

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, and Price

Councilors Excused: Mayor LaMear

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

City Manager Estes introduced the new Community Development Director Kevin Cronin. Mr. Cronin said he was looking forward to meeting everyone after the City Council meeting.

### **PUBLIC COMMENTS (NON-AGENDA)**

Jean Reitman, 1212 Niagara, Astoria, gave an update on the issue with her property that was discussed at the last City Council meeting. She was asked to submit a proposal of what she planned to do. She was asked to do a number of things and report to seven different people. She has jumped through all the hoops, did everything she was asked, and submitted all of the information. The proposal was finally read and approved about two or three weeks after she wrote it. She believed everything would be fine because the proposal was approved without any conditions and Mr. Harrington had said the proposal was well thought out, that he was pleased with it, and the project should turn out beautiful. She fought a few more small battles and Mr. Ames delivered 100 bales, as promised. One of the Councilors even helped move the bales, which amazed her. She believed the City was finally cooperating and both parties were on the same page. Mr. Ames had told her he would do what he could to increase the number of bales delivered because it was crucial to the project. She needed at least 100 bales per delivery. However, the very next day, she was handed off to another person and had to start all over again. One month has passed and she has gotten nowhere. Many of the bales are ruined because they were rained on. She has not received a single email or reply from those involved in this and she has not been invited to any of the meetings where decisions about this situation were made. She is the project manager, she knows the science and technology, so she should be included in the discussions. She now has ruined bales, bales that cannot be placed, and bales that now weigh 150 pounds after being left in the rain. The project is complex and she has been planning it for many months. The work must be done a certain way. She believed the City only had three options:

- Deliver at least 50 bales at a time every day that she asks for them and have the delivery men place the bales where she wants them. She can no longer lift the bales.
  - Leave the bales where they are and she would hire a company, at her expense, to deliver and place the bales. She would immediately cover the bales with sod and weather proofing.
  - Do nothing.
- No other options will work. Ten or twenty bales at a time will not work. She knows how the project should go and realized the City is trying to protect against fire hazards. However, she is already protecting the bales from fire. There really is no risk and her plan has been approved. She did not understand why she and the City were still at an impasse.

Chief Ames said 120 bales have been delivered to Ms. Reitman's house. The majority of the bales were stored in her garage for safekeeping. Ms. Reitman intended to use about 20 bales in her yard and garden above Niagara. Initially, the City said it would deliver 10 to 12 bales at a time. However, Ms. Reitman said she would store the bales in her garage, where it would be difficult for someone to toss a cigarette or match. He told Ms. Reitman that he only felt comfortable delivering 10 or 12 bales to the right-of-way along Niagara because the weather is so dry, but understood this would make completing the project difficult. Therefore, they agreed that Public Works would deliver up to 20 bales or whatever would fit on the customized pallet built to make the delivery possible. As Ms. Reitman received the bales, she could seed, sod and cover the bales with dirt, and then call Public Works to schedule the next delivery. This process would continue until the project was complete.

He confirmed the bales would be delivered to the property that Ms. Reitman prepared by removing blackberries. Twenty bales were delivered Friday at 9:00 am and he believed another delivery has been made since then.

Councilor Herzig asked if the delivery drivers could place the bales where Ms. Reitman wanted them. He agreed the bales would be heavy if they were wet. Chief Ames said on Friday, the bales were left on the pallets because Ms. Reitman had indicated she could handle them. He did not know how that morning's delivery was handled. He believed it would be best for Ms. Reitman to hire a company to deliver the rest of the bales and do the landscaping on her property. However, staff would need to coordinate with the company so the access gate to the rock quarry could be open at the time of pick-up.

Councilor Herzig agreed this would be the best way to move forward.

Ms. Reitman agreed as well. Placing the sod would begin in about five weeks, but she needed the bales about two weeks prior to the sod. The bales would remain on City property for about two or three more weeks, and then she would have a company pick up all of the bales at once and arrange them in their permanent location. Then, she would weather proof and condition the bales over two weeks. Finally, the entire area would be covered with sod all at once. She would pay for all of the expenses and just wanted the City to cooperate. City Manager Estes understood that Chief Ames was concerned about the numbers of bales stored adjacent to the Niagara Street right-of-way.

Ms. Reitman confirmed that even if the City delivered all of the bales, her contractor would place the bales within a short period of time. She would supervise the work. She has hired a professional landscaping company with the proper equipment to move the bales to their permanent location. All of the work could be done in a manner of hours. After the bales are placed, she would water proof them. She would try to make the bank more diagonal, which is about 20 feet high and very steep. Hopefully, the bank can be used for plantings and be kept healthy over the years. After the bales are conditioned for about a week to 12 days, the landscaping company would return to sod the entire area. Weatherproofing would consist of covering the bales with tarps and dirt. So far, she has only had 100 bales delivered to her garage and 20 bales were delivered on Friday. One of the 20 bales was ruined, so she sent it back. The remaining 19 bales are covered with a tarp, but she cannot do anything with so few bales. She must have at least 100 bales before she can do any work. She believed hiring a company was best at this point. Many companies are very literate about natural building.

Mayor Pro Tem Warr asked if she hired a local company.

Ms. Reitman said no, local companies do not understand the project. However, companies in Seaside and south of Seaside do these types of projects all the time. She wants the soil to be healthy, the area to be planted well to minimize erosion, and prevent the blackberries from returning. The project will protect the bank on her and the neighbor's property. The bales in the garage are too heavy for her to lift. She placed some bales on the far side of her garden because they will be used for gardening. Then, there are 19 bales at the bank. All of the bales are covered. She cannot do anything with the bales at the bank until the project gets further along.

Councilor Herzig asked how long it would take to weatherproof the bales once they have been delivered.

Ms. Reitman confirmed the bales would be weatherproofed the same day they are delivered and would continue to be weatherproofed for two weeks. However, during the two weeks, she would be working with the bales to condition them. Conditioning the bales to create healthy soil includes fertilizing, hydrogenation, liming, and a ph analysis. After two weeks of conditioning, sod will be laid over the entire area. This will create a new bank that is sloped and even. The sod will be tall turf fescue that will not get dry in the summer and holds the soil together. If the City wants to plant trees or do anything with the right-of-way in the future, nothing will need to be done to the beautiful soil.

Councilor Herzig understood no bales would be delivered and the situation would remain status quo for two weeks.

Ms. Reitman confirmed this was correct and said the bales needed to remain covered during this time. She has not been told whether the bales are covered, but she has submitted repeated requests for the City to make sure they are covered where they are being stored. Covering the bales is crucial. If they remain uncovered and it rains again, the bales will be wasted.

Councilor Herzig asked if Chief Ames could work with Ms. Reitman upon delivery of the bales to the right-of-way to ensure another fire hazard situation does not occur.

