

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.

REPORTS OF COUNCILORS

Item 3(a): **Councilor Herman** reported she would be hosting an in-person meet the Councilor event on Wednesday at 4:00 pm in the Flag Room at the library.

Item 3(b): **Councilor Brownson** reported that he attended Officer Whisler's remembrance. He did not know Officer Whisler but his passing was a tragedy. He also attended a Port Commission meeting. His Meet the Councilor event was last Saturday and topics of discussion included breweries, wastewater, benches on public property, bicycles on sidewalks and in parking spaces, and City government. His events would continue on the last Saturday of every month at Peter Pan market, or people can call and email him at the contact information listed on the City's website. On Friday, he would be attending a League of Oregon Cities small cities meeting. He reported that there were 42 new cases of COVID-19 last week and 39 more today in Clatsop County. These numbers were rare during the height of the pandemic. People are getting sick because they choose not to get vaccinated, choose not to wear a mask, or choose to believe nonsensical information