

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, Contract Planner Johnson, Finance Director Brooks, Fire Chief Crutchfield, Police Chief Spalding, Public Works Director Harrington, Library Director Pearson, and City Attorney Henningsgaard. The meeting was live streamed and recorded, and will be transcribed by ABC Transcription Services, LLC.

PROCLAMATIONS

Item 3(a): LGBTQIA+ Pride Month

Mayor Jones read the proclamation declaring June 2021 as LGBTQIA+ Pride Month in Astoria.

Dida DeAngelis provided details of local events in celebration of Pride Month, the second annual drive-in, a special reception, and live bands. All events would take place through the weekend at the Barbey Center. People have donated generously to fund the events and everyone was invited to attend.

Don Duncan added that a family friendly treasure hunt would take place downtown on Saturday.

Dida DeAngelis noted the events were listed in Pride Guide, which were located all over town. He thanked the Mayor, Council, and Staff for their help.

REPORTS OF COUNCILORS

Item 4(a): Councilor Hilton reported that he met with people in his neighborhood over coffee and heard people were excited about lights being installed on the Riverwalk. They were also excited that Oregon Department of Transportation (ODOT) would be looking at the traffic signal on 30th Street. He recognized Vince Aarts at Clatsop County for ensuring that people were able to get vaccinated. He thanked the front-line workers who worked throughout the pandemic. He also recognized Director Dart-McLean for acquiring a grant to fund the K-12 summer learning program.

Item 4(b): Councilor Herman reported that she attended the Clatsop Economic Development Resources (CEDR) awards banquet where several Astoria businesses and their owners were honored. Todd and Terri Robinette, owners of the Merry Time Bar and Grill, received the Business Leader Award for north county. They were roll models during the pandemic and worked hard to keep employees and customers safe. The Labor Temple Café was also recognized. She attended the League of Oregon Cities webinar on shelter and homelessness legislation updates. She also attended the Astoria Downtown Historic District Association (ADHDA) meeting. The ADHDA would be interview for a new executive director. She encouraged everyone to head to the waterfront this weekend to attend the Pride celebration.

Item 4(c): Councilor Rocka had no reports.

Item 4(d): Councilor Brownson reported that he also attended the CEDR awards. He was impressed by the number of businesses that worked hard to stay in businesses during the pandemic and the new businesses that are opening. He participated in the ribbon cutting at a new magic shop downtown. The owner has over 20 years of experience as a professional magician and he hoped other magicians would come to town for some performances.

Item 4(e): Mayor Jones reported that he attended the Change of Command for the Coast Guard Cutter Alert, which gets a new commanding officer every two years. He also attended the Change of Command for the Coast Guard Station Cape Disappointment, which has many crew members living in Astoria.

CHANGES TO AGENDA

No changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 6(a) City Council, Historic Landmarks Commission, Planning Commission, and Design Commission Joint Training Session for January 14, 2021
- 6(b) City Council Minutes for April 21, 2021
- 6(c) City Council Work Session Minutes for April 21, 2021
- 6(d) Parks Advisory Board Minutes for April 28, 2021
- 6(e) Renewal of Intergovernmental Agreement between City of Astoria and the State of Oregon for Hazardous Materials Emergency Response Team Services
- 6(f) Liquor License Application from Curry & Coco Thai LLC doing business as Curry & Coco Thai Eatery located at 225 14th Street for a Limited On-Premises Sales License

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton, to approve the Consent Calendar. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

REGULAR AGENDA ITEMS

Item 7(a): Public Hearing for Appeal (AP21-03) by Lamont Hornbeck of Historic Landmarks Commission denial of Exterior Alteration (EX21-02) by Adrienne Fabrique for 1229 Franklin Avenue

An appeal application (AP21-03) was submitted on April 1, 2021 by Lamont Hornbeck of the Historic Landmark Commission's denial of Exterior Alteration (EX21-02) to replace all existing wood windows with Andersen Fibrex composite windows at 1229 Franklin Ave. The house is designated as historic and is in the Shively- McClure National Register District. City Council opened the public hearing at their May 17th meeting. The applicant had requested a continuance so that additional time could be given to provide new submittals. It would be in order for the City Council to re-open the public hearing on the appeal, take into consideration the appellant's design changes, hear from the public, and consider whether to uphold or reverse the Historic Landmarks Commission's decision to deny the Request, and provide direction to staff on Findings of Fact to support the Council decision.

Mayor Jones stated the public hearing was opened at the last City Council meeting on May 17th for procedural reasons and continued at the request of the Appellant. Procedural items to open the hearing were held at that time. He asked if any member of the City Council had any conflicts of interest or ex parte contact to declare. There were none. He explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from Staff. He asked if the Councilors wanted to conduct an on the record or a de novo hearing.

City Manager Estes noted that new designs had been submitted to Staff. If the Council wanted to consider those new designs, a de novo hearing would need to be conducted.

Mayor Jones confirmed that the consensus among the Council was to hold a de novo hearing.

Planner Johnson presented the written Staff report via PowerPoint.

City Manager Estes stated written testimony from the Lower Columbia Preservation Society (LCPS) was sent to Councilors via email, as it was just received by Staff today.

Councilor Rocka asked how owners were notified when their properties were designated as historic. Planner Johnson explained that when the City does an inventory, a notification is sent to the property owner. When the public hearings are scheduled, additional information is sent to the property owners, including information about how to withdraw from the designation process. Another letter is sent when the property is nominated for the National Register. The State also sends letters to every property owner advising them of the nomination and how to object. In this case, the current property owner did own the property at the time of the historic designation process and received multiple letters from multiple agencies. Additionally, Staff has been in contact with the property owner's agent concerning historic issues with the house a few years ago. She noted that the replacement of windows on a residence does not trigger building permits as long as the dimensions of the opening will remain unchanged.

Councilor Herman confirmed with Staff that this house is located in a National Register District, which means the house has National Register status. However, the house is not individually listed as a National Register property. She asked if the two-lite window and the 12-lite window would be replaced with wood. Planner Johnson responded that the windows would be replaced with Fibrex windows, which is a synthetic material. The HLC has approved Fibrex because it is paintable and has the same design and dimension of wood windows. The other windows have been replaced with Fibrex as well.