Ms. Reitman said the bales would be covered the entire time and she was willing to allow Chief Ames to inspect the bales. Chief Ames agreed to spend as much time as necessary working through this situation. He believed it would be beneficial for he, Mr. Harrington, Director Cook, City Manager Estes, and Mr. Nelson to meet and plan exactly what will happen, including how and when the work will take place. If 50 or more bales sit on the right-of-way, the weather continues as is, and Ms. Reitman is unable to do the seeding, place the sod, and covering of dirt, the situation will be the same as it was a month ago. He believed a meeting would be best for everyone involved to make sure they were all on the same page before moving ahead.

Ms. Reitman asked how covering the bales with dirt and a tarp would be different from covering them with sod. Chief Ames said if the bales were covered with a tarp, they would need to be airtight and Ms. Reitman would need to make sure no one could flick a cigarette or a match on the tarp. The current weather conditions make him very nervous about allowing this in a residential neighborhood.

Ms. Reitman said as long as the bales remain safely covered in storage, the project could be delayed until the weather conditions are more favorable. She said it would be no problem to wait until September. Chief Ames said he would feel better if the project was delayed, but was concerned about Ms. Reitman having to work in the rain.

Ms. Reitman reminded that she would not be doing the work. She would hire a company and did not have to worry about the timing. Pushing the project into the rainy season would not change anything.

Councilor Herzig understood this agreement was contingent upon the bales being covered while in storage. He appreciated that Chief Ames was willing to work with all of the parties involved. He believed the situation should have been plotted out long ago. He was sure that Ms. Reitman and Chief Ames could work together to deal with any potential risks and thanked Ms. Reitman for her flexibility.

Ms. Reitman said thank you, noting that this discussion was very positive.

Mary Eng, 8<sup>th</sup> and Harrison, Astoria, displayed a purple blanket, noting that she wanted to start a blanket drive for the homeless. This blanket was given to her by the Portland Police Department, who gives free blankets to people in need. Earlier that day, she and a friend interviewed Patrick Ryan who received a \$750 ticket for sleeping or camping in Astoria. Officer McNeary issued the citation on July 19<sup>th</sup> at 12:14 am on a corner of West Bond Street. She wondered if this was some kind of executive malfunction or if a policy exists. The Mayor appeared to deny the situation at the Meet the Mayor event. She had heard a rumor that homeless people were getting \$1,200 citations. She would pay Mr. Ryan's fine and refer him to social services if she had the money. All she had was the blanket, but said maybe others have comfort items that would soften the blows of intense poverty that people have been experiencing lately in the current economy. She asked Council what policies and solutions were in place. She hoped she would never hear the homeless referred to as a problem because she did not view them as a problem. She understood the homeless were a difficult community to work with sometimes. There were times she was concerned for her own safety when working with the homeless on skid row in Los Angeles. As a woman, there are times when she is unable to go into homeless communities safely. She would appreciate the support of someone like Officer McNeary in such a situation; however, if Officer McNeary was in error when issuing the ticket, she wanted the City to drop it and apply their state funding to resources like Clatsop Community Action. She was not ungrateful for the kindness of the community, federal programs, and the Oregon Healthcare Plan. She was grateful for everything Council does to make Astoria a beautiful and great city and she respects safety concerns. However, she is highly concerned with dignity and very passionate about human rights. The citation upset her, so she wanted to start a blanket drive as a way of turning the situation into something positive. The blanket represents the dignity and sanctity of human life and the beauty of people like Mr. Ryan, who need help. He may not need the blanket, but might need socks or toothpaste. She believed the community could work together on this. She thanked Council for listening and said she hoped to meet each Councilor personally.

Roger Warren, 37<sup>th</sup> Street, Astoria, said there was a meeting a year ago to discuss the issues with the massive influx of Goonies fans. The City and Chamber of Commerce have done an excellent job promoting the Goonies

and there are still a lot of problems. Parking has been shifted to a lower part of the street and this has created many problems for people that live on 37<sup>th</sup> Street. He volunteered to be part of a group that tried to fix the problem, so he receives many emails about this. Three weekends ago, he was blocked in and could not exit his alley way. People were rude and cussed at his wife. The group continues to meet and plead with the City to come up with a solution. He wanted others to understand that he lives on a dead end alley that gets 1200 people each day, walking with their dogs. Residents regularly clean up after the dogs. This situation was put into the community without the resident's input. Every time he asks how this happened, no one can give an answer. However, the problems continue and he would appreciate any efforts to plan ahead for the next five years.

Mayor Pro Tem Warr asked if the situation was as bad now as it was a year ago.

Mr. Warren believed his block was not as bad, but his neighborhood now has signs that are bigger than the signs allowed in downtown. He and his wife own three businesses that are required to have small signs, but there is a 4-foot by 8-foot sheet at the bottom of his driveway that directs Goonies traffic. All of his neighbors have signs as well. He still gets blocked in, but the impact has shifted away from his house. This year, there have been more people. Each year, someone says the traffic will die down, but it continues to grow and increase.

Mayor Pro Tem Warr said he understood because the people walk right by his house. He asked if Mr. Warren had any specific recommendations for improving the situation.

Mr. Warren said he has called the police, who have done a great job of getting people to move. He and the group have made many recommendations, including shutting the house down as a tourist attraction. He understood the house was a major attraction and a money maker for the museums in Astoria. However, no one really planned for the impact of the traffic. This has torn his community apart and many of the residents are still angry, but they are not speaking about this at meetings. He would like to meet with someone who is an expert at planning. If he were planning a weeklong event for 1200 people in a dead end alley, he would consider the neighbor with a daycare who needed two extra parking places. At least 20 cars turned around in his driveway today because there is no outlet. People are still coming to the house sporadically and in large numbers. He was willing to sit down with someone to discuss the impact and do some planning. He appreciated what the City and the Chamber have done to lessen the impact on his home, but the impact had simply shifted.

Councilor Herzig said all of the signs make the neighborhood look like a war zone. The neighborhood is already difficult to navigate. One woman told him the only visitors she speaks with are people that have gotten lost looking for the Goonie house. He believed the problem was getting worse each year.

Mr. Warren added that he supports tourism and was very reluctant to get involved until he was asked to be on a committee to look into these issues. The problems have progressively gotten worse each year, so he is asking for help.

Mayor Pro Tem Warr noted that Mr. Sterling wanted to discuss the engravings at the Garden of Surging Waves. Mr. Sterling had a letter to give the Councilors that included some confidential information and believed the conversation would only take about five minutes. He clarified the documents were not private, just personally sensitive.

Judd Sterling, 425 Floral Street, Astoria handed out copies of his letter at the dais and requested the recorder be turned off. Someone noted this was a public meeting. He said it was difficult for him to be at the meeting. In the spring of 2008, his daughter threatened to kill her mother with a fork. The police took her to Alaska Psychiatric Institute, where she was held for seven months. He asked City Council to read the two-page letter and he would answer any questions.

