

**CITY OF ASTORIA**

Liberty Theatre – McTavish Room  
June 17, 2013

**CITY COUNCIL JOURNAL OF PROCEEDINGS**

A regular meeting of the Astoria Common Council was held at the above place at the hour of 7:07 p.m.

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

Staff Present: City Manager Benoit, Police Chief Curzon, Parks and Recreation Director Cosby, Finance Director Carlson, Fire Chief Ames, Planner Johnson, Community Development Director Estes, Library Director Tucker, and Public Works Director Cook. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

**REPORTS OF COUNCILORS:**

**Item 3(a): Councilor Warr** reported that he took a ride on the Coast Guard Cutter *Alert* at Port Docks, along with Councilors Mellin and Herzig and several Staff members to the 17<sup>th</sup> Street Pier, which is a wonderful facility that he feels strongly about. On the Wednesday and Thursday evenings, the City hosted a public input session for the Transportation System Plan (TSP) update. Two meetings were held at the Liberty Theatre in the McTavish Room and one meeting at City Hall. The purpose of the meetings was to gain insight from the community on how they would like the transportation system to look over the next 20 years. The City received a lot of good information.

**Item 3(b): Councilor LaMear** reported that she spent two weeks in Utah visiting her first grandchild, and Idaho where she lived as a child. Her father mapped much of Idaho for the Geological Survey. She visited Burgdorf Hot Springs, Idaho, where she learned to swim at the age of eight. While on her trip, she took pictures of ideas that she believed would work in Astoria. She noted a sign displayed in Sandpoint, Idaho that read "Sandpoint is a Walking Town. Please stop for Pedestrians." She suggested the City consider installing this sign at both ends of town so people are more aware of pedestrians in Astoria.

**Item 3(c): Councilor Herzig** reported that his ride on the Cutter *Alert* was interesting. The ribbon cutting ceremony at the 17<sup>th</sup> Street Dock will take place on Thursday June 20, 2013 at 11:00 a.m. He hosted his monthly Meet the Councilor session on Friday, where one of the discussions regarded how citizens can inform themselves on issues to be decided upon at public hearings. He suggested the City send out advanced notices about public hearings. It is difficult to learn about the issues by using the agenda posted on the City's website.

**Item 3(d): Councilor Mellin** reported that she attended two of the TSP meetings where there was a lot of public input on one-way and two-way streets. Community Development Director Estes did an excellent job moderating the discussion. She believed all of the attendees left the meeting satisfied that they were heard and that their input was taken into consideration.

**Item 3(e): Mayor Van Dusen** reported that part of his duty as Mayor is to serve as the President of the Astoria Riverfront Trolley Association. City Council announced at its last meeting that the trolley has had 500,000 passengers. This week, a new rookie motorman, Drew Herzig, received the highest grade of any beginning motorman in the history of the Astoria Trolley. The trolley has operated the same way for 100 years.

Mayor Van Dusen introduced Tom Freel, KAST; Terry Wilson, KMUN; Chelsea Gorrow, *The Daily Astorian*; and Alex Pajunas, *The Daily Astorian*. He noted that Mr. Pajunas recently won the Outstanding Professional Photographer for Newspapers Award. The award candidates are chosen from a five state award.

City Manager Benoit introduced the department heads in attendance at the meeting.

**CHANGES TO AGENDA:** No changes.

**CONSENT CALENDAR:**

The following items were presented on the Consent Calendar:  
5(a) City Council Minutes 5/20/13

- 5(b) City Council Minutes 6/3/13
- 5(c) ABC Transcription Services, Inc., Contract Renewal (City Manager)
- 5(d) Salary Resolution Establishing Basic Compensation Plan Wage Adjustment for the General/Parks Employees and Public Works (Finance)
- 5(e) Astoria Riverfront Trolley Barn Lease (City Manager)
- 5(f) Authorization to Award 2013 Maintenance Patching Contract (Public Works)
- 5(g) Contract for Exchange of Property with Jim Neikes (Public Works)**

Councilor Herzig requested Item 5(g) removed from the Consent Calendar for further discussion.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor LaMear, to approve Items 5(a) through (f) on the Consent Calendar. Motion carried unanimously. Ayes: Councilors Warr, Herzig, Mellin, LaMear and Mayor Van Dusen. Nays: None.

