are more than just souvenirs and are important to the families who need closure. The ceremony was arranged by Rex and Keiko Ziak. Many veterans spoke and there were a lot of tears in the audience. She participated in the Astoria Column lighting, which is teal, the color chosen for Sexual Assault Awareness Month. Earlier that day, she boarded the American Empress at the 17th Street Dock. The cruise ship presented Astoria with a commemorative plate. The newspaper published a request for people to apply for several boards. She noted the Library Renovation Board was renamed to the Library Revitalization Board because it is unknown if the library will be renovated or built new. The appointments were as follows:

- Library Board - Susan Stein
- Library Revitalization Board - Chelsea Billings
- Hospital Authority Board - Nicole Williams
- She noted Ms. Billings is an ombudsman for the Coast Guard and is very interested in the library. She was appointed because the board wanted a young person. Ms. Williams, head of Clatsop Care, was appointed after Mayor LaMear spoke to Columbia Memorial Hospital (CMH) CEO Erik Thorsen about what kind of person he wanted on the board.

CHANGES TO AGENDA:

Mayor LaMear requested the addition of Item 7(g): Dog Park. The agenda was approved with changes.

PROCLAMATIONS:

Item 5(a): National Service Recognition Day

Mayor LaMear read the proclamation declaring April 7, 2015 National Service Recognition Day.

Item 5(b): National Public Safety Telecommunications Week

Mayor LaMear read the proclamation declaring April 12 through 18, 2015 National Public Safety Telecommunications Week. Police Chief Johnston accepted the proclamation.

CONSENT CALENDAR:

The following items were presented on the Consent Calendar:

- 6(a) City Council Minutes of 3/2/15
- 6(b) Boards and Commission Minutes
 - (1) Historic Landmarks Commission Meeting of 2/17/15
 - (2) Library Board Meeting of 1/27/15
 - (3) Library Board Meeting of 2/24/15
 - (4) Parks Board Meeting of 2/25/15
- 6(c) Agreement and Resolution to Establish a Health Reimbursement Arrangement (HRA VEBA) (Finance)

- 6(d) Oregon Department of Transportation (ODOT) Intergovernmental Agreement – Commercial Vehicle Driver/Cargo Inspection (Police)
- 6(e) BPA Land Use Agreement (Public Works)
- 6(f) Supplemental Budget Resolution Distributing Resources to Close Housing Rehabilitation Fund (HRF) (Finance)
- 6(g) Intergovernmental Agreement (IGA) Between the Cities of Astoria, Seaside, and Warrenton for Cooperation in the Provision of Library Services (Library)**

Councilor Herzig requested Item 6(g) removed for further discussion.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Herzig, to approve Items 6(a) through (f) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 6(g) Intergovernmental Agreement (IGA) Between the Cities of Astoria, Seaside, and Warrenton for Cooperation in the Provision of Library Services (Library)

Councilor Herzig explained this agreement was for the libraries in all three cities to share resources and funding to provide free library cards to children living outside the city limits. He wanted to call attention to the agreement because he believed it was great work. He asked the Librarians from the cities of Seaside and Warrenton and Astoria Library Director Jane Tucker to stand for recognition, noting a lot of work went into the agreement. The agreement allows Astoria residents to request a book from the Seaside or Warrenton libraries and vice versa.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Nemlowill, to approve Item 6(g) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

REGULAR AGENDA ITEMS

Item 7(a): Liquor License Application for Inferno Lounge LLC, Richard Ewing, at 77 11th Street for a New Outlet for a Full On-Premises Sales Commercial Establishment License (Finance)

A liquor license application has been filed by Inferno Lounge LLC, Richard Ewing, doing business as Inferno Lounge located at 77 11th Street, Astoria. The application is for a New Outlet for a Full On-Premises Sales Commercial Establishment License. The appropriate departments have reviewed the application and it is recommended that Council consider approval.

Councilor Nemlowill declared a potential conflict of interest, as her husband owns Cerveza Gratis, doing business as Fort George Brewery, making and selling alcohol. However, the Applicant and Fort George Brewery have not entered into any agreement.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Herzig, to approve the liquor license application by Richard Ewing for a New Outlet for a Full On-Premises Sales Commercial Establishment License. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 7(b): Resolution Amending Fee Schedule for Ocean View Cemetery and Building Division (Parks/Community Development)

Ocean View Cemetery

On March 6, 2015, the Astoria City Council requested that the Parks and Recreation Department prepare an amended fee schedule for services provided at Ocean View Cemetery. This direction came after a Special City Council meeting held at the Cemetery to study its history, operations, and challenges. During the meeting, the Council viewed a presentation, toured the grounds, received community feedback, and discussed how to overcome current and future challenges facing the Cemetery. Fees for services at Ocean View Cemetery have fallen behind the national, state, and local standards. As a result, the costs of services at Ocean View Cemetery are greater than the fees charged for those services. This fee increase will begin closing the gap between fees

charged for services vs. the cost of services. The fee increase will also provide an opportunity for additional grounds maintenance at Ocean View Cemetery. It is proposed that fees be increased by 40 percent effective April 7, 2015 through June 30, 2015, and then be increased an additional 10 percent for Fiscal Year 2015-2016.