Mayor Jones asked for details about the historic issues with the house a few years ago. Planner Johnson explained that new venting was installed and the chimney was removed. The property manager was the contact for the property. Staff worked with the property manager on the building permits and Code enforcement, but never got resolution to those issues. She confirmed for Mayor Jones that the property manager was married to a Historic Landmarks Commissioner at the time.

Councilor Brownson asked if notifications about the historic designation process were sent to the property owner or the property manager. Planner Johnson stated all correspondence concerning historic designations are sent to the property owner at the address on record with the County Assessor's Office. The only time Staff was in contact with the property manager was during the Code enforcement issue with the chimney, which have been separated from this issue and is not part of this review.

Mayor Jones called for testimony from the Appellant.

[Start verbatim transcription]

Josh Stellman:

"Good evening, everyone. My name is Josh Stellman. I'm the attorney for Lamont Hornbeck. And to simplify things and stop the back and forth of conversation, I'm going to lead off by introducing Mr. Hornbeck and letting him give his own introduction, then we'll kick it back to me for the remainder of the time. So Monty, if you're ready."

Lamont Hornbeck:

"I'm totally embarrassed by this. My official name is Lamont Hornbeck. I've loved Astoria since the early 1990s. I used to come, you know, there a lot. But professional obligations have just impeded that for the last 20 years. What I believe has happened is that I lived in this house since 1987. The Postal Code changed in 1998. I received absolutely, I'll swear to god, no communications from the historical society. Somehow the tax bill came through. But in any event, I am totally embarrassed and unaware of what's happened. There have been three property managers whom I've trusted. And I've had no communication about any historical designation. We insisted on paintable windows, composite windows that would be energy efficient to help the tenants. We didn't want to do vinyl. Vinyl is unpaintable. It's unsustainable. And it's just not what's happening. I wanted to improve the properties. I'm absolutely embarrassed about what's happened. I had no information. But I do understand there was a returned letter from the historical society that was not pursued. I live in the same physical address that I have since 1987. I've received no communications at all, from the historical society. Any questions? I want to make the apartments better. I want my tenants in, you know, in an epidemic of homelessness to be warm and healthy. I want double pane windows that will sustain energy efficient apartments. I want to improve what I own. And I've invested in much more expensive windows that are energy efficient and hopefully helpful to my tenants. I want to invest more. I want to. I'm an investor. Of course, I don't want to become poor, giving away all my money. But I want to help people and I want it to be a fair exchange. And I'm absolutely embarrassed about this. I had no, no information at all, from the Astoria historical society, yet I still receive tax bills, which I pay on time. This is part of a larger plan. The addition to the building looks

terrible. I want to improve that. I want to work with the City and make something that looks historical, that looks compatible with the neighborhood. I want the City to be happy. I love Astoria. It's beautiful there. I've just been unable to be present for 15 years. As I'm getting older, I want to be there more. I want to invest. I want to be part of the community. And I'm just totally embarrassed by all of this. I live by rules. We all live by rules. And, you know, we insisted on composite windows so they can be paintable. I want to continue being a good neighbor."

Mr. Stellman:

"If there are any questions for Mr. Hornbeck now, we can wait till the end. I'd like to continue. I think it's clear and the fact is we can't ignore this issue that this work was done prior to authorization. Mr. Hornbeck contend sincerely that he was not aware that this was historically designated. This was certainly a mistake. But it was a good faith mistake. There was no intention to circumvent the rules. That said, as we sit here today, we believe the application as modified with help and with the cooperation of City Staff meets Article Six and the historical design requirements. I want to first clarify something. Councilor Herman asked about the changes to the rear windows. The one window, the 12 lite west window on AP28, Mr. Hornbeck will replace that and that window is gone. However, the four/four rear windows that are on AP28, those exist. The originals exist. Mr. Hornbeck had hoped to replace those to more energy efficient windows when he wasn't aware of the historical designation and that requirement, but the fact is that those windows did not have the deterioration issues that Mr. Hosey faced with the front windows, and therefore those windows exist and they will be replaced with slight repair work, I believe. But they are in a fashion that they can be placed back in. That said, that leaves us with the remaining 13 single hung windows. I will just quickly reiterate what's in my written submission, which is flushing out Mr. Hosey's discovery regarding those windows and the multiple factors that he faced that that led him to conclude that those were not salvageable. The significant issue was the glazing compound and the painting of the windows that hold the windows within the frame. That glazing compound is an asbestos containing compound. And because of the way that it was fashioned into the window itself, those windows could not be safely removed intact. Those windows did need to be replaced because of deterioration, not only on the windows themselves, but on the framing within, leading to water intrusion, and they could not be salvaged. And so, Mr. Hosey is here. He's willing to expand on that if any questions exist, but his testimony via me is that every window we're talking about, the 13 single hung windows, needed to be replaced. They were not salvageable. They were beyond repair. Those that were, are the back windows that we are agreeing to replace. So, I want to move on to the proposed changes given the limited amount of time. Again, we've worked with City Staff. Miss Johnson gave a very fine overview of what we agreed to do. And the fact is that we believe that the modifications that Mr. Hosey has addressed, provided plans for, they address the singular concern, which is dimension and proportionality of these windows. Mr. Hosey's proposed drawings, they modify the casing to more closely match the original dimensions and proportions. The original windows had the ogees and Mr. Hosey will commission a woodworker to replicate that original design and dimensions and secure them using window screws. And we believe that once those modifications are complete, that the end result will be nearly indistinguishable from the original composition and didn't design and will comply with Article Six of the Development Code, which does not require exact replication. It requires modifications that meet the original design characteristics, which were Mr. Hornbeck's intent in the first place. And we believe these changes will do that, as modified with cooperation of City Staff. One minor detail, the submissions do talk, including some of the objections to this appeal, or opposition's to this appeal, discuss color. These Fibrex windows can become painted any color we want. The original was gray. They're currently white. I don't believe there was a Staff opinion on that, on whether they be white or gray. But if there is an opinion on that to meet the historical characteristics, they can be painted any color anybody wants. And, yeah, I might have some in rebuttal, but for now, that's our submission."

Councilor Herman:

"May I ask a question of Mr. Hosey?"

Mayor Jones:

"Yes, please go ahead."

Councilor Herman:

"Okay. Mr. Hosey, in the materials that we received, I believe you told somebody at the City that you are not a window preservationist. You don't generally restore wood windows, you have just a little bit of experience in that. Is that correct?"