Councilor Herzig explained the property owned by Jim Neikes is located at the end of Williamsport Road on Front Street. The City would like to acquire this property because the street must be widened at this location to accommodate the sports center. The property is being traded for a parcel of land on the south side of West Kensington. He requested this item be removed from the Consent Calendar because he plans to vote against the exchange.

Mayor Van Dusen called for anyone wanting to address City Council on the contract for exchanging property with Jim Neikes to come forward.

Dolores Skillstad, 2394 SE Front Rd., Williamsport, requested that the item be removed from the Consent Calendar for a short time because she did not believe the Council does not have all of the information necessary to make a decision on this contract. Some of the facts are not as stated. She owns property near Mr. Neikes' property.

Director Estes stated that all of the properties owned by Mr. Neikes have been verified by Clatsop County. Ms. Skillstad stated they are not all in the town of Williamsport. The map misstated the boundaries lines of Williamsport. She just received the map and would like more time to [inaudible]

Councilor Herzig explained he planned to vote against the contract because the City-owned property to be exchanged is an unofficial urban forest. In 2012, this property and adjoining City-owned property was proposed to be sold to developers, which was opposed by the public. At that time, people wanted the land to remain intact and that the land would be offered as a complete property. Selling these properties off by parcels is objectionable and he believed the public may be opposed to this exchange.

Mayor Van Dusen asked if this property was previously brought before City Council. City Manager Benoit answered no; City Council was presented with a proposal regarding a property located west of the Latter Day Saints Church, which is not part of or adjacent to the property to be exchanged.

Community Director Estes reiterated that all of the properties are within the City of Astoria and are owned by Jim Neikes, as verified by Clatsop County.

Councilor LaMear asked Ms. Skillstad about her objections. Ms. Skillstad stated she just received the map that day, so [inaudible] Williamsport became a certified town. She has the same problem with her own property. All of the tideland attached to Williamsport, Blocks 30, 29, 28, 27 and 26, are reserved to the town of Williamsport. Property owners who own properties adjacent to these blocks own the waterfront lots. The titles are deeded. At the time Mr. Neikes purchased the property from what they call is the County, the County did not own the property. Consequently, this needs to be researched further. There is a long history of inaccurate facts, which need to be straightened out now before the issue gets worse. She has the documents to verify the facts, but no one will look at them. This needs to be fixed.

Mayor Van Dusen confirmed that Ms. Skillstad has documents stating that Mr. Neikes' property is not in the City of Astoria, but resides in the City of Williamsport. Ms. Skillstad answered that is part of it, but added that Block 30, which will probably be affected by the widening of the roads, is in Williamsport and never belonged to the County. The City cannot sell this property to Mr. Neikes. Williamsport has never been legally annexed into the

City of Astoria, according to the Secretary of State. This contract passes private property that is claimed to be City-owned and County-owned to Mr. Neikes, who may or may not legally own the property. She has the same problems with her property. The County map is not correct. She has documents dating back to 1865, which reference Plat 0028. This Plat map could not be found at the County records office. This needs to be researched further and should not be swept under the rug. The problem could continue for generations, as it already has.

Mayor Van Dusen stated he planned to vote for the contract and explained that this dispute between Ms. Skillstad and the City and County has been ongoing for a long time. City Staff has always maintained that the property is within the city limits of Astoria. He believed the City should move forward with the exchange of properties.

**City Council Action:** Motion made by Councilor Mellin, seconded by Councilor Warr, to approve Items 5(g) of the Consent Calendar. Motion carried 4 - 1. Ayes: Councilors Warr, Mellin, LaMear and Mayor Van Dusen. Nays: Councilor Herzig.