Building Division

As a part of implementing the ePermitting building permit program in the City, the State of Oregon Building Codes Division reviewed the current fee schedules for conformance with the epermitting program software. In March 2014, Council approved a resolution to amend the fees to conform to current State policy; however, the Building fees revisions adopted by the City Council at their March 24, 2014 meeting needs to be further edited to conform to the epermitting program and meet statutory requirements. The Oregon Building Code Division notified the City recently on these further edits. In the implementation of the ePermitting program through the Oregon Building Codes Division it was discovered that our City Building fee schedule table was not compatible with the electronic permitting program and that our fee table formats needed to be adjusted to make them compatible with the system software. As such, a minor edit was done to move the ending dollar amount point from the lower tables up to being the starting point for the next higher fee column. The difference is very minor in nature and will have no significant impact on the fees charged as they were previously approved by Council. This change is required to in order to conform to State of Oregon consistent fee methodology rules and to make the financial software for the ePermitting program function as intended.

It is recommended that Council adopt this Resolution amending the current fees and implementing the new fees for both Ocean View Cemetery and the Building Division.

Director Cosby said she was asked at the special City Council meeting how many municipal cemeteries are in the State of Oregon. At the time, she thought there were only two or three. However, she has learned there are between 20 and 30 municipal cemeteries in Oregon.

City Manager Estes explained the ePermitting program would allow citizens and contractors to apply for and check the status of building permits online. Astoria has been working with the State of Oregon Building Codes Division on this new process for over a year.

Councilor Nemlowill said Astoria's rates have not increased in 19 years and the City is charging well below average. Increasing cemetery fees by 40 percent should be the minimum increase implemented now because Astoria's taxpayers are subsidizing the cemetery at a rate of about \$60,000 per year.

Councilor Warr declared a potential conflict of interest, as he owns Astoria Granite Works, selling markers and monuments, many of which are placed at Ocean View Cemetery. However, he did not believe this would affect his vote. His costs will increase; not his profits, but he fully supported the rate increases. City Attorney Henningsgaard confirmed Councilor Warr's association with Ocean View Cemetery was a potential conflict of interest, not a direct conflict, and he was still eligible to vote.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Nemlowill to adopt the Resolution amending the current fees and implementing the new fees for both Ocean View Cemetery and the Building Division. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

Item 7(c): Authorization to Solicit Bids – Headworks Spur 11B Combo Timber Sale 2015 (Public Works)

A commercial thinning on 40 acres is proposed for the summer of 2015. The access road, Spur 11B, will be improved with this thinning. The net proceeds from this thinning operation are estimated to be \$260,000.00 after harvest and reforestation costs. It is recommended that Council approve the solicitation of bids for Spur 11B Combo Timber Sale 2015. Bids received will be brought to Council for consideration.

Councilor Herzig said people always become concerned when trees are cut in the watershed. He asked City Forester Mike Barnes to explain how this thinning would not affect the City's Carbon Sequestration Program and would benefit the health of Astoria's watershed.

Mike Barnes, 33655 NE Craw Creek Road, Newberg, displayed a photograph showing the main reservoir. He used the photograph to explain where the thinning would occur, noting where Spur 11B was located, which

areas had already been clear-cut, and which areas were part of the timber sale. The sale area was last thinned between 25 and 30 years ago. The area that was recently clear-cut caused considerable blow-down on the City's land, which will be cleaned up and reforested. The thinning will have no impact on the carbon project, which is expected to have an annual harvest of about 800,000 board feet for the foreseeable future. Thinning will remove some of the lower quality material, improve the stand, and have little to no impact. The water quality will likely be improved by the improvements made to Spur 11B.

Councilor Herzig said he toured the area. The blow-down was partly because of the clear-cutting done by Campbell Group, which exposed the City's trees to wind. Mr. Barnes added that ridges mark the watershed boundaries. When the ridge on adjacent land is exposed after being clear-cut, trees on the City's land are at risk of being blown over.