Mr. Hosey:

"I've got 15 years' experience replacing these windows, so preserving them or restoring them isn't my primary focus. My primary focuses generally replacing them. So I guess you're correct in your statement, but I would think 15 years of experience with let me know whether they are salvageable or not. And in this case, I didn't think they were."

Councilor Herman:

"Okay, I'm just wondering if you checked with somebody who is more experienced in restoring wood windows. We do have some preservationist in town and some window restorationists. So, to me, that might have been a wise thing to do."

Mr. Hosey:

"No, we did not."

Councilor Herman:

"Okay, thank you."

Mayor Jones:

"Okay, are there any persons who wish to testify in favor of the appeal? If so, just raise your hand and it looks like Pamela Mattsen MacDonald wishes to speak in favor of the appeal. If that's the case, if you could just give your address and you'll have three minutes. "

Pamela Mattsen MacDonald:

"Okay. If people can't walk out of the building onto balconies and terraces and look toward the outdoor places around the building, they never [audio cuts out] their self, nor the people on every medium that they have. The building and the larger places in the world are intertwined. And I think they do a great thing for doing their wonderful thing that they do. Thank you."

Mayor Jones:

"Okay, thank you. Is there anyone else who would like to speak in favor of the appeal? I don't see any hands. Did you scroll all the way through, Jen? I just can't see the whole list. Okay, in that case, next, we will move on to persons who wish to speak opposed to the appeal and you can raise your hand on Zoom. Okay, and I see no hands raised. Next, we'll move on to the testimony of persons who are impartial to the appeal. Raise your hand on Zoom."

Kris Haefker: [57:55]

"Yes. Good evening. Kris Haefker, 687 12th Street. Are we looking at these windows as if they're uninstalled or if they're compatible to the existing building, because that I believe was in the Staff report. And I want to bring up the point that with all window replacements and historic windows, there are options for weatherization. It doesn't necessarily have to be a double paned, new insert. You can have original sash fabricated and weather stripped. They don't give the same insulating quality, but a lot of the times the older windows were without the weather stripping. In terms of asbestos, if we don't have an asbestos test for the glazing, we don't actually know for sure if it was asbestos. In terms of windows being broken or rotten, that's something that needs to get surveyed on historic buildings before windows get replaced. One thing that I also noticed is that it looks as if the upper sashes are fixed and it's only the lower sash that's moving. Are we sure that these weren't true double hung windows, and that the original units had a fixed upper sash? I really appreciate the consideration towards making an appropriate color choice, because white was probably not very common on a building of this era. Also, in terms of the person replacing the windows, I don't know if they have access to a wooden sash fabricator. And that would be nice to know because it might be a great resource for the individual down the road. One thing that comes to my mind in terms of the windows that are in question is just if we make modifications to them, are they going to look tacky? So, if we do an applied grid on some of the windows, will that look fake and kind of Disney-esque? Or will it really be true to the historic proportions? I really appreciate the building owner taking the effort to make a comfortable dwelling for their tenants. But I also feel like our historical buildings are a nonrenewable resource, and also deserve some detailed attention. Thank you."

Mayor Jones

"Okay, I think I see a hand almost to the top. I can't quite read it, Brian something. Jen, is that right?"

Brian Petroski: [1:01:23]

"Yeah, my name is Brian Petroski, 1042 22nd. I'm actually a current student in the historical preservation program at Clatsop Community College. Are you aware of this program, Dave? The contractor Dave."

Dave: [1:01:42]

"No, I'm not."

Mr. Petroski:

"The community college in Astoria has a historic preservation program. You're not aware of that."

Mayor Jones:

"So really, Brian, I'm going to have to ask you just to make your comments to the Council."

Mr. Petroski:

"Okay, I'll make my statements. So being a student, I guess I am kind of, there's a conflict of interest. And this is just something that I study and I'm passionate about. And to piggyback off of Kris's comments, the last commenter, there's a lot of historic fabric that we're dealing with here that once it's lost, it's gone. And you're never going to get it back. And trying to get people to reproduce that is a hard thing. Surely that's difficult. But it's not impossible. And if you look around, there's, if you just Google wood window restoration, you can find six people in the state. And I'm sorry that's not very convenient. But there's people out there, and there's knowledge of how to repair windows at just relatively the same cost of replacing. And I just, I don't understand where the gaps are. I mean, I guess I do. I mean, I guess when this is a rental property, and you're just trying to think about a financial turnaround, you don't live in town, you don't really pursue those avenues. You don't. And that's just fact. You can say you love the town, but really being here and appreciating everything that every day, it's a different thing. And I think that when we try to argue why we replace these things and why we put cheap replicas in there and how we're going to go around, I mean, there's you're talking about the detail in a window and you're calling it an ogee. And it's commonly called a lug or a lamb's tongue. An ogee is a profile, a woodworking profile. Like it's embarrassing to sit here and listen to City Council entertain ideas about historic fabric, but people that don't even know the vocabulary for it. It really is and it's all I have to say. Thank you."

Mayor Jones:

"Thanks. Did I see... There's an... Sorry."

Mr. Hornbeck:

"Hello."

Mayor Jones:

"Okay, so yeah. Mr. Hornbeck if you can just hold off, you're going to get a rebuttal period. I was trying to see if anyone else has a comment to make."

Mr. Hornbeck:

"Are you waiting for me? "

Mayor Jones:

"No, no, I was not waiting. We're just giving the computer time. Everybody's trying to figure out how to press the button. Okay, it looks like there's no other public comment. So, Mr. Hornbeck, it's back to you for five minutes, or your attorney, or a split between the two of you."

Mr. Stellman:

"So, in the comments and points that Mr. Haefker and Mr. Petroski make are legitimate ones. But as we sit here today, the facts are what they are. I believe having spoken with Mr. Hornbeck, and he can back me up, that he was not purposely ignoring the historical factors in play and had absolutely no intention of ignoring them to put more money in his pocket, for lack of a better phrase. And as to Mr. Hosey, and seeking out window restorationists, other the other experts, the fact is when this work was done, they didn't know it was historically designated. So those avenues weren't considered because they weren't believed to be a requirement. That said, counsel and certainly Mr. Hornbeck are in a difficult position today. Because with the comments of Mr. Haefker, Mr. Petroski and Councilman Herman, the fact is those windows are gone. The original windows are gone. They cannot be restored. What we are sitting here today and advocating for today

is what we believe is an incredible good faith effort to meet the historical design code, which is to maintain the historical characteristic and design. I believe we've done that, again, with the assistance of Staff, and that these modifications will make this Franklin house look as it did prior to the restoration work was complete. I do think it's important to point out that the code itself states that the standards include a balancing of competing and conflicting interests. And those interests do include some types of improvements and modifications to what's existing while maintaining the historical design characteristics. And I believe we've done that. That's all I have. Monty, if you'd like to say anything else. "

Mr. Horneck:

"Josh, you've said it well, thank you."