Councilor Nemlowill explained that the letter would become public record as soon as it was read by Council. Mr. Sterling indicated he was unaware of this and asked if the letter would be given to the newspaper. Councilor Nemlowill said the letter would be given to anyone who requested a copy of it. Mr. Sterling said he did not care if the letter was published.

Councilor Herzig noted that a person cannot be named without their consent and asked if the full name could be replaced with initials on the paver at the Garden of Surging Waves.

Mr. Sterling said he spoke with City Attorney Henningsgaard and spent many hours over many days researching privacy laws in Oregon, Astoria, and at the Garden of Surging Waves. Currently, other than the Health Insurance Portability and Accountability Act (HIPPA), there are no privacy laws that protect his daughter's name from being engraved. His research led him to a document regarding publicity laws in several states. Washington is the closest state with a publicity law that allows a name to be engraved on a piece of art or sculpture as long as the name is not a personality and is not produced more than five times. Astoria has no laws. Therefore, he would like the original paver to be put back.

City Attorney Henningsgaard said he had spoken with Mr. Sterling about this. State courts recognize that the use of another person's name or likeness without his or her permission is an invasion of privacy. There are at least four different types of invasion of privacy. The only type recognized by Oregon State Courts is the unauthorized use of another person's name. The application for a paver indicates a person wants their own name used on the paver. Astoria does not have any specific regulations. Mr. Sterling has asked to use someone else's name on the paver and this would be an invasion of that person's privacy in his opinion. This was just his opinion based on old case law and he believed the rules were not very clear.

Councilor Herzig noted the conflict was that City Attorney Henningsgaard has indicated it is not legal to display the full name; however, Mr. Sterling believes it is legal.

Mr. Sterling asked if he would have to pay to have the paver work done all over again to drop his daughter's last name. The fact that he had to make this presentation and the actions that led him to this point were wrong. The use of his daughter's last name was the mitigating factor for removing the stone and the fact that the stone was removed shows complete disregard for the Garden. Certain etiquette should have been followed in this situation. He went to see the stone, but it was gone. After speaking with City Attorney Henningsgaard, he learned the stone had been removed a month before. Staff had spoken to a lawyer about removing the stone, but said nothing to him. He just had to go and find out that it had been removed. This is not right. There should be some due process established and his rights and feelings should be considered.

Director Cosby said she spoke with Mr. Sterling when the Parks Department was first contacted by his family. Mr. Sterling came in to meet with her and they had a nice conversation. She recalled informing him that the paver would need to be removed. It is unfortunate that their recollections of the conversation were different.

Mr. Sterling said he told Director Cosby at that meeting that she needed to do what was right. In his opinion, this meant ethically and legally right, and neither the ethical nor legal rights were met. Director Cosby never told him the paver would be removed. If she had, he would not be at this meeting and would have spoken to her and City Manager Estes about this instead. He wanted the stone put back in place and asked what his options were. He wanted to know if he needed to have another stone made or if he would get \$350 back for the first stone. He worked with Mayor Pro Tem Warr for two days and the stone was installed on his daughter's 19<sup>th</sup> birthday. The stone means a lot more to him than just a pragmatic approach. City Manager Estes said he had told Mr. Sterling earlier that the City was willing to rebate the amount he paid for the stone.

Mr. Sterling asked if the money could be put towards another stone with his daughter's last initial. City Manager Estes confirmed other approaches could be considered, but any actions would need to be approved by City Attorney Henningsgaard.

Mr. Sterling said in that case, he preferred his daughter's last name be dropped because her first name is his last name. The City could just keep the money and he would compensate Mayor Pro Tem Warr for any additional amount. He also wanted the stone placed back into its original location.

Councilor Price said she completely agreed with City Attorney Henningsgaard, but believed the application could be revised. Currently, the application states "my name". Newspapers will call authors of letters to the editor to confirm the author wants it published. She had not read the entire letter, but urged Mr. Sterling to accept his daughter's wishes. This is a family matter and she was sorry Mr. Sterling had to bring the issue to City Council. She was not in favor of allowing any name or initials, other than Mr. Sterling's, on a paver. The paver is basically an advertisement in a public garden in perpetuity.

Mr. Sterling wanted Councilor Price to read the entire letter. The paver is a work of art and a sculpture, not an advertisement or for publicity. It is a statement of love and affection that he has for someone. There are pavers that people have made for others. He was shocked that he had to be at this meeting to explain this issue because the situation never should have gotten to this point. He suggested only his daughter's first name be used, instead of her first, middle, and last names. Her first name is his name and he has permission to install a paver with his name.

Councilor Price asked what the Chinese characters represented.

Mr. Sterling said the characters say, "For my daughter, with love, always." Only people who read Chinese will know what the characters say. He believed he should have the right to say his name and that he loves his daughter on the paver.

Councilor Herzig believed that was an ideal solution and he was sorry Mr. Sterling had to go through this.

Mayor Pro Tem Warr believed this solution would work as well. However, his labor rate is \$60 per hour and he has invested about \$1,500 in Mr. Sterling's paver because he knew it was important. Mr. Sterling said he would pay Mayor Pro Tem Warr for the work, but he did not want money from Mr. Sterling. This issue involves two people, Mr. Sterling, who wants the paver very badly, and his daughter, who did not want the paver as much. Mr. Sterling's daughter made her wishes known and the law does not support the position of putting the paver in the Garden. He believed using her first name and the Chinese characters would be reasonable. However, the paver was not removed to spite Mr. Sterling; it was removed because the person named on the stone was very angry that it had been placed. He offered to make another stone with the first name and the Chinese characters.

Mr. Sterling said he would like to help Mayor Pro Tem Warr make the stone.

## **PRESENTATIONS**

### **Item 5(a): Goonies Event Update by Skip Hauke, Astoria/Warrenton Chamber of Commerce**

Mayor Pro Tem Warr said June 4 – 7, 2015 was the 30<sup>th</sup> Anniversary Celebration of the filming of the Goonies, hosted by the Astoria/Warrenton Chamber of Commerce.

