

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

Councilors Present: Brownson, Rocka, Herman, Hilton, and Mayor Jones.

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Dart-Mclean, Community Development Director Leatherman, Finance Director Brooks, Fire Chief Crutchfield, Police Chief Spalding, Public Works Director Harrington, City Engineer Moore, Administrative Assistant Hammond, Library Director Pearson, and City Attorney Henningsgaard. The meeting was live streamed and recorded, and will be transcribed by ABC Transcription Services, LLC.

## PRESENTATIONS

### **Item 3(a): Public Works Strategic Energy Management Presentation**

Director Harrington and Administrative Assistant Hammond gave a PowerPoint presentation on the Strategic Energy Management (SEM) program. Their presentation included a brief description of the program, Astoria's energy savings goals, Staff's approach to implementing the SEM, specific energy saving changes made in day-to-day operations, and the resulting energy savings the City has achieved to date.

Councilor Brownson said that while the financial savings was great, the impact to the environment and the example that Astoria is setting is really important as well.

## PROCLAMATIONS

### **Item 4(a): National Historic Preservation Month**

Mayor Jones read the proclamation declaring May 2021 as National Historic Preservation Month in Astoria.

City Manager Estes displayed on the screen Columbia Pacific Preservation's list of activities to celebrate Historic Preservation Month. The list had also been published on the City's website and social media pages.

## REPORTS OF COUNCILORS

**Item 5(a): Councilor Rocka** reported that Senator Merkley held a town hall in Astoria. He appreciated that residents of Oregon had access to their senators, which most states do not enjoy. He attended the Columbia River Estuary Study Taskforce (CREST) meeting as the City's representative. He appreciated Director Brooks and Staff for making the budget meetings such an easy process. He reported that two young women graduated from the drug court program. He thanked Councilor Brownson for making such encouraging comments to the women. He noted that Oregon had become a hot spot for COVID infections and recent studies show the country may not reach herd immunity. He encouraged everyone to get vaccinated.

**Item 5(b): Councilor Brownson** reported that he was pleased to be invited to the drug court graduation. Young people find themselves in difficult situations when they've broken the law and get involved in drugs. The drug court gives these people an opportunity that did not exist when he was that age. He was grateful to see the program working.

**Item 5(c): Councilor Herman** reported that she attended the virtual round table discussion with Senator Merkley. She appreciated his accessibility and all that he does for the north coast of Oregon. She, City Manager Estes, and Mayor Jones attended a virtual League of Oregon Cities meeting for City Council members and City Managers from the north coast region. She learned that Sara Lu Heath would be leaving her position as Executive Director of the Astoria Downtown Historic District Association (ADHDA) to become the Programs

Manager for the Columbia Pacific Economic Development District (Col-Pac). Ms. Heath would leave quite a legacy behind after helping to secure substantial grants for the Merwyn Hotel, the Oddfellows Building, and the Riverwalk. Finally, as part of Historic Preservation Month, her husband would be restoring six windows in their historic home.

**Item 5(d):** **Councilor Hilton** reported that he attended a City Council work session in April. The budget was also passed in April. He commended Director Brooks and City Manager Estes for working hard to get the budget work done.

**Item 5(e):** **Mayor Jones** reported he attended the ribbon cutting for Astoria Bait and Tackle. It was great to see another small business get started. Last week, Congresswoman Bonamici called to tell him that Astoria's pre-disaster landslide storm drainage project had been prioritized for Community Project funding and would be sent to the Appropriations Committee of the US Congress.

## CHANGES TO AGENDA

No changes.

## CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 7(a) City Council Minutes of March 15, 2021
- 7(b) City Council Minutes of April 5, 2021**
- 7(c) Parks Advisory Board February Meeting Minutes
- 7(d) Consideration to Extend COVID-19 Emergency Declaration
- 7(e) Liquor License Application from Gizmo's Arcade & Eatery LLC doing business as Gizmo's Arcade & Eatery LLC located at 1084 Commercial Street for a Limited On-Premises Sales License
- 7(f) Liquor License Application from Adrift Hotels SPC doing business as Bowline Hotel located at 1 9<sup>th</sup> Street for a Full On-Premises Commercial Sales License
- 7(g) Consider Memorandum of Agreement with Pig n' Pancake for Installation of Landscaping Improvements
- 7(h) Consider Lease Agreement with Sea Crab House for Use of 12<sup>th</sup> Street Viewing Dock

Councilor Hilton requested Item 7(b) City Council Minutes of April 5, 2021 be removed for further discussion.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Herman, to approve Items 7(a), (c), (d), (e), (f), (g), and (h) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

### **Item 7(b) City Council Minutes of April 5, 2021**

Councilor Hilton said he wanted Paul Tadei's testimony during the appeal hearing reviewed and noted that some of his comments made during that hearing had been omitted from the written record.

City Manager Estes stated Staff would review the recording, make any necessary changes to the minutes, and present the updated minutes to the Council at their next meeting. The City Council's decision had been appealed to the Land Use Board of Appeals (LUBA), so Staff would also need to include the corrected minutes in the LUBA packet within 21 days.