Mayor Jones:

"Thank you. Do Councilors have any questions? I have a couple, so I'll ask Mr. Hornbeck first. Since you do live in California and you aren't physically present to inspect the house regularly, what was it that prompted you to make the decision to replace these windows? Did you personally come to town and look at them and see that, in your opinion, they needed replaced, or was that something recommended to you by somebody else?"

Mr. Hornbeck:

"Actually, I now have a phenomenal property manager. There may have been issues in the past. The last time I visited I believe was 2007. I used to come to Astoria a lot. But I've been blinded. And you know, there's a really affirmative property management company now that really wants to better the properties, and I'm fully in favor of that. And so, we looked at the deterioration of 1229 Franklin, and you know, it needed repair. And we went ahead and did it, you know, unknowingly. I'm sorry about the historical codes. We didn't go to cheap vinyl. We went to much more expensive Andersen windows with Fibrex. We wanted to be able to paint it. We wanted it to conform with the neighborhood. We wanted our tenants to, you know, to be more comfortable. That's what we did. And it has nothing to do with money. It has to do with having a balance or harmony with the community. And I'm very fortunate to be where I am. You know, I love Astoria, but I'm not there. But, you know, I, in the future, may be there but irrespective of that, the people, the tenants deserve a comfort warm, safe environment. And we started by replacing windows and have a plan to basically just go on forward with all our properties. And that's all we intended to do. I was totally ignorant of the historical codes. I apologize for that. I did not know. I know now and I will respect that."

Mayor Jones:

"So you're saying your property manager recommended you replace the windows?"

Mr. Hornbeck:

"We assessed the most vulnerable property and the living standards of the tenants. And that was the one that came first. Yes."

Mayor Jones:

"Okay. And then, there's a question that started to be asked Mr. Hosey. But I think Councilor Herman asked a question of Mr. Hosey regarding preservation. Mr. Hosey was hired to replace the windows. He wasn't hired to come in and pull each window out, assess it, make a determination as to whether that particular window could be saved or not. I mean, he was hired to do what he does, replace the windows. Is that right?"

Mr. Hornbeck:

"We were unaware of the historical codes, totally. And I think they're in your receipt. There's a return, you know. It's a postal code thing. I didn't know. I would have certainly undergone that if I'd known. But now we know, we're here now. And we're trying to house people in an epidemic of homelessness and all this kind of stuff and be fair to everybody. And that's what we tried to do. We tried to improve the property. We didn't put vinyl there. Vinyl is unpaintable. Vinyl is disgusting. We spent a lot more money using a much more expensive composite that's paintable to make the house look presentable."

Mayor Jones:

"Thank you. I have a question for Rosemary. So, if we wind back the clock and let's say that these windows had all been destroyed in a microburst. And so now, the property owner is coming to the City for permission to put new windows in since the last ones were destroyed. Would this material have been potentially allowed or

what guidance would have been given to the property owner in terms of what materials have to be used on those replacement windows?"

Planner Johnson:

"Okay, if windows are beyond repair, our first request is that they be replaced with wood. However, that is not absolutely required. The Historic Landmarks Commission does allow composite materials such as Fibrex, which is the material that the Applicant has used, because it is paintable and it does give the profile of the wood. However, we always require that the dimensions and the style be the same. So, the material is a material that has been approved by the Historic Landmarks Commission. It was the proportions and the design was the issue."

Mayor Jones:

"Thank you. Do Councilors have any other questions of the Appellant or of Miss Johnson? When we have no more questions, then I'll close the public hearing and then we'll deliberate. So, if you have any questions, go ahead and ask those."

Councilor Hilton

"I just have a question. And I'm just going to read from the end of the attorney's letter here. 'Mr. Hornbeck recognizes the importance of historical designation and preservation of historical structures to the City of Astoria and makes this appeal with respects towards those requirements'. And I guess I would ask then, why aren't we going towards wood, towards that historical preservation of that property? Is that a valid point at this time or we're just going to stick with composites?"

City Manager Estes:

"Who is the question oriented towards, Councilor?"

Councilor Hilton:

"I'll direct the course question towards Mr. Hornbeck and then his attorney. "

Mr. Hornbeck:

"Okay, I'm sorry. I'm having a little problem with my iPhone. Can you repeat the question please?"

Councilor Hilton:

"I'm going to read what the letter says. 'Mr. Hornbeck recognizes the importance of historical designation and the preservation of historic structures to the City Astoria and makes this appeal with respect towards those requirements'. So, if you respect those requirements, then why aren't you going towards wood? Why are you choosing to go with a composite or other product or fabric in order to replace those windows?"

Mr. Hornbeck:

"To begin with, I had no idea of historical codes. We did not choose the cheaper vinyl. We went with something that was replaceable and much more enduring than wood. I thought it would look the same. And I believe we can make it look the same. It was in no way disrespectful of any regulation at all. It was done out of ignorance, perhaps, unknowing. But we did the right thing. We did something that was paintable. It wasn't vinyl. And we want to just make it look great. We want the tenants to be happy, we want the City to be happy. And we want to comply with everything that you need. But those old windows were rotten and dangerous"

Mr. Stelman:

"Can I follow up on that, Councilor?"

Councilor Hilton:

"Yeah, go ahead."

Mr. Stelman:

"Well, I think the realistic answer to that, one of the reasons is because there are currently composite windows in the frame. That's just a fact. That's the reality. But secondarily, I believe that had this proposal come in before the composite frames were in place that the Fibrex composite would have been suggested. It's my understanding that they are certainly much, much cheaper than replicating a wood frame window, and the composite paintable windows are as an acceptable alternative are proposed in City of Astoria applications

such as this, and they probably most likely still would have been in place. But we can't ignore the fact that to directly answer your question those composite windows are already there."

Mayor Jones:

"Other questions from Councilors for the Appellant or for Ms. Johnson or any Staff member?"