Skip Hauke, 92732 Deer Valley Road, Astoria, said he has spoken with Mr. Warren on several occasions and he wished there was a magic wand to solve the problems. He believed the Chamber had done a lot to remediate the issues in the neighborhood, but he did not know how to stop the problems. Astoria pays the Chamber to bring visitors to town and the Chamber takes this job very seriously. Bringing in visitors is also the main job of Lower Columbia River Tourism. Two or three years ago, the Mayor proclaimed the first weekend in June as Goonies Days. The 30<sup>th</sup> Anniversary event was extremely successful, as it brought 12,000 to 15,000 people to town. The vast majority of visitors are good people, but there are always a few that ruin events for the good ones. Only a small part of the Chamber's budget was for marketing to get the visitors to Astoria. All Goonies fans know that the first weekend in June is Goonies Days in Astoria. This makes the weekend a big one even when it is not the 30<sup>th</sup> Anniversary. There was also some publicity and press that the Chamber had nothing to do with. The Chamber has a public relations firm in Portland, called Maxwell PR. The Chamber also hires an advertising agency called Robeson Communications. Prior to, during, and after the Goonies anniversary event, the Chamber had 85 print and online media articles with a potential reach of 369 million people. The Chamber did not pay for these articles. He listed many of the national and international media outlets that provided national coverage, noting this has never happened before. The Chamber did not request any of this publicity and had no way to stop it. As a child, he walked by the Goonies house on his way to school each day, but has never seen the entire film. He understood there were issues. One of Oregon's Senators wrote a letter about the Goonies to the President of the United States and it was placed in the Congressional Records. He did not know what else could be done. He believed just as many visitors would still come to the Goonie house even if it were shut down. The Chamber has tried many different things, including putting up signs in the neighborhood. He believed the signs were working to a certain extent. He does not work the front desk, but is still asked about six times a day how to get to the Goonies house. He does not tell visitors about the house, but simply answers their questions. All of his employees have been trained to tell visitors to go up 37<sup>th</sup> Street, take a right at the top, park by Astor School, and walk to the Goonie house. The city installed a 4-foot by 8-foot sign to make these directions clear. He was open to any suggestions. Astoria received a lot of attention and he was confident the residents of the

neighborhood do not want such attention. However, many of Astoria's shops, restaurants, brew pubs, and hotels were full. People visit because they love Astoria, not just the Goonies. He received a letter from a family in Boulder, Colorado, who rented two hotel rooms for a week, ate at least two meals out each day, and spent hundreds of dollars in the shops. He did not want this to stop. On Goonies Weekend, there were several reports of record sales.

Mr. Warren said the residents are not mad at the Chamber or the City; they have both done a great job of marketing. With the help of the internet, the event has blown up. The recognition and the growing event is great, but it is strangling the residents at that end of town. The residents are simply asking the City to do some planning because the number of visitors is massive. Early in the process, a City official asked the residents why they do not just move. Those types of comments left an impression on the residents. He asked the City for help and asked the City not to ignore a great commercial event that occurs in a residential area. Some of the signs in the neighborhood are bigger than what is allowed on the highway. The residents just want some help.

## **CHANGES TO AGENDA**

No changes.

## **CONSENT CALENDAR**

The following items were presented on the Consent Calendar:

- 6(a) City Council Minutes of 6/15/15**
- 6(b) Community Development Department Project Status Update**
- 6(c) Resolution Addressing Program Details for the Continued Use and Management of the City Revolving Loan Funds Transferred to Craft3 (Formerly known as Shorebank Enterprise Pacific) (Finance)**
- 6(d) Authorization to Purchase Thermoplastic for Crosswalk Delineation (Public Works)**

### **Item 6(a): City Council Minutes of 6/15/15**

Councilor Herzig noted the following corrections to the minutes:

- George Hague's name was misspelled on pages 1 and 2.
- Page 9, 9<sup>th</sup> paragraph: "Councilors Herzig and Nemlowill agreed that this direction to the Planning Commission was **might be** an indication that Council believed their original recommendations were unacceptable."

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

### **Item 6(b): Community Development Department Project Status Update**

Councilor Herzig said recently, Council has been receiving large packets of updates from different agencies. The packets are very educational, but are overwhelming because they are a huge download. He wanted to receive reports more frequently. On Page 23 of the agenda packet, this report discusses the next phase of improvements to Heritage Square. He did not want to adopt this since the entire plan is being revisited and there might be a better location for the Sunday Market. He was unsure about a gathering area for concerts, festivals, and the possibility of the library and work force housing in the area. He was afraid that adopting this project status update would commit City Council to this agenda.

City Manager Estes explained this is just a status update based on the current plan for Heritage Square and there is no requirement to adopt it. Later during this meeting, the City's environmental consultant will give an update. Staff understands that Council might want to take a new look at the plan for Heritage Square.

Councilor Herzig confirmed that approving this item of the Consent Calendar does not commit the City Council to the language in the update. He was also concerned about repairs to the Hilltop Commercial Building, mentioned on Page 30 of the agenda packet. The update lists specific repairs that have been made to the building, noting that steady progress continues. He walks by the building every day and said a blue tarp has been on the south side of the building for over a year and has begun shredding. Tar paper on the inside of the building has become exposed and is falling apart and the vintage window display looks like the aftermath of a garage sale. He was

offended that the update indicates the work is coming along fine and wanted the relevant section of the update removed.

**Item 6(c): Resolution Addressing Program Details for the Continued Use and Management of the City Revolving Loan Funds Transferred to Craft3**

Councilor Herzig asked if Craft3 was charging interest on loans and if so, what happens to the interest. City Manager Estes explained that during the Budget Committee meetings, the committee wanted to update resolutions that created funds for the City. Upon reviewing the resolutions, Director Brooks noticed this one included Craft3's old name, Shorebank Enterprise Pacific. Director Brooks said she was not sure about the interest, but her intention was just to update the name of the company Astoria is currently doing business with. She did not believe Astoria currently had any funds that utilized these loans. The loans are used to assist the cleanup of derelict buildings and properties, like the Flavel House.

Councilor Herzig understood there were no loans at this time, but wanted to know if the loans would be interest free if they were issued. City Manager Estes confirmed City Council would decide the interest at the time the loan is issued. Councilor Herzig understood this meant every loan Craft3 makes comes before City Council. City Manager Estes explained that this fund is money that the City of Astoria has banked at Craft3. The money is a corpus of funds that could be utilized by Astoria City Council and the City of Astoria to provide business loans to an entity as Council chooses. Currently, there are no loans that have been issued by Astoria City Council. City Council would determine the interest rate, should the money be loaned to a specific business. The approved budget includes funds that are allocated for code enforcement use. When the City took action against the Flavel House, the necessary remediation work on the structure was paid for with monies from this budget line item. As the funds are repaid, they are deposited back into the revolving loan. Craft3 does not issue any loans independently from the City of Astoria; they just hold the money.

Mayor Pro Tem Warr confirmed this was just a housekeeping issue so no further action was needed.