## REGULAR AGENDA ITEMS

**Item 6(a): Resolution Adopting 5-Year Update to the Pre-Disaster Mitigation Plan Addendum (Community Development)**

In October 2008, the City of Astoria, in partnership with Clatsop County and Columbia River Estuary Studies Task Force (CREST), developed a Pre-Disaster Natural Hazards Mitigation Plan and City of Astoria Addendum. The purpose of the Plan was to increase the County's and City's resilience to natural hazards that could affect the region including earthquakes, floods, droughts, landslides, coastal erosion, tsunamis, windstorms, winter storms, wildfires and volcanoes. Staff was recently notified by the County that FEMA requires a five-year review and update of the County's Plan and recommends that the City Addendums also be updated if modifications are needed. If no modifications are required, cities would still need to readopt the Addendum by Resolution.

Staff from the Community Development, Public Works, Engineering, Police, Fire and Parks Department have reviewed the Addendum Plan and developed recommendations for updates to the Plan. A copy of the Astoria Addendum with tracked changes is attached along with a quick reference list of the proposed changes. Proposed changes include updates to statistics such as number of buildings in flood zones, census data, Parks facilities, buildings that have been seismically upgraded, and noting mitigation action items that have been completed. A draft resolution to adopt Astoria's Addendum is attached to the memo. Clatsop County will follow a separate process to adopt their overriding plan. Upon adoption of the Addendum, City Staff will forward the approved resolution to the County for inclusion in the final County-wide draft to FEMA so that their final approval process can proceed. Staff recommends that City Council adopt the attached resolution formally adopting the updates to the Astoria Pre-Disaster Natural Hazards Mitigation Plan Addendum.

**City Council Action:** Motion made by Councilor LaMear, seconded by Councilor Warr to adopt the attached resolution formally adopting the updates to the Astoria Pre-Disaster Natural Hazards Mitigation Plan Addendum. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None.

**Item 6(b): Resolution Implementing Water Rates (Public Works)**

**Item 6(c): Resolution Implementing Sewer Rates (Public Works)**

The Public Works Fund budget, approved by the Budget Committee on April 25, 2013 and by City Council on June 3, 2013, provides for increases in rates and fees for water and sewer services. The rate adjustments are as follows: a water rate increase of 2%, a sewer rate increase of 2% and a sewer surcharge increase of 4%. Two resolutions have been prepared to implement the proposed rate changes. It is recommended that City Council consider adopting the proposed Water and Sewer Resolutions implementing rate adjustments for fiscal year 2013 -14.

City Manager Benoit addressed both items together, noting that the CSO surcharge is tied to debt service payments that the City must make to repay the funds borrowed to do this work. This City is not obligated to pay back funds until projects are completed. Another adjustment will be proposed for fiscal year 2014 - 2015 to pay for debt service on the currently ongoing project.

Councilor Herzig stated he plans to vote against the rate adjustments, but realizes the City must repay its debt. He is concerned that Astoria will become unaffordable for people of middle, fixed, or low incomes and suggested the City consider creating a fund for utility payment assistance. As rates continue to increase, people may be forced to give up their homes or move.

Councilor Mellin noted the Community Action Team has a fund to assist with utility payments. The Women's Resource Center often receives funds from FEMA to help people supplement their water bill payments.

Mayor Van Dusen called for anyone wanting to address City Council on the rate increases to come forward.

Rachell Straniello, 374 Klaskanine Ave., Astoria, asked how many years this rate increase would remain in effect. City Manager Benoit replied the project should be complete in 2020 as the City is about 10 years into this 20-year project. Ms. Straniello asked if the increases would be rolled back in 10 years when the project is complete. City Manager Benoit responded the surcharge is used only to pay debt service on the CSO project. When the debt service is paid, it will be removed from the bill. The last CSO project will be completed by 2020, but the debt service will continue for some time. There will be no increases after 2020 because the work will be complete. Finance Director Carlson stated that the terms on borrowed funds were 20 years from the beginning of the program. The City is halfway through paying for many of the projects that started at the beginning. City Manager Benoit said the CSO surcharge would begin decreasing in about 10 years, when the early projects begin to be paid off. In the mean time, the CSO surcharge will continue to increase in order to pay debt service.