City Manager Estes:

"So Mayor and Council, just to chime in where we're at this point in time, as Ms. Johnson had noted and as was presented by the Appellants, there is a revised proposal that is different than what the Landmarks Commission decision was when it was heard by that body. There are not findings for Council to consider tonight, as Staff is looking for direction as to how to proceed. If you're looking at overturning the appeal, and continuing with the Landmarks Commission's decision, we would want to be able to update the findings and bring those back to the next meeting. Alternatively, if you're looking at approving a revised design, as presented this evening, we would also need to be able to prepare findings and bring those back in that, you know, there is no document, which encompasses that in a decision at this point, because it's presented new tonight. And then lastly, if more information was needed from the Council, you know, there is always the option to continue the hearing to the next meeting. So, Staff is looking for direction from you and in terms of how to move forward."

Councilor Rocka:

"May I ask you a question, Mr. Estes? "

City Manager Estes:

"Sure."

Councilor Rocka:

"If we were to deny the appeal and uphold the ruling of the Historic Landmarks Commission, could the Appellant then take his revised plans and go back before the Historic Landmarks Commission with sort of a new proposal?"

City Manager Estes:

"Yeah, I mean, if the Council upheld the Landmarks Commission decision, they would be able to apply for a new permit with a different design to be to go before the Historic Landmarks Commission. That is a possibility."

Mayor Jones:

"Essentially, these window frames are too wide, should be two inches instead of three inches. What the Appellant has proposed is well, rather than replace the window completely with a two inch window that it should have been in the first place, let me modify the trim by adding an inch of trim that makes the windows look, the visible part of the window will only be two inches instead of three. So, he's proposing to meet the visible the appearance, desire for a historic appearance by modifying the trim in that fashion. So, and then one question would be well, what does that widening of the trim do to the whole appearance. And so the suggestion, I guess, if Roger's question was taken to the next step, our answer would be to say, well, we'd rather have the HLC Look at that, rather than we look at that. That would be what would happen if we sent it back. If we upheld their decision and send it back, let them make their new proposal."

City Manager Estes:

"No, no. Yeah, I mean, so it's there are always possibilities of remands. Staff is not recommending for Council to remand because of the 120-day rule status. So, because the Appellant has extended it, but extended time to be able to get through this appeal hearing process, but not to send it back. If there was just a denial of appeal and the Landmarks Commission decision stands, I mean, there are two options are, first of all, to appeal to the Land Use Board of Appeals (LUBA). That's one option that they could choose. They could also choose to submit a revised design as a part of a new application, which would go before Historic Landmarks Commission."

Director Leatherman:

"I would just like to add, they do have to wait six months if they want to submit another application."

City Manager Estes:

"I think it says if it's not substantially different."

Director Leatherman:

"Okay, I can pull up code if you want me to. But they would have a time period to wait potentially."

City Manager Estes:

"Yeah, but I think Ms. Johnson, can you clarify that? I believe it says they could submit a new application if it was different in nature, correct?"

Planner Johnson:

"Correct, as long as it's a different application, it can come in. If it's substantially the same application, there is a six-month waiting period. Now there is a third option. If the Council wants to remand and the Applicant is willing, they could extend the 120-day for additional time to allow that remand."

City Manager Estes:

"But again, that is a case where the Appellant would need to agree to extending that 120-day rule if that were to move forward."

Planner Johnson:

"Correct."

Mayor Jones:

"Okay."

Councilor Brownson:

"Are we ready to discuss and deliberate?"

Mayor Jones:

"Yeah, if no one has any other questions of the Appellant or Staff."

City Manager Estes:

"Mayor, if you want to maybe take a poll of the Council as to whether they want to close the public hearing."

Councilor Brownson:

"Well, before I before we do that, so I guess it begs the question, maybe we could ask the Appellant just to know whether they would be willing to extend the 120-day rule. So did the Appellant hear the question?"

Mayor Jones:

"I don't think so. Do you want to ask that now, or is that something we would ask after we deliberate?"

City Manager Estes:

"You would need to do that now."

Mayor Jones:

"Okay, but we would not be committing to that course of action. We're just asking."

Councilor Brownson:

"We're just asking a question whether they're willing."

Mayor Jones:

"Okay, go ahead and ask."

Councilor Brownson:

"Okay, well, so again, I'm wondering if the Appellant would be willing to extend the 120-day period if we were looking at remanding it back to the strike Landmarks Commission. Either the owner or the lawyer can answer that, I guess."

Mr. Stellman:

"Monty, do you understand the questions? Make sure we still have him."

Mayor Jones:

"We can see him but I don't know if he if he heard anything. Mr. Hornbeck, can you hear us? Maybe he needs to, if possibly hang up and call back."

Councilor Brownson:

"Well, Mr. Stellman, did you hear the question?"

Mr. Stellman:

"I did hear the question."

Councilor Brownson:

"Are you willing to grant 120-day extension if we thought about remanding back to the Historical Landmark Commission?"

Mr. Stellman:

"I would recommend that to my client, but I it's not a call I believe I can make without his input."

City Manager Estes:

"So, Mr. Stillman, would you like to take a pause and allow you to be able to confer with your client and be able to come back here in say a few minutes to be able to provide a response?"

Mr. Stellman:

"If we can do that, I would very much appreciate it."

City Manager Estes:

"So Mayor, if you'd like, maybe take about five minutes would work, maybe a five minute recess."

Mayor Jones:

"Yes, we'll take a five-minute recess. The public hearing is still open and I hope Mr. Stellman can get ahold of his client. His phone is still up there, but he apparently can't hear us."

The meeting recessed at 8:15 pm and reconvened at 8:19 pm.

Mayor Jones:

"Okay, so it looks like we're all back. Mr. Stellman, were you able to confer with your client?"

Mr. Stellman:

"I was. He doesn't appear back but I can speak for him that if Council were to remand, that he would he is willing to waive the 120-day requirement."

Mayor Jones:

"Okay, with that then, I'll close the public hearing and have any further Council discussion."

The public hearing closed at 8:20 pm.

[End verbatim transcription]

City Manager Estes explained that if the Council remanded the decision back to the HLC, the Code allows the HLC to review substantial revisions. A new application would have to be different, so a remand in this case would allow the HLC to consider the modifications presented to the Council.