## REGULAR AGENDA ITEMS

### **Item 8(a): LUBA Remand of Appeal (AP20-02) By Hollander Hospitality of the Administrative Denial of the Extension Requests for Design Review Permit (DR18-01R) as Appealed (AP 18-03) and Historic New Construction Permit (NC18-01) as Appealed (AP18-04) to Construct a Four-Story Hotel at 1 2nd Street**

At the April 19, 2021 City Council meeting, the Council held a public hearing on a Land Use Board of Appeals remand regarding permit extensions on a hotel project proposed by Hollander Hospitality. Following the public hearing, the Council deliberated and tentatively denied the Permit Extension Request and directed staff to

prepare findings for consideration at the May 3, 2021 meeting. Attached is a draft set of Findings of Fact which reflects the direction provided to and the issues raised by the Council at that hearing. The public hearing was closed, and no new testimony will be taken at the May 3rd meeting. It would be in order for the City Council to consider, and if in agreement, adopt the attached Findings of Fact and uphold the Administrative decision to deny the Permit Extension Request by Hollander Hospital for approved Design Review Permit (DR18-01R) as Appealed (AP18-03) and Historic New Construction Permit (NC18- 01) as Appealed (AP18-04) and as remanded by LUBA on appeal (LUBA 2020-088).

Councilor Herman thanked Contract Planner Johnson for preparing such detailed findings.

City Manager Estes noted that Director Leatherman and City Attorney Henningsgaard also worked on this hearing.

**City Council Action:** Motion made by Councilor Rocka, seconded by Councilor Brownson, to adopt the findings and conclusions contained in the Staff report and deny the Permit Extension Request by Hollander Hospital for approved Design Review Permit (DR18-01R) as Appealed (AP18-03) and Historic New Construction Permit (NC18- 01) as Appealed (AP18-04) and as remanded by LUBA on appeal (LUBA 2020-088). Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Mayor Jones read the rules of appeal into the record.

**Item 8(b): Public Hearing and First Reading of Ordinance Revising Astoria Code Relating to the Names of Current Astoria Parks**

At the April 5th Council meeting, the City Council provided direction regarding the name of the Parks cemetery site at 14th and Niagara. The direction from Council was it should be recognized as Hillside Cemetery and that nomenclature in City Code Parks properties listing should be updated. Attached is a proposed ordinance removing the name "Pioneer Cemetery" and replacing with "Hillside Cemetery". It is recommended that the City Council hold a public hearing and consider holding a first reading of the ordinance revising Astoria city code index relating to the names of current Astoria Parks.

Mayor Jones opened the public hearing at 7:38 pm and called for public testimony. Seeing none, he closed the public hearing at 7:39 pm.

**City Council Action:** Motion made by Councilor Rocka, seconded by Councilor Hilton, to hold a first reading of the ordinance revising Astoria city code index relating to the names of current Astoria Parks. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Director Brooks conducted the first reading of the ordinance.

**Item 8(c): Consider Resolution to Adopt the 2021 Water System Master Plan**

The Public Works Department, with assistance from the firm HDR Engineering, recently finalized the update of the City of Astoria Water System Master Plan. The plan provides an evaluation of the existing water system, future needs and a long-term plan for projected water system upgrades, rehabilitation, and replacement, along with associated expenditures. This document also provides a useful planning tool associated with the City's water system and is primarily focused on the 2021-2041 timeframe but also looks beyond the year 2041.

It is recommended that City Council approve the resolution adopting the Water System Master Plan.

Director Harrington gave an overview of the most recent updates made to the master plan and listed the new projects that had been identified.

Councilor Rocka said reading through the plan made him appreciate how complex and demanding the water system is and how much infrastructure needed repair.

Director Harrington noted that their new asset management inventory of the water system estimates the total water system is worth about \$400 million. Most projects just require upgrades or improvements, not replacements. The reservoirs need to be seismically retrofitted, but the dam does not need to be replaced.

Mayor Jones said the plan was ambitious and it was daunting to think about the work needed to be done in the coming years. However, Staff did a great job of getting grants.

**City Council Action:** Motion made by Councilor Herman, seconded by Councilor Brownson to approve the resolution adopting the Water System Master Plan. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

**Item 8(d): Consider Resolution to Update Job Title, Wage and Salary Schedule for Building Official Position**

The Community Development Department has five Full-Time Equivalent (FTE) positions split between the planning and building divisions. The Building Official/Code Enforcement Officer is a full-time position which was last filled in October 2018. This individual left in May 2019 for a higher paying position out of the area. During the 2018 recruitment and continuing in current recruitment efforts it has been difficult to attract fully qualified candidates within the current salary range. This adjustment will allow for the Community Development Director to recruit a qualified candidate pool. The position requires several professional certifications in order to accomplish the prescribed duties of Building Official and Code Enforcement Officer. It is proposed the title for this position be updated to Chief Building Official to reflect the authority and responsibility for this position. In addition, the salary range for this position is proposed to move from Range 40 to Range 47. In order to assist with successful recruitment, retention and to provide a competitive wage it is necessary to implement a change in the job title and pay range prior to beginning a new recruitment utilizing the services of a recruitment firm. As part of a larger review and in compliance with the Equal Pay Act requirements, the City analyzes positions for reasonable wage levels. Upon review of comparably sized cities in Oregon, we found the maximum range our position to be below the average.