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

**Item 6(d): Authorization to Purchase Thermoplastic for Crosswalk Delineation**

Councilor Herzig said the thermoplastic would be used on the new Continental style crosswalks. He understood some City staff believed crosswalks were problematic and hazardous. He asked if spending this money meant the City believed in and supported the use of crosswalks. City Manager Estes said staff most certainly supports the use of crosswalks. Director Cook explained that thermoplastic has been around for awhile and it continues to be refined. Its primary use is in high traffic area because it holds up to traffic wear. Thermoplastic is less expensive than painting annually. Crosswalks are usually applied in downtown areas where there is a considerable volume of pedestrian traffic and around schools. Playgrounds do not usually have crosswalks near them because they do not generate the same volume of pedestrian traffic as a school.

Councilor Herzig believed thermoplastic was a great choice because paint wears off quickly.

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

City Manager Estes confirmed that Item 6(b) was for information only and no action was necessary.

**REGULAR AGENDA ITEMS**

**Item 7(a): Resolution Creating a Pilot Program to Allow "Parklets" on Side Streets in the Downtown Area (Public Works)**

City staff has been approached by two business owners over the last year concerning the potential for their businesses to be able to establish small outdoor commercial spaces in the street rights-of-way adjacent to their



locations. In many communities that permit this activity, this is what is referred to as a "Parklet." In downtowns or older commercial areas where open space is lacking, they are seen as a way to provide more outdoor seating or landscaping, and to enliven the streetscape. The parklet would basically be a deck occupying most of a parking space, approximately 7' wide by 18' long, and contain landscaping and seating. It may or may not be in conjunction with a restaurant. They must meet ADA and building standards, and be open to the public on a 24/7 basis. They could be removed in the winter months.

Staff has recommended that they be allowed only on the "side streets" (not Marine Drive, Commercial Street, Duane or Exchange Streets), and that they be in the interior of the blocks and not on the corners. Since this involves the private use of a public right-of-way, staff (including ADHDA staff) has drawn on work done in other cities to develop and adapt several policies, which are attached for the Council's review. The ADHDA Board has reviewed the policies and proposed the idea of doing a two year pilot project for up to two parklet spaces. Once a property owner proposes a parklet project, staff would bring the proposal to the City Council for approval. It is recommended that Council consider the proposal of a pilot project for a two year period, and if approved, adopt the attached resolution.

Councilor Price said she really liked this idea and believed the Astoria Downtown Historic District Association's (ADHDA) requirements were great. She reviewed regulations in other cities and spoke with ADHDA President Dulcye Taylor about the parklets over the weekend. Portland's parklets and streeteries are available to the public 24 hours a day and dedicated to the businesses during business hours. She suggested Regulation Number 6 be edited as follows: "They shall be considered public spaces and therefore will be available to the general public 24 hours a day when not occupied by the business that installed the structure." This would prevent the parklet from becoming a private space, making sure the space is available to the public 24 hours a day.

City Manager Estes explained that the ADHDA discussed using the term streeterie and requested the word be removed. The language in this resolution refers to all such structures as parklets and would allow restaurants to use space for outdoor dining. When the space is not being use by a restaurant, it would be open to the public.

Councilor Price wanted language that better addressed another sort of business that is not a restaurant and that wants to create a parklet, which would be open to the public 24 hours a day with no private service. Private spaces are streeteries and public spaces are parklets. She believed this needed to be clarified.

Councilor Herzig said the issue was confusing because the 22 principals do not mention food and drink service. He believed the language should indicate food and drinks may be served and consumed in the parklets. Number 60 prohibits merchandise on a parklet, which means sidewalk sales would not be allowed. He agreed with Councilor Price that some clarity should be added to the language.

Councilor Price suggested a non-refundable application fee of \$100 and annual permit fee of \$100 or \$200. The parklets will help the businesses. Staff and volunteer time will be necessary to review the parklets and she believed the City should be compensated. The City of Eugene has requirements that prevent loose gravel and sand, and require slip resistant floor materials and that all materials to be safe for use in the environment. These requirements seemed like good things to her. She wanted all types of smoking prohibited and believed the application form should be very concise and reviewed by City Attorney Henningsgaard. She believed all of these regulations were important, even though this is just a pilot project. She asked if specific businesses had already been identified to be part of the project or if it would be a design competition. She also recommended the requirement to use local design services, materials, other services, and vendors. City Manager Estes said staff could fully address Councilor Price's concerns and suggestions at the next City Council meeting. Staff would need time to work with the ADHDA to determine what could work and what would not.

Mayor Pro Tem Warr asked if the ADHDA was serious about giving up parking spaces in downtown Astoria.

Dulcye Taylor, President, ADHDA, 1287 Commercial, Astoria, replied no. When she saw parklets in other locations, they seemed to be using parking spaces in a way that took away parking. Some of the parking spaces in downtown Astoria are loading zones where parking is prohibited, but they are not being used as loading zones. Those spots seemed to be the perfect space for a parklet. She was not suggesting parking spaces be used or that parklets be allowed on Commercial and Marine, just spaces in the side corridors. The ADHDA has suggested a pilot program because it is an interesting idea worth checking out.

Councilor Nemlowill questioned the idea of parklets when she first heard of it. However, when she heard the idea was proposed by the ADHDA and that it would be a pilot program, she believed the ADHDA should try it out.

Councilor Herzig said when staff reports back, he wanted to hear why the parklets would only be allowed in downtown. He also wanted to know the names of the two businesses that brought this idea to City staff. Only two parklets will be allowed during the two-year pilot period and Council needs to know who is applying for this project. City Manager Estes said the owners of the Astoria Coffee House and Cargo would participate in the project. At this time, placement of the parklets has not been determined. The applicants are simply inquiring about a specific site. The owner of the Downtown Coffee Shop on 10<sup>th</sup> Street would also like to have a parklet.

Councilor Herzig agreed the language should be edited as Councilor Price suggested. He understood parklets might only work in the downtown, but wanted the City to consider allowing parklets in other areas in case a business outside of downtown wanted to create one.

**Item 7(b): Carbon Credit Project – Contract Approval for Third-Party Verifier (Public Works)**

At the June 4, 2015 City Council meeting, Council approved a contract with The Climate Trust (Emissions Reduction Purchase Agreement) to sell carbon credits generated from the City of Astoria Watershed carbon project. The Climate Trust has agreed to pay the City \$2,057,500 over a two-year period (2016-2017) carbon credits. The contract with The Climate Trust requires the City to deliver carbon credits from the City's forest carbon project that are third-party validated and verified as meeting all American Carbon Registry (ACR) standards and requirements. On June 17, 2015, the Public Works Department issued a Request for Qualifications (RFQ) to validate and verify the City's forest carbon project. On July 8, 2015, the City received four responses to its RFQ. Submission were evaluated and ranked by Public Works staff. Environmental Services, Inc. (ESI) of North Lawrence, Ohio earned the highest overall ranking. ESI does subcontract with qualified local forestry consultants to assist with validation and verification tasks. Staff subsequently negotiated a contract price of \$29,500 to complete work. This price is within the budget estimate presented and approved by the Council at its June 4, 2015 meeting. It is recommended that Council approve award of the Bear Creek Watershed ACR Improved Forest Management Project Validation and Verification contract to Environmental Services, Inc.