Mayor Jones said on one hand, he was concerned about setting an example that could open the door for others with historic homes to remove historic features without going through any formal process, claim ignorance, and ask for forgiveness. Mr. Stellman had stated that was not the case here, but he was concerned about setting that example. On the other hand, the new windows do jump out as cheesy and tacky in the photographs. If he could see what the windows would look like under the proposed modifications and painted grey, perhaps they would look just like the originals. The Council does not have the information to judge that.

Councilor Rocka stated he loved the look of Astoria's historic neighborhoods. However, he did not have the expertise to parse a particular window treatment and decide what supports a particular look. Therefore, he preferred that the HLC consider the new proposal. He would not vote to uphold the appeal, but he would support a remand. It is possible that Mr. Hornbeck is telling the truth, but there were multiple mailings by multiple agencies. All of the windows were destroyed, so there is no way for anyone to corroborate whether they were replaceable. There's an old theory that it is easier to get forgiveness than it is to get permission.

Councilor Brownson asked if any of the letters regarding the historic designation were sent certified. It seemed that designating a home as historic was a big deal. Staff would want verification that the homeowners received the information to avoid this "I didn't know" situation.

City Manager Estes explained that notices are mailed regarding public hearings for zoning changes and historic designations, but not by certified mail. The notices are sent as required by the zoning ordinances, which is typical statewide. No notices are sent after the hearing.

Councilor Brownson confirmed with Staff that if zoning impacts how a homeowner could remodel, the homeowner would not know of the changes unless they asked the City if any changes had been made. It is the owner's responsibility to inform themselves of changes that come along over time.

City Manager Estes added that there is notice of the process. And with historic designations, there is specific language in State law that allows homeowners to opt in or opt out of the designation.

Councilor Brownson asked if the historic designation notice process had a stronger or more robust ability to know that owners had been made aware.

City Manager Estes confirmed that owners had to respond to historic designation notices.

Planner Johnson added that the Code states notices must be mailed by first class mail to the address listed in the County Assessor's records. The City gets a list from the County Assessor's records and mails first class letters to every property owner. For the National Register, the State does the same, per State Code, mails a first class letter to the registered owner.

Councilor Brownson said in this case, for all he knew, the owner did not receive any of the notices because of the zip code change. The City has no way of determining this, so the Council has to take him at his word. He was a contractor and he knew how some contractors and some homeowners could be. They just do the work and then deal with it if they get caught. He hoped that was not the case here. He wanted to be fair and he wanted the best outcome possible. He appreciated the idea of improving properties, but he felt he was not qualified to make a decision. He liked the idea of a remand with the design changes. If done well, he could envision that the difference would be unnoticeable when walking by the home. The City allows composite materials in these cases, so he was in favor of remanding the decision by to the HLC.

Councilor Herman said she would vote to deny the appeal. Astoria has Codes for a reason and if the City does not uphold them, they are meaningless. There is some leeway in the Code for replacement materials, such as composite windows. But in this case, the City does not know if the wood windows could have been replaced. She believed some of them would have been repairable. Repairs happen frequently with wooden windows. There was an assumption by the owner that composite materials were automatically better, warmer, and maybe cheaper. She wondered if the owner priced replacement wooden windows. When wooden windows are maintained well are warm and beautiful. They are very insulating. Many Astoria homes have them. If the windows had been maintained, they would have been fine or at least repairable. Mr. Hornbeck has owned the house for 30 years and she wondered why the windows were allowed to deteriorate to the point that they looked like they needed to be replaced. It costs far more to replace windows than to maintain them. She appreciated that he spent money to make his tenants more comfortable, but he should have simply maintained the windows all those years. She would imagine the tenants have been uncomfortable for a number of years because the windows did not deteriorate over night. Astoria's heritage deteriorates further every time the City allows something like this to happen. Many buildings and homes are over 100 years old. Maintaining a historic building is not cheap, needs to be done over time, and constantly. She did not want to set a precedent of allowing an owner to use lack of awareness as an excuse to not abide by the rules. She did not support the appeal.

Councilor Hilton stated he was concerned about the integrity of the community and the integrity of the structure. The window on the back of the building has no integrity. Thirty years is a long time to own a home. The Code is there for a reason and it is meant to be followed. The Council is not here to judge Mr. Hornbeck for his lack of knowledge that his home was historic, but it is historic and sits where everyone can see it. He was willing to remand the decision back to the HLC, but he was really not in favor of the appeal at all. Once the Council goes down the slippery slope, the issues will go on and people will continue to claim ignorance. It is up to the City to make sure everyone knows what they have and to go out of the way to make sure so that this does not happen again.

Mayor Jones confirmed that three Councilors were in favor of remanding the decision back to the HLC and one was in favor of denying the appeal.

City Manager Estes asked how much time would need to be added to the 120-day deadline in order to remand the new proposal back to the HLC and allow time for another appeal to the City Council.

Planner Johnson stated this would be reviewed by the HLC in July. On appeal, it might not get to the City Council until the first meeting in September. She recommended the 120-day deadline be extended to October 1st. The application was dated January 27th and October 1st is the latest that any extension could be made.

City Manager Estes confirmed with Mr. Stellman that October 1st was acceptable to the Applicant.

Mayor Jones appreciated Councilor Herman's comments about the Appellant owning the home for 30 years and the windows should have been maintained over that time. Wooden windows on an old house can be maintained, but it takes effort. The Appellant has not visited Astoria since 2007, which makes maintaining windows difficult. He was in favor of denying the appeal.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Rocka, to remand Appeal AP21-03 by Lamont Hornbeck to the Historic Landmarks Commission for consideration of new evidence. Motion failed 2 to 3. Ayes: Councilors Brownson and Rocka; Nays: Mayor Jones, Councilors Herman and Hilton.

City Manager Estes requested a tentative decision since Staff needed time to draft findings in support of the Council's decision. The findings could be adopted at the next meeting.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman, to tentatively deny Appeal AP21-03 by Lamont Hornbeck, and adopt the Findings and Conclusions contained in the Staff report on June 21, 2021. Motion carried 4 to 0 to 1. Ayes: Councilors Herman, Rocka, Hilton, and Mayor Jones; Nays: None. Abstentions: Councilor Brownson.