Councilor Herzig understood the water is regularly tested for pesticides and insecticides. Mr. Barnes noted the water is checked daily and the City does not use any chemical applications on its forestlands.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr to authorize Staff to solicit bids for the Spur 11B Combo Timber Sale 2015. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

Item 7(d): Contract Amendment Approval for the Mitigation of Contaminated Soils Related to the Removal of Underground Heating Oil Tank for the Astoria Senior Center Renovation Project (Public Works)

In February of 2015, Al Jaques, the Senior Center Remodel Project Manager, solicited services from ABA Company and K&S Environmental, Inc., for the removal an underground heating oil storage tank and testing of the soils surrounding the tank. The tank was discovered by the Project Manager during his site investigations and had not been identified in earlier site investigations during the HUD Grant application process. The City contracted for the aforementioned services, which were completed in late February for the total sum of \$4,500. Test results of the soil surrounding the tank indicated the tank had deteriorated and contaminated the soils with heating oil above the allowable limits established by the Department of Environmental Quality (DEQ). Following this discovery, the Project Manager solicited the accompanying proposal from ABA Company and K&S Environmental, Inc., for the mitigation (removal/disposal/analysis) of the contaminated soils, in addition to filing all of the necessary reporting documentation to DEQ. The fee for these services is for a not to exceed cost of \$18,000. Work proceeded on removal and mitigation to complete this work during good weather and to avoid remobilizing expenses with the contractor on site. As the contract amendment is over the City Manager's spending authority, it is being brought to the City Council for consideration of approval. K&S Environmental, Inc., has submitted all of the required reporting documentation to DEQ and we now await the final determination by DEQ as to the status of closing the file with no further action required.

Project staff has been working with the Oregon Business Development Department's Brownfields Program Specialist in an effort to secure reimbursement funding for the cost of the tank removal and contaminated soils mitigation, it is anticipated the City will be successful in obtaining funding for this work from the Oregon Business Development Department in lieu of utilizing the project's Community Development Block Grant renovation funding for these expenses. It is recommended that the City Council approve the proposed Contract Amendment for the mitigation of the contaminated soils related to the removal of the underground heating oil tank for the Astoria Senior Center renovation project.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Nemlowill to approve the Contract Amendment for the mitigation of the contaminated soils related to the removal of the underground heating oil tank for the Astoria Senior Center renovation project. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

Item 7(e): Riverfront Trolley Association Operational Agreement (Public Works)

The Astoria Riverfront Trolley Association (RTA) operates Old 300 on City owned railroad tracks from Hamburg Ave. to 39th Street. Their operation commenced in June 1999 and has served as a tourist based passenger service. RTA's operation is regulated by the Oregon Department of Transportation (ODOT) Rail Division. ODOT Rail provides operational and safety oversight to all passenger and freight rail in Oregon. In 2014, ODOT Rail completed their triennial review of the RTA. This review included findings and recommendations to be

implemented by the City and RTA. City Staff prepared the Riverfront Trolley Association Operational Agreement by updating an existing draft agreement started in 2007. This agreement has been reviewed by the City Staff, City Attorney, RTA, and ODOT Rail. It will satisfy ODOT Rail's recommendation for a written agreement, and serves to formalize the verbal, informal, operational agreement that has existed for the past 15 years. It is recommended that City Council approve the Riverfront Trolley Association Operational Agreement.

City Manager Estes explained the agreement outlines a shared approach to track maintenance. RTA is responsible for minor maintenance like tightening bolts along the rail line. The City is responsible for more substantial maintenance like multiple tie replacements or trestle repair. Staff recommends the City use Promote Astoria funds to support track maintenance and will propose \$75,000 be budgeted annually, beginning with the 2015-16 fiscal year. In the past, Promote Astoria funds have been used to repair and maintain the Riverwalk and trolley trestles.

Councilor Herzig asked if City Council would be given information about Lake Oswego's trolley maintenance funding, which Staff will review to determine an appropriate amount for Astoria. Director Cook said Staff had already researched Lake Oswego's trolley maintenance funds. The proposal to allocate \$75,000 annually was based on this research.

Councilor Herzig said he was curious to find out how another city operates their trolley and asked if the research could be shared with City Council.

Mayor LaMear asked how much maintenance the tracks needed and how much funding was anticipated. Director Cook said many of the ties are deteriorating and are unable to support the tracks. An assessment of trestle structures and inspection of the ties will be done. When the structural analysis is complete, the total costs would be broken up and repairs would be prioritized to make maintenance affordable. Burlington Northern Railroad used to come to Astoria with two passenger cars full of maintenance technicians each year. The maintenance technicians would spend two or three weeks in Astoria, maintaining the tracks at a level that would accommodate a cargo or freight train.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr to approve the Riverfront Trolley Association Operational Agreement. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill and Mayor LaMear; Nays: None.