It is recommended that Council adopt the revised job description and Salary Resolution as presented.

Mayor Jones stated the State of Oregon has made it very difficult to become a qualified building inspector and everyone is required to have one, but there are very few of them. Therefore, the pay scale needs to be attractive. The City was paying more when the position was contracted out. He was not sure this pay scale would be successful, but the City would give it a shot.

City Manager Estes noted that the City was currently contracted with the City of Cannon Beach for building official services.

Councilor Brownson asked where Staff was at with recruiting. He added that the State of Oregon still had an issue with third-party Code enforcement, so hiring an independent contractor was out of the question. He asked how long the contract with Cannon Beach would last.

City Manager Estes confirmed that the State of Oregon has said jurisdictions shall not contract for building official services with a private agency. So, governments can contract with other governmental agencies, but the building official shall not be a private contract individual. He anticipated some changes to the level of service provided by Cannon Beach, so Staff was looking for someone else to assist.

Ashley Houston said Staff had been consistently recruiting since 2019, when the last official left. There are very few people with a building official certification and applicants have had little or no experience as a building official. Without the certification, the City is not able to satisfy the requirements for having a building official.

Director Leatherman added that the Cannon Beach building official's last week would be the last week of May. She was currently negotiating to bring on another person for a couple of months until the City hires a building official. She confirmed the person would be hired as a temporary City employee, which is permissible under State Statutes.

Councilor Herman asked how the salary range compared to other cities and the County.

Ms. Houston explained that she had compared Astoria's salary range to other cities in the county and statewide. Astoria is below the state average by about \$5,000. However, many cities salary range was significantly less than Astoria's. In the county, Astoria is behind Cannon Beach by \$4,400 and Clatsop County by \$30,000.

Councilor Herman said the salary would be in line with some department heads. She asked if the increase would have ramifications on other salaries that might need to be boosted.

City Manager Estes stated the going rates for similar positions was included in the memorandum. The City looks at the Equal Pay Act and similar positions within a specific job classification.

Ms. Houston added that bringing the top of the range to \$98,000 would be much more in line with most of the cities in Oregon that she surveyed.

Councilor Brownson said one complication was that not every jurisdiction combines Code enforcement with building official services. The County building official does not have Code enforcement duties, so Astoria's situation is a little bit more difficult.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Hilton to adopt the revised job description and Salary Resolution. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

**Item 8(e): Consider Intergovernmental Agreement with the Astoria School District for Public Waterline Extension near Astoria Middle School**

In Fall 2018, voters passed a school bond for the Astoria School District (ASD) that included improvements at each of the school facilities.

During project development and engineering design review, it was determined that a waterline improvement would be necessary to serve the renovated facility and meet current standards. Working together, the ASD project team and City staff determined the best option that improves service and resilience to the campus as well as access for future waterline extensions in this neighborhood. An Intergovernmental Agreement has been created by the City Attorney and the ASD legal representative to memorialize the conditions associated with construction of the waterline and recommended City financial contribution. Per the agreement, the City will provide \$50,000 towards to the construction expenses of the waterline improvement after completion of the construction and acceptance by the City. The agreement also details maintenance responsibility of the public waterline extension that will become the City's after acceptance, while the ASD is responsible for the water service line that circles around the middle school. It is recommended that City Council consider the Intergovernmental Agreement with the Astoria School District for the public waterline extension near the Astoria Middle School.

Councilor Brownson asked if the City would be responsible for any cost overruns.

City Engineer Moore said the City has committed to contribute \$50,000 and there are no details in the agreement about contributing more if there are cost overruns. If expenses are higher, the school district would need to come back to the City and Staff would present that to the Council.

**City Council Action:** Motion made by Councilor Brownson, seconded by Councilor Rocka, to approve the Intergovernmental Agreement with the Astoria School District for the public waterline extension near the Astoria Middle School. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

**Item 8(f) Consider Resolution to Renew the Application by the City of Astoria to Remain a United States Coast Guard City**

The City of Astoria was originally designated as a Coast Guard City on May 1, 2011 and renewed in 2016. In order to retain this designation, every five years the City is required to submit an application for recertification

as a Coast Guard City. The application will be reviewed by the Coast Guard City Board in September 2021 and, if approved, the City's status will be renewed for another five-year term.

It is recommended that Council adopt the resolution supporting the recertification application in order to retain its Coast Guard City status.

**City Council Action:** Motion made by Councilor Rocka, seconded by Councilor Hilton, to adopt the resolution supporting the recertification application in order to retain its Coast Guard City status. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.


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

Mayor Jones announced that there would only be one City Council work session in May.

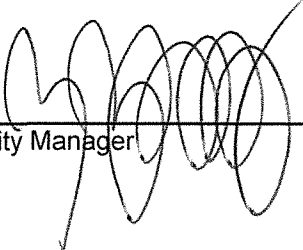
**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:07 pm.

**ATTEST:**

  
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Finance Director

**APPROVED:**

  
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City Manager