Item 7(b): Consider Recology Waste Collection Rate Increase Effective July 1, 2021

Recology's rate review for year-end December 31, 2020 for solid waste collection and transfer station activities were presented at the May 17, 2020 Council meeting. It was noted the rate adjustments to collection operations is a CPI-based adjustment which would be available mid-May and brought back to Council in June. Recology had estimated the CPI adjustment would be 2.50%. When the CPI report was released in mid-May, the relevant index (CPI-U, West B/C, All Items) indicated a 3.90% year over year change. Recology recognizes the actual CPI change is significantly higher than their estimate and as such propose retaining the original estimated increase of 2.5%. While this adjustment does not increase Recology's projected revenue enough to bring operations in the Operating Ratio identified in the agreement, they are cognizant of placing an extra burden on customers with a larger adjustment. It is recommended that Council consider the attached resolution which includes a 2.50% increase for solid waste collection, to be effective July 1, 2021.

Councilor Brownson said at the last meeting he had stated he hoped Mr. Peters would be present because he had some people comment about garbage collection and negative contacts. Since then, he contacted Mr. Peters by email with the comments that were made on Nextdoor and social media. Mr. Peters responded immediately and appropriately and is reaching out to his staff to address the issues.

Mayor Jones appreciated that Recology did not push for a higher rate.

Mr. Peters stated he appreciated Astoria's support and recognition for the LGBTQIA+ community and Pride Month. Recology recognized that it had been a tough year. In March 2020, the company was able to adjust on the fly and keep trucks on the road and keep customer service on the phones. There were challenges, but Recology is fortunate that staff weathered the storm. At the same time, many of their customers were not so fortunate. Service was not stopped or suspended for any customer and they continue to offer flexible payment terms. It was just appropriate to keep the rate increase to a minimum. Servicing this community is a privilege and he appreciated the opportunity to provide service.

Councilor Rocka noted that the rate increase is about \$1.00 per month for the average home.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson, to adopt the Resolution approving the Recology waste collection rate increase effective July 1, 2021. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 7(c): Public Hearing and Resolution to Adopt City of Astoria Budget for Fiscal Year Beginning July 1, 2021

Oregon Local Budget Law requires the City Council hold a public hearing on the budget, as recommended for approval by the Budget Committee. Notice of this hearing, scheduled for June 7, 2021, was published in the Astorian on Tuesday, May 25, 2021.

The budget for the City of Astoria, as discussed and recommended for approval by the Budget Committee and including two transfer adjustments noted during final compilation, is ready for the City Council to consider for adoption. It is recommended City Council hold a public hearing on the Fiscal Year July 1, 2021 through June 30, 2022 budget, as approved by the Budget Committee and with noted transfer adjustments. After the hearing, it is recommended that the Council consider the attached resolution to adopt the budget.

Mayor Jones opened the public hearing at 8:53 pm and called for public comments. Seeing none, he closed the public hearing at 8:54 pm.

Councilor Rocka said the budget represented a lot of great work by Staff and the Budget Committee. The budget points at the goals the Council wants to achieve.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman to approve the Resolution adopting the City of Astoria Budget for Fiscal Year beginning July 1, 2021. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 7(d): Public Hearing and Resolution to Elect to Receive State Shared Revenues

Oregon Revised Statutes 221.770 requires the City to adopt a resolution to declare its intent to receive State revenue for each new fiscal year. State shared revenues include the State gas tax, alcohol tax, cigarette tax, marijuana tax and State shared revenues. The attached resolution expresses the City's intention to receive State shared revenues for Fiscal Year (FY) 2021-2022. It is recommended the City Council hold a public hearing regarding intention to receive State shared revenues for FY 2021-22 as approved by the Budget Committee. After the hearing, it is recommended that City Council consider the resolution declaring the City's election to receive State Shared Revenues.

Mayor Jones opened the public hearing at 8:55 pm and called for public comments. Seeing none, he closed the public hearing at 8:56 pm.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton to adopt the Resolution declaring the City's election to receive State Shared Revenues. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 7(e): *UPDATED* Consider Approval of Job Description for Two New Positions: Deputy Chief Fire Marshal Emergency Manager and Associate Planner

The FY2021-22 budget, as approved by the Budget Committee, includes funds to add two new full time and one new part time position. This was achieved as the Astor West Urban Renewal District had reached maximum indebtedness and tax resources were returning to the City of Astoria as well as other taxing entities. Based upon City Council goals, staff identified departments which would benefit from additional staffing in order to further Council goals and directives.

After evaluation of tasks, projects and workflow, City staff determined that creation of an additional full-time Deputy Fire Chief position would best meet Department, City and community needs. This position would serve as both Fire Marshal and Emergency Manager. As Fire Marshal this individual would coordinate with citizens and developers on construction projects to ensure fire code compliance, work closely with the Chief Building Official to conduct inspections of construction projects to ensure building & fire codes compliance and be responsible for the creation of a business inspection program that will allow the Fire Department to work with local businesses to make their occupancies safer by meeting codes and requirements. As Emergency Manager this position would coordinate with all City, County, State and Federal resources for disaster preparedness and provide education to the public in this area. This position will expand on many duties which have been managed by the Fire Chief. A new Deputy Fire Chief in the Astoria Fire Department will be an essential part of the leadership team within the fire department, make valuable contributions to the City's Emergency Management plans and provide community outreach for safety, planning and preparation. A job description has been developed to include the essential duties, expectations, required experience and education. It is proposed that Schedule B, Range 47, be utilized in line with current Deputy Fire Chief range. The step would be determined based on the experience and education of the successful candidate.

The job recruitment would commence immediately upon City Council approval.

In recent years, the City has added new design review processes and other development provisions and that in conjunction with construction and code amendment activity has created a critical need for an additional full-time position in the Community Development Department. The new Associate Planner position will focus on development review activity and will provide additional capacity in the Department for other staff to address long-range planning activities, including code amendment projects. It will help the Department in achieving City Council's 2021-2023 Goals related to Economic Development, Housing, and Community Involvement. A job description has been developed to include the essential duties, expectations, required experience and education. It is proposed that Schedule E, Range 33, be utilized for this position. The step would be determined based on the experience and education of the successful candidate. The job recruitment would commence immediately upon City Council approval. It is recommended that City Council approve the addition of Deputy Fire Chief, Fire Marshal and Associate Planner job descriptions.