Councilor Warr recalled that original projections estimated surcharge increases would abate at around 2017. City Manager Benoit replied the project currently underway is the most expensive project. By about 2016 or 2017, the surcharges will peak and begin to decline after that.

Peter Roscoe, 857 Florence, Astoria, asked if the City was required to make some increases in order to qualify for certain low interest loans. City Manager Benoit replied that is correct and explained that the rate increase in 2012 was required by the State and Federal governments, who believed the City's rates were too low, compared to the national average, to qualify for low interest loans. The City is receiving loan money at 1%, 2% and 3% interest, but had to increase rates to a certain level to qualify for those rates and the City met those qualifications last year, so there would be no more federally mandated increases. Rates are now being adjusted to pay debt service.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor LaMear to adopt Resolution No. 13, the water resolution establishing rules, regulations and implementing rate charges and conditions for fiscal year 2013-14. Motion carried 4 - 1. Ayes: Councilors LaMear, Warr, Mellin and Mayor Van Dusen; Nays: Councilor Herzig.

**City Council Action:** Motion made by Councilor Mellin, seconded by Councilor Warr to adopt the Sewer Resolution implementing rate adjustments for fiscal year 2013-14. Motion carried 4 - 1. Ayes: Councilors LaMear, Warr, Mellin and Mayor Van Dusen; Nays: Councilor Herzig.

**Item 6(d): Resolution Appropriating Expense and Unanticipated Revenue Adjustments (Finance)**

As the end of FYE June 30, 2013 approaches, it is important that proper appropriations have been made for all funds. The attached resolution accomplished that by making appropriation adjustments for Funds that had unanticipated expenses and resources during the last year. The following items of revenue need appropriation: 17<sup>th</sup> Street Dock Fund \$1,650,000 and Landfill Reserve Fund \$41,040. The following items of expense need appropriation: Municipal Court \$5,000 for personnel services; General Fund Transfer to Parks Operations \$155,000; Capital Improvements Capital Outlay \$85,000; Emergency Communications Personnel Services \$30,000; 17<sup>th</sup> Street Dock Capital Outlay \$1,650,000; Landfill Reserve Capital Outlay \$41,000; and General Fund Transfer \$44,500 to the Unemployment Fund. It is recommended that City Council adopt the proposed resolution appropriating these funds.

**City Council Action:** Motion made by Councilor LaMear, seconded by Councilor Herzig to adopt the Resolution Appropriating Expense and Unanticipated Revenue Adjustments for FYE June 30, 2013. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None

**Item 6(e): Building Code Services Contract for Fiscal Year 2013 - 2014 (Community Development)**

City Council previously approved a contract with Jim Brien, Combined Inspection Services, Inc., for plumbing inspections as well as vacation and emergency coverage. The contract will expire at the end of June 2013. Mr. Brien has provided excellent service over the past year and it is proposed that the contract be renewed for the 2013 – 2014 fiscal year. A contract in an amount not to exceed \$15,000 is attached to the memorandum. The contract has been reviewed as approved as to form by City Attorney Henningsgaard. It is recommended that City Council approve the attached contract with Combined Inspection Services, Inc. for a not to exceed amount of \$15,000 to provide inspection services for the 2013 – 2014 Fiscal Year.

Councilor Herzig asked if vacation and sick day coverage was for City employees. City Manager Benoit stated that Mr. Brien works for an hourly fee to cover when Inspector Jack Applegate is out.

**City Council Action:** Motion made by Councilor Warr, seconded by Councilor Mellin to approve a contract with Combined Inspection Services, Inc. for a not to exceed amount of \$15,000 to provide inspection services for the 2013 – 2014 Fiscal Year. Motion carried unanimously. Ayes: Councilors LaMear, Warr, Herzig, Mellin and Mayor Van Dusen; Nays: None

**Item 6(f): City Council Meeting on July 15, 2013**

Due to scheduling conflicts, the City Council meeting scheduled for July 15, 2013 will not be held.