Item 7(f): City Council Rules

The Council will discuss the "City Council Rules" following up from the last meeting. City Attorney Henningsgaard updated the draft reviewed at the March 15th meeting to address statutory provisions and shorten the document. Included in the packet is a "tracked changes" version as well as a clean copy.

Councilor Nemlowill believed the revised draft was a great improvement and she thanked Staff for their work. She asked for clarification on Section 2.7: Quorum. City Attorney Henningsgaard explained the language in the rule was taken directly from Astoria's charter. He believed the rule allowed Councilors present at a meeting to direct the Chief of Police to bring non-present Councilors to the meeting. He has never heard of this situation occurring in Astoria; however, in other cities, Councilors have been forced to attend meetings.

Councilor Nemlowill asked if the rules would apply to other City board and commission meetings. She understood the Planning Commission ran their meetings very similarly to the City Council meetings. The biggest change to the proposed rules seemed to be a three-minute time limit for testimony.

Mayor LaMear asked for Council feedback on how the rules might apply to other boards and commissions.

Councilor Warr said he was concerned about Section 2.10, which requires Councilors to ask questions of Staff via the City Manager.

Mayor LaMear said the rule seemed appropriate, noting that Council is always asked to go through the City Manager when dealing with Staff.

Councilor Warr said the rule was not a big issue for him. If the other Councilors were okay with the rule, so was he.

Councilor Herzig said Council has been less formal with going through the City Manager. Councilors have been asking questions of Staff directly. He questioned whether the rule would be too formal for Astoria.

City Manager Estes believed there were times when the City Manager could help direct or guide questions and comments to the appropriate Staff person. However, he has had no concerns with Councilors directly asking Staff about agenda items.

Mayor LaMear believed Section 2.10 needed more revisions.

Councilor Herzig had concerns with Section 7: Public Testimony, which limits public testimony to three minutes. He did not believe there should be a time limit on public input. City Council's objective should be to make it easy, not more difficult, for people to bring their concerns to Council. If a time limit is adopted, he would like it to be five minutes. Last year, when a large audience was present at a City Council meeting, the Mayor asked the audience what they believed would be an appropriate time limit. He wanted to give people more time. The draft rules state this time limit would only apply to comments about an issue not on the agenda. The rules do not include language outlining how to address comments on agenda items. He believed citizens should be able to address agenda items, so the rules should be revised to include language on agenda related public comments. He believed the wording in Section 8: Ex Parte Contacts, Conflicts of Interest, Pre-hearing Bias should include the words ex parte contact, conflict of interest, and matters of bias throughout the section. He asked who had the right to challenge a Councilor's participation in a hearing, as this was not clear in the rules. He said he would only comply with Section 11: Communications, which requires Councilors to use City issued iPads for all communications of City concern, if the City bought him a keyboard. He did not like the touch screen typing and believed the rule was overly restrictive. Citizens who come to Councilors by any means deserve to be addressed. He understood that Councilors had to submit all of their electronic records to public scrutiny, but he did not like doing everything through the iPad.

Councilor Nemlowill said keyboards are cheap and handy. She asked how time would be kept during public comments and how time limits would be enforced. She was worried that failure to keep time consistently would show a bias.

Mayor LaMear believed Council needed to be consistent and she would be willing to discuss a time limit other than three minutes. She wanted to hear what everyone had to say, but there is no reason comments cannot be made in five minutes if one thinks about their comments in advance. Otherwise, meetings could last until late at night. Council wants to hear from everyone, but the rule might encourage people to think about what they want to say in a reasonable amount of time.

Councilor Warr believed Council could anticipate contentious issues most of the time. He suggested giving the presiding officer the option to declare a time limit when necessary.

Councilor Herzig supported Councilor Warr's suggestion because Council would not always have to keep time or be worried about bias. Councilor Nemlowill believed inconsistency could cause problems. If there is a contentious issue and people have not had the opportunity to prepare their remarks, there could be some frustrations. She believed the Mayor's desire to seek consistency was important and she liked the idea of giving the presiding officer some flexibility.

City Attorney Henningsgaard noted the rules are Council's rules and it is up to Council to decide how to apply them. The rules are not binding, nor are they created to make problems. These rules are meant to solve problems, so Council could choose to waive the rules at any time. No one is imposing the rules upon Council and they are not mandatory. The rules could soften the blow of inappropriate behavior in contentious situations. He believed the language about time limits was taken from the Forest Grove rules. If Council has an agenda item for which they anticipate a lot of public comments, Council could impose a different time limit. If only a few people want to speak, the time limit could be longer. Council could even give representatives of an involved party a longer time to speak than others. Three minutes is the standard. If a rule is causing problems, it should not be adopted.

Mayor LaMear believed the majority of city councils in the State imposed a time limit to prevent the meetings from lasting too long and keep people from ranting for extended periods of time. She supported a consistent time limit that could be waived in specific cases and she was fine with five minutes.

Councilor Herzig said if a time limit had to be implemented, he preferred five minutes. He also wanted to make sure the public would have the opportunity to speak on agenda items during the discussion of those items before Council votes. The County allows people to sign up to speak on an agenda item. The chair has the list of people of who signed up and calls on people to speak. Astoria has no such process, but people would like to address agenda items when they are being discussed, not after Council votes. He wanted language added to the rules that gives the public this opportunity. He did not believe this would lengthen the meetings because many of the agenda items do not receive comments. However, there are times when people need to tell Council their opinions before Council makes a decision.

Councilor Warr suggested adding Section 7.2 to include the language requested by Councilor Herzig. He believed allowing people to speak during deliberation of agenda items could make meetings very long. City Manager Estes confirmed that Staff needed to change the time limit from three to five minutes, add a provision saying that comments would be requested for agenda items, and add a provision stating the rules can be waived. Mayor LaMear noted the time limit should apply to non-agenda and agenda items.

Councilor Nemlowill suggested implementing the rules for six months or a year, and then revisit them. There is no way to know how these rules will work until Astoria experiences them in action. Council wants to do what works best for the people and the rules should be tested.

Mayor LaMear asked for clarification on Section 2.8. City Manager Estes explained that an ordinance can be adopted at one meeting by a unanimous vote. If Council does not vote unanimously, a second vote on the ordinance would be conducted at a subsequent meeting.

Councilor Herzig encouraged the public to let Councilors know how they feel about the rules. He believed the rules were designed to make the meetings more democratic, more open to public input, and more functional.

City Manager Estes said Staff would make changes and present Council with a revised version of the rules.

Item 7(g): Dog Park

This item was added to the agenda during Item 4: Changes to the Agenda.

Mayor LaMear said after speaking with Director Cosby, Council realized the Parks budget would be very tight in the coming year. Therefore, she recommended the dog park be removed from the current and next year's City Council Goals. A dog park would not be possible this year, but she hoped it would be in the future.

Councilor Herzig noted next year's goals had not yet been adopted, so the dog park could be removed for next year with no further action.

City Manager Estes explained that Director Cosby has been advocating for a Parks Master Plan, which might be presented to the Budget Committee in the draft budget for the next fiscal year. The master plan would be developed with community involvement and would reflect what the community wants in the park system. The dog park could be more easily vetted if the master plan is included in next year's budget.

Councilor Warr favored removal of the dog park from City Council's Goals.

Councilor Herzig thanked Mayor LaMear for her flexibility. She has stepped back from an issue she has been passionate about because this is not the right time to move forward, which reflects well on her leadership.

Councilor Nemlowill said she was disappointed because it is not often that citizens who do not normally show up to Council meetings have taken so much action to make the dog park happen. She recognized the desire to see a dog park and she hoped it would be included in the Parks Master Plan. However, she was also pleased that the City is considering the maintenance costs of the dog park before it is implemented. The City is already stretched thin and does not have the money to maintain a dog park. She believed Mayor LaMear did the right thing bringing up the dog park.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Nemlowill, to remove the dog park project from this year's City Council Goals. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Councilor Herzig thanked Director Cosby for the many hours she spent working on the dog park project. Her work would not go to waste, and the information she has provided Council has helped Council make this difficult decision. Mayor LaMear noted the City considered at least twelve sites for the dog park and the process has been amazing.

NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS

ADJOURNMENT

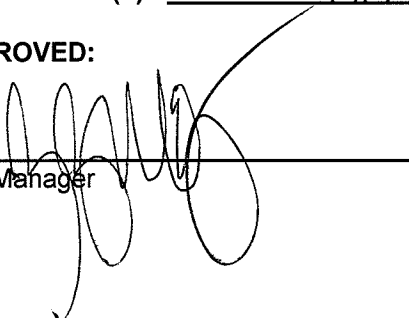
There being no further business, the meeting was adjourned at 8:05 pm to convene the Executive Session.

EXECUTIVE SESSION

Item 9(a): ORS 192.660(2)(e) – Real Property Transactions

APPROVED:

City Manager

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and loops around the line.