Mayor Jones said he believed it was really important that the Deputy Fire Chief would be working part time on emergency management. A year from now, the Federal Emergency Management Administration (FEMA) will be conducting another Cascadia Rising full scale exercise for the Cascadia Subduction Zone. It was important for the community to get involved in that event. Having an emergency manager in that position will be very helpful at maximizing the community's gain from that exercise.

Councilor Herman said she was glad the Community Development Department would be getting an associate planner.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman, to approve the addition of Deputy Fire Chief, Fire Marshal and Associate Planner job descriptions. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 7(f): Consider Authorization to Award – Automated Meter Reading Project

The City's current water meter infrastructure requires manual meter reading. In downtown Astoria where meter access is challenging, we utilize remote reading units that allow the meter reader to view consumption from an easily accessible location, like a storefront. These remote units and similar technology are no longer supported, and getting parts and replacement stock is very difficult.

After considerable research and evaluation, Public Works staff determined that migration to an automated meter reading (AMR) system would be most beneficial in the locations that are challenging to access. Public Works staff recommends replacement of the meters in downtown (135 total) and large commercial meters (47 total) as Phase 1 of a project that could include replacement of all residential meters as a second phase (3919 total).

City Council authorized staff to solicit proposals for the Automated Meter Reading System Project on March 1, 2021. After careful consideration, Consolidated Supply Co. was selected to assist the City with implementation of Phase 1 of the Automated Meter Reading System Project. The price for implementation of Phase 1 is \$55,174.75, well within the \$125,000 estimate. Funding for this project is available in the Public Works Improvement Fund. It is recommended that City Council authorize staff to award a Goods and Services Contract to Consolidated Supply for Phase 1 of the Automated Meter Reading (AMR) System Project in the amount of \$57,793.98.

Councilor Brownson stated this project would give Staff the opportunity to check the condition of regulators and spot problems.

Director Harrington added that the new meters would have leak detection capabilities.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton to authorize staff to award a Goods and Services Contract to Consolidated Supply for Phase 1 of the Automated Meter Reading (AMR) System Project in the amount of \$57,793.98. Motion carried unanimously. Ayes: Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 7(g): Consider Authorization to Purchase a Used 2009 Ford F550 Crew Cab 4x4 Emergency Response Vehicle Budgeted for FY 2021-2022

The Fire Department requested and was allocated budgetary resources to purchase a used wildland Type 6 emergency response vehicle in the approved budget for FY 2021-2022.

The department requests the replacement of this vehicle with the following equipment: used 2009 Ford F550 4x4 Crew Cab S & S Mini Pumper, 6.4 L Power Stroke Diesel, Fiberglass Utility Body, Poly Tank 280 Gallon Water Tank, and Darley Diesel Pump Package with 35K miles. Shipping to Astoria included. It is recommended that Council authorize the purchase of a used 2009 Ford F550 4x4 Crew Cab S & S Mini Pumper for the Fire Department at a cost of \$56,185 from West Coast Ambulance and Truck Sales, Inc. and authorize the City Manager to sign the purchase agreement now and the purchase would be completed in July 2021 when the funding becomes available.

Mayor Jones said when this was discussed last year, it was explained that if Astoria had a fire season like last year, it was likely this vehicle would be used. The truck could be sent to wild fires and the City would be reimbursed, which is a fairly healthy source of revenue.

City Council Action: Motion made by Councilor Herman, seconded by Councilor Brownson authorize the purchase of a used 2009 Ford F550 4x4 Crew Cab S & S Mini Pumper for the Fire Department at a cost of \$56,185 from West Coast Ambulance and Truck Sales, Inc. and authorize the City Manager to sign the purchase agreement now and the purchase would be completed in July 2021 when the funding becomes available. Motion carried unanimously. Ayes: Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 7(h): Review of City Council Temporary Parklet Policy to Address Parklets Over Underground Utility Lines

A parklet pilot program was implemented in 2020 to test the feasibility of parklets in downtown. The City Council approved the parklet policy as a pilot program with the intent of refining the requirements as needed. At the May 17, 2021 City Council meeting a member of the public brought up concerns regarding the parklet requirements with issue to prohibitions over utility lines. The current Council approved parklet requirements do not allow them to be located over any existing underground utility lines. The City Council directed staff to look into the potential of modifying the policy to allow for parklets to be installed over existing underground utility

lines, under appropriate circumstances. Staff has considered this issue and prepared draft language for Council review. The proposed language requires each component of the parklet to not be affixed to the ground and to weigh less than fifty pounds apiece. The proposed parklet changes still prohibit the parklet from being adjacent to a fire hydrant, or over existing valves, gas valves, catch basins or manholes. It is recommended that Council discuss and consider the proposed changes to requirements for the Parklet Pilot Program.

Director Harrington gave a PowerPoint presentation on Staff's proposed changes to the policy, noting that Staff's recommendations focused on worker safety and reduced liability.

Councilor Brownson stated that applicants needed to show that one person could take the parklet apart in a reasonable time.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton to approve changes to the Parklet Pilot Program requirements as proposed by Staff. Motion carried unanimously. Ayes: Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

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

Wade Kendall, Green Door Café, said the café was acquiescent to Director Harrington's proposal to break up the parklet into something that can be easily moved by a single person. Next Monday and Tuesday, they would restructure the parklet so it could be moved by a single person.

Judith Huck 2885 Mill Pond Ln., Astoria, said she recently called the Parks Department about a bench on the Riverwalk that needed some attention. Staff came out the same day to assess the bench and had it replaced within a few days. She had also called the Water Department about a storm drain in front of her house. Staff was out the next morning to assess the drain and it was fixed the next day. She is a new resident and was impressed by how the City worked. She was excited about the lighting that would be installed along the Riverwalk and looked forward to the Pride Month events.

The Council recessed to convene the Astoria Development Commission meeting at 9:19 pm. The meeting reconvened at 9:30 pm and immediately recessed to convene the Executive Session.

EXECUTIVE SESSION

Item 9(a): ORS192.660(2)(h) – Legal Counsel


The City Council will meet in executive session to consult with legal counsel.

The regular session reconvened.

ADJOURNMENT

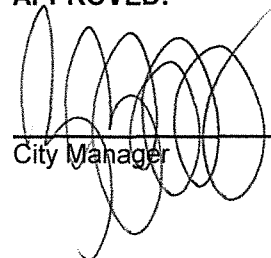
There being no further business, the meeting was adjourned.

ATTEST:



Finance Director

APPROVED:



City Manager