Councilor Nemlowill said this project has involved many steps and asked if this would be the last one.

Mike Barnes, 33655 NE Craw Creek Road, Newberg, OR said this was not the last step. As this project moves along, staff will continue to update Council on its progress. Carbon projects are not simple and this contract is a very critical part of the project. The City must have a third party verify Astoria's work on the watershed and determine how much carbon is sequestered for sale to the Climate Trust. The City has selected a highly qualified entity that has done similar projects and has agreed to Astoria's timeline. Staff will bring to Council any additional steps that are required as the project continues.

City Manager Estes noted the contract with the Climate Trust, approved by City Council on June 4<sup>th</sup>, included an itemized list of the various steps necessary to move the project forward. Staff can provide an update to Council on what the next steps will be.

Mr. Barnes added the objective is to present \$1 million to the City in the spring of 2016.

Mayor Pro Tem Warr said the contract allows the company to charge the City outside of the contract in many areas. He was concerned that contract might not contain enough contingencies.

Mr. Barnes said staff was confident that the contract allows the City to control the process. Staff does not anticipate any expenses outside of the budget that the company has agreed to, which staff negotiated. Staff will make sure Council is notified about anything that does not go along with the contract.

**City Council Action:** Motion made by Councilor Herzig, seconded by Councilor Nemlowill to approve award of the Bear Creek Watershed ACR Improved Forest Management Project Validation and Verification contract to Environmental Services, Inc. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, and Nemlowill; Nays: None.

**Item 7(c): Heritage Square Environmental Update (Public Works)**

John L. Kuiper of Amec Foster Wheeler will present an update of work completed on the Heritage Square EPA Grant project.

City Manager Estes said this presentation would provide Council and the community information about the EPA Grant project for the cleanup of Heritage Square. Several years ago, Astoria was the recipient of a pilot program from the EPA that provided assessment and remediation funds to clean up Heritage Square. The assessment phase is almost complete and staff looks forward to the remediation phase. The types of businesses that contributed to contamination in the area included a car dealership, a printing press, and a dry cleaner.

Engineer Harrington said the material being remediated and removed was from the construction of the Garden of Surging Waves. When the Garden was constructed, Astoria did not have permission from the Department of Environmental Quality (DEQ) to move the material off site, so it was stored on site.

John Kuiper, Amec Foster Wheeler Principle Geologist, presented via PowerPoint the details of the environmental assessment work done to date with the following key comments:

- The grant was a brownfield multipurpose grant for \$400,000, half of which was for assessment and half for cleanup. Most EPA grants only fund one or the other, so this grant was rare and the City was fortunate to receive the funds.
- Environmental assessment work began in 2003 when heating oil tanks were removed. Soil and ground water sampling was done in 2003 and 2012. Soil vapor sampling was done in 2012. These assessments found some localized areas of contamination, including cleaning solution solvents, petroleum, and some metals. However, gaps in the data were discovered, so more assessment work had to be done.
  - Councilor Herzig confirmed the last report given to City Council was before gaps in the data were noticed. City Council had understood all of the testing was complete and the project was ready to move on to soil removal, but since then DEQ had responded about the gaps.
- The investigation done in 2014 involved 13 borings across the site, 13 soil samples, 10 ground water samples, composite samples of the two soil piles in the former Safeway basement footprint, and the stockpile underneath the raised parking deck. This investigation indicated widespread, low level impact to soil from petroleum, polychlorinated biphenyls (PCBs), and metals. Some partially defined areas contained higher lead and polynuclear aromatic hydrocarbons (PAH) levels beneath the parking deck. Therefore, the stockpiled soils are not ideal for reuse on site. The groundwater samples contained some low level chlorinated solvents and metal beneath Heritage Square and Duane Street. He explained how a biochlor model was used to calculate how quickly and how far the solvents might move in the groundwater. The model showed solvents might migrate off site towards the Columbia River. Therefore, DEQ is requiring that more work be done on the groundwater samples and the partially defined area of soil beneath the parking deck.
  - The concentrations do not pose a risk to residential, occupational, or park users as long as the site is developed at street level. Contaminates are 13 feet below street grade and in the groundwater.
  - He confirmed that a sunken amphitheater would not likely be precluded by the recommendation to develop at street level. The change in proposed use of the site from commercial to a mix of uses that includes residential has required additional testing.
- DEQ has been providing technical assistance and project management oversight since 2004, using more than \$50,000 in grant funds received from the EPA to conduct brownfield assessments. During that time, the City applied for the \$400,000 grant. DEQ has also invested time, at a cost of about \$27,000 outside of the grant funds. DEQ is working with the City of Astoria and Amec to identify a cost effective, protective, and environmentally sound method of managing the Safeway stockpiles of soils. They would like to find an alternative to hauling the soil to Hillsboro Landfill, which would consume most of the cleanup funds.
  - DEQ has approved the characterization work with the revised biochlor modeling and the cleanup, but requested some additional soil sampling data before cleanup work can begin. Based on existing contaminate information, all of the stockpiled soils would have to be taken to Hillsboro Landfill or Arlington Landfill. This is not an ideal option from an environmental or cost standpoint. Additionally, there is an undetermined amount of hotspot soil and soil above risk base concentrations under the raised parking deck. Hauling soil to the landfill and determining the amount of hotspot soil under the parking deck could exceed the \$200,000 budget for clean up, as well a delay of a No Further Action letter from DEQ. DEQ has also requested more information about how far and how quickly the chlorinated solvents in the groundwater next to Duane Street could travel.

- This month, the supplementary sampling plan, approved by DEQ and EPA, will involve 30 to 40 soil samples that will be tested for diesel, PAHs, halogenated volatile organic compounds, metals, PCBs, and some physical parameters that will help determine the suitability of soils for potential local reuse. Physical parameters include moisture content, organic content, and grain size. The EPA has made their Region 10 laboratory in Manchester, WA available free of charge for this round of sampling. This is a \$10,000 to \$14,000 value to the City.
  - Hopefully, this testing will determine which of the soils can be reused locally and what needs to be done to get a No Further Action letter for the site. The sampling will begin on July 21<sup>st</sup>.
- Between now and the end of 2015, final steps include:
  - Mid August – Deliver a detailed report of the sampling data. Council may need to decide if any parking deck removal would be necessary to remove the contaminated soils. The engineer who worked on Heritage Square believed it was unlikely the deck would need to be removed, but this cannot be determined until the soil samples have been tested.
  - September/October – Present an analysis of brownfield cleanup alternatives. Most of the options would involve digging and hauling the soils either to a local place or someplace further away. The groundwater may not need any cleanup or it may need monitoring, but he did not anticipate any large scale groundwater remediation. A contamination media management plan must be implemented before contractors can remove stockpiled soil from the former Safeway footprint and the two areas beneath the parking deck. Some of the soil beneath the parking would probably have to be taken to Arlington Landfill, but he did not know how much.
  - December – Present a final report of the entire project.
- The analysis of brownfield cleanup alternatives does not have to be approved prior to soil removal. He displayed a map that showed the areas where soil would be removed.
- He did not anticipate any restrictions to future development on the site once the work is complete. He believed any currently contemplated uses, including parks, residential, and commercial uses, would be okay. However, he did expect DEQ to restrict groundwater use on the site or on Duane Street. The contaminated media management plan would have to be maintained. The timing of the No Further Action letter is uncertain until soil sample results are received.