City Manager Benoit stated the only Council meeting scheduled in July would be July 1<sup>st</sup>. The next regular City Council meeting would be held on Monday, August 5, 2013.

**Item 6(g): Dedicating the Paulson Pavilion and Congratulating the Board of Directors of Liberty Theatre Restoration, Inc. on Completion of the Liberty Theatre Restoration Project**

This proposed resolution dedicates the Paulson Pavilion and congratulates the Board of Directors of Liberty Restoration, Inc. on completion of the Liberty Theatre Restoration Project. It is recommended that City Council adopt the resolution.

Mayor Van Dusen noted that Eric Paulson, son of Wilt Paulson, graduated from Astoria and attended the University of Oregon with plans to become an attorney. He left college to tend to a family emergency and run the family business, Lektro, which is now a world power. The Lektro facility in Warrenton is one of the largest employers in the county. Lektro conducts a lot of international business. Many people have advised Mr. Paulson to move his facility closer to rail or shipping ports, as it would be more economically feasible. Mr. Paulson is very loyal to Astoria and he made a personal gift to finish the addition at the Liberty Theatre.

Mayor Van Dusen read the proclamation dedicating the Paulson Pavilion and congratulating the Board of Directors of Liberty Theatre Restoration, Inc. on completion of the Liberty Theatre Restoration Project. He presented the signed proclamation to Cheri Folk. City Council, Board members, Staff, Mr. Paulson and other members of the community participated in the ribbon cutting ceremony.

Cheri Folk thanked Mr. Paulson and the City of Astoria for their support. She explained the City has been supportive from the beginning when the Liberty Theatre was just a non-profit group trying to acquire a building. To begin this restoration project, the theatre asked for support and \$386,000 from the City of Astoria and the Astor East Urban Renewal District. The City's investment led to funding from other granting agencies. The theatre was a month ahead of their deadline to acquire matching funds for these grants. Mr. Paulson and his family donated funds that allowed the theatre to meet their match obligations. This project was possible because of every person who donated and the City of Astoria. The number of people attending this meeting is an indication of the support that the community gives to the Paulson Family and the Liberty Theatre. She introduced Liberty Theatre Board members President Betty Smith, Vice President Diane Barker Sayce, Larry Popkin, Christine Lolich, Don Accuardi, and Willis Van Dusen. Hal Snow was a former board member and Peter Roscoe volunteered to help design the kitchen.

Liberty Board of Directors President Betty Smith presented each City Council member and Peter Roscoe with honorary named seats and thanked the City for its ongoing support

Mayor Van Dusen read a statement regarding the honorary named seats. He stated the City is proud of the theatre and facility. Many small town theatres are no longer used. Had the community not come together as a team, many activities that occur at the theatre would not be possible.

Ms. Folk stated this is a legacy to the community and especially to the Paulson Family. She thanked everyone who participated in the project and noted that a publication would include the names of every person who participated. Hampton and Affiliates and the Warrenton Mill donated all of the framing wood. When they found out the wood would be used for the theatre, they sorted out the best wood and rounded the edges of the 2 by 4s. The theatre is please to honor the Paulson Family by naming the pavilion after them, as they have been supportive of the community.

Eric Paulson, 195 W. Kensington, Astoria, stated the room was fitting for his family. His great aunt played the piano at the theatre when it was a vaudeville theatre and his parents had their first kiss at the theatre. Steve Forrester and Cheri Folk originally wanted a complex, not just a theatre. The theatre is a cornerstone for Astoria. He is proud to see buildings in the downtown area being restored and redeveloped. He was honored to have the room named after his family.

**NEW BUSINESS & MISCELLANEOUS, PUBLIC COMMENTS**


There were no comments.


**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:55 p.m.

**ATTEST:**

**APPROVED:**

  
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Finance Director

  
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City Manager