Engineer Harrington added that development would have to be at street level, so residential uses could not be at a basement level.

Mayor Pro Tem Warr called for a recess at 8:53 pm. The City Council meeting reconvened at 8:55 pm.

Mayor Pro Tem Warr asked for more information about the possible local use of the contaminated soils. Mr. Kuiper said use would depend on the levels of contamination. Contamination levels below certain thresholds could be used as fill in a pit or construction project. The City would have to identify possible sites and DEQ would have to agree that the sites were appropriate. Local reuse of these soils could save a lot of the funding. Engineer Harrington added that staff spent a lot of time looking at options. The material is not of a high enough quality to be used as structural fill, but could be mixed with the material in the CSO spoil site at the quarry. The soil was removed from the site because it did not have the structural strength to support the pavers at the Garden of Surging Waves project. Currently, there is no other project the soil could be incorporated into. Keeping the material on City property, under the City's control, away from ground water and encapsulated into other material would prevent the need to haul it to Hillsboro Landfill.

Councilor Herzig asked if the soil could be added to the landfill that was capped at the sports complex. Engineer Harrington said no, the sports complex site is completely capped, sealed, and closed. There is a disposal site at the sports complex, but the City wants to reserve that space. The cap was necessary because the City was disposing of waste at this site before Recology expanded and the sports complex was built. This space is no longer available, so the City must be very careful about the use of any remaining space. Once space runs out, the City must haul waste long distances, which will increase the price of all the City's projects.

Councilor Nemlowill understood the project would take more time, possibly more money, and staff does not know how long the project will take, but anticipates the site will be available for development without restrictions. Staff explained the EPA grant project is supposed to terminate at the beginning of 2016. The project is a couple of months behind because of the additional testing that is necessary. However, DEQ and EPA are working with the City to complete the remediation work before the grant deadline. The costs of the additional assessment will be paid for with the current grant because the EPA has donated their lab time. The results of the assessment

and the ability of staff to find a local use for the soil could mean extra funds would be needed to complete remediation work. DEQ, EPA, and staff are trying very hard to find local options so that grant funds are not exhausted. When the project began, staff was directed by Council to complete the project in a way that would prevent the City from having to come back to it in the future. However, this is not common for projects like this. When the grant application was submitted, staff believed the entire Heritage Square space would be left open for parking, but understood that the southern side of Heritage Square would be considered for residential development in the future. Therefore, staff wanted the area cleaned up at the highest level possible. When Council began to discuss mixed uses with housing and a library last winter, staff informed DEQ and EPA about the discussion. Now, staff wants the site to be prepared for mixed uses in case Council decides to go that route.

Councilor Nemlowill hoped the plan worked out because she believed Heritage Square could be a wonderful site to help address some of Astoria's housing needs. There is no better place as Heritage Square celebrates the workers of Astoria.

Councilor Herzig asked how far the contamination may have spread and if the senior center renovation would be affected. He also wanted to know if the Legion needed to be aware of any contamination issues because their building has a basement and sits in the middle of Heritage Square. Engineer Harrington said Astoria has a very strong ground water gradient coming from the hills. The contamination on the corner of the site was from what had been previously located at the senior center. Sampling indicated this material was not contaminated at a high enough level to cause any concern. City Manager Estes added that the senior center renovation included similar environmental reviews, which triggered the removal of the underground storage tank in order to clean up the site for redevelopment.

Mr. Kuiper did not believe the Legion needed to be concerned as long as the building stayed put. There were some solvents in the ground water; however, soil gas sampling indicated the air coming into the basement did not contain solvents.

Engineer Harrington noted there was no evidence of a potential source pollutant at that building.

Councilor Price was very concerned that it was already late summer and the project might not be complete until the spring of 2016. The minutes of the October 6, 2014 City Council meeting indicate staff was confident the area would be cleaned up by spring of 2015. There are still a lot of uncertainties and she believed it might be a good idea to start considering time versus money. The area has been a tremendous blight for the downtown merchants, residents, and visitors for a very long time. She questioned what it might cost to remove the soil and have the area refilled with good dirt and grass seed. She asked if there were alternatives to waiting year after year. Engineer Harrington did not recall saying the project would be complete by spring of 2015 and he hoped he had not said that. Staff's intention is to proceed with the project as soon as possible. Staff originally anticipated the work would be done by spring, but found out moving the material would be delayed. The CSO construction was being conducted when this grant project began, so it seemed beneficial to delay the project until the CSO work slowed down a little bit. That situation created an opportunity to save money because now Astoria can blend contaminated material into the material disposed of during the CSO work instead of trucking it to Hillsboro Landfill. When the site was demolished, staff determined it would cost between \$140,000 and \$150,000 to fill the hole. He believed that amount was still accurate. The cost to fill is so high because the walls on the site were not designed to support soil. Replacing the walls would cost \$120,000. Adding high-density foam to the walls would cost \$75,000. The walls are complicated because of the way Safeway was built; the floors were not attached very well to the walls and the walls were not attached very well to the adjacent structure. Steel pipes were installed as a safety precaution to prevent the walls from moving, but it would be very dangerous to load up the walls with soil. Once the material is removed, the foam, soil, and drainage can be put in place to level the area. DEQ will require the slab be left in place so soil does not put more pressure on the ground water.

Councilor Price confirmed that \$140,000 to \$150,000 was just to fill the hole and removing the material would cost the entire grant amount of \$200,000. Engineer Harrington explained that when the City was considering disposing of the material on the site, DEQ was going to require the soil be tested, which would have incurred even more costs. City Council decided the City could not afford to do the testing and the material would be placed in the hole.

Councilor Price asked what the timeline was and wanted to know staff's recommendation. Staff explained they anticipate removing the soil after Labor Day. The current plan, approved by a previous Council, includes an

amphitheatre. If the space were filled to the top to create a park, a portion of it would need to be excavated to build the amphitheatre.

Councilor Price said staff is working on a new plan, so the work is still quite a ways off. She estimated it would be another two or three years before the space becomes useable. City Manager Estes said when City Council approves a redevelopment plan, staff will know what needs to be done with the hole. If the plan calls for filling the hole, it can be filled with materials appropriate for the project. Councilor Price reiterated that the City should weigh time versus money. She believed the City would still be in this same situation two or three years from now.

Engineer Harrington showed slides of different types of screenings as he explained what each type is used for. The various types come in several colors and cost different prices. He described how each blocks light, behaves in wind, and is attached. He showed one option that would cost \$1,184 for the material and delivery, with installation materials costing extra.

Council and staff briefly discussed the costs and colors. Staff noted samples could be presented to Council. Once Council decides how to use the site, staff can do some improvements to make the site look better sooner than two or three years from now.

Councilor Price said she wanted Council to discuss this in the future.

Councilor Herzig wanted to proceed very cautiously to make sure the site does not need to be re-excavated after being filled. He advised against infilling before the full report from the DEQ is complete. Engineer Harrington agreed.

Councilor Nemlowill said Astoria has never faced such a housing issue. There are few areas of land for housing in Astoria and it is important to look at this valuable piece of land carefully. A lot has been invested in the site and it is the heart of the city. The building had collapsed during the recession and became a pit of despair at a really bad time. As long as the City actively discusses the site and makes it a priority, the public will know staff is working on it. The site will become an interesting and positive place as this project moves forward. The covered soil with rocks on it is hideous and hopefully it will not be too much longer before that is gone. She believed Council should focus on the property now that Astoria has a new Community Development Director. This is a good time to address the needs of the downtown area.

## **NEW BUSINESS & MISCELLANEOUS**

Councilor Herzig said the Column will remain wrapped over the summer. He suggested lighting up the Column for a week during the Regatta. Staff has received approval from the Friends of the Column, but Council would need to revisit their policy to limit lighting the Column to two months per year. He believed the canvas would reflect the colored lights well.

**City Council Action:** Motion by Councilor Herzig to light the Astoria Column during Regatta Week as an exception to the limit of two months per year. Motion died for lack of a second.

## **REPORTS OF COUNCILORS**

**Item 9(a): Councilor Nemlowill** reported that the Holiday Inn expansion has begun and the parking lot has been paved. The Northwest Housing Authority might be pursuing an affordable housing development on one of their properties in Uniontown. She and her children volunteered for the Citizens Helping in Parks (CHIP-In) event at Cathedral Tree Trail. She commended Director Cosby and the Parks and Recreation Department and noted Councilor Herzig also volunteered. She thanked the National Parks Service (NPS) and Tongue Point Job Corps for volunteering as well. Astoria is lucky to have the expertise and hands-on work of the NPS. The trail will be much better because of the work that was done over the weekend, which included drainage improvements and a boardwalk. People will not get as muddy when it rains. It was great to get the work done in a day instead of talking about it for many years.

**Item 9(b): Councilor Herzig** reported the CHIP-In event was a nice day, especially after such a hot day on Saturday. Councilor Nemlowill brought her children and Tongue Point participated. This was the first CHIP-In without Janice O'Malley-Galizio as the volunteer coordinator and the event went well. He congratulated

Director Cosby, Scott Tucker from Fort Clatsop, and Jonah Dart-McLean. On Saturday, July 25<sup>th</sup>, *Back to the Future* will be shown at McClure Park. The movie is for all ages and the entry fee is \$5.00. Beer will cost \$5.00 and he assumed the beer would be served in a segregated area to prevent minors from drinking. The fundraiser is hosted by the Parks and Recreation Community Foundation and proceeds will go towards scholarships for low income families. The event begins at 8:00 pm with the movie starting at 9:00 pm. The Astoria Studio Tour will be on Saturday and Sunday from 10:00 am to 4:00 pm. Thirty-six Astoria artists will open their creative spaces to the public. Maps are available. The event will benefit the community by showing off Astoria's arts. Art will be available for purchase at each location. Currently, the City has an ordinance stating that camping without a permit is a misdemeanor, which unintentionally criminalizes homelessness. He hoped this ordinance could be revisited after the City establishes a homelessness task force. Some of the guests of the warming center indicated they hoped to move on, but could not leave town with outstanding fines. Astoria needs to find a way to refrain from penalizing homelessness and come up with more solutions. He explained that micro-aggression includes small insults in passing, which is easy to get away with because it happens so quickly. He hoped City Council would begin to examine its use of micro-aggression at Council meetings and stop the behavior. He did not believe micro-aggression facilitated camaraderie or a team spirit when small off the cuff insults are made to fellow Councilors.

Mayor Pro Tem Warr believed Councilor Herzig's comments about micro-aggression were directed at him. He admitted that he had been impatient with Councilor Herzig, but had allowed him to speak. The City Council meetings would be much shorter if Councilor Herzig would find a way to confine the time he spent speaking. He believed Councilor Herzig used an inordinate amount of Council's time in meetings. He was not trying to be mean, but just wanted to let Councilor Herzig know how he felt.

Councilor Herzig thanked Mayor Pro Tem Warr, noting that at least he was open about his opinion. He believed democracy was worth all the time necessary. Therefore, he did not intend to abridge his remarks beyond what might be appropriate in concern for the public and the patience of the Council.


**Item 9(c): Councilor Price** reported that on Friday, she, Celia Davis, Patty Putnam, Dulcye Taylor, Ray Merritt, and Scott Reuter attempted to make a bamboo screen to cover the hole at Heritage Square. The screen turned out beautiful. However, it was hard work cutting down the 50 canes needed to make a 5-foot section. The screen hid the fence, but it did not hide the hole. She thanked City Manager Estes and Engineer Harrington who provided guidance and approvals for the project. It was a great effort, but the project will not continue. She believed a tennis court screen, as proposed by Engineer Harrington, would be useful. Building the screen provided a great opportunity to speak with visitors, business owners, and residents. People who spend a lot of time downtown do not notice the hole as much as everyone else.

**Item 9(d): Mayor Pro Tem Warr** reported that four of his six children and their families visited over the weekend. His grandchildren have never seen *Goonies*, but they were astounded by the parade of people continuously going past his home. So, they decided to watch the movie to find out what all of the interest was about. However, even after watching the movie, he and his family still did not understand the huge attraction to the Goonie house.

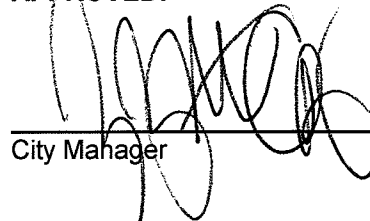
## ADJOURNMENT

There being no further business, the meeting was adjourned at 9:31 pm to convene the Astoria Development Commission meeting.

**ATTEST:**

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

**APPROVED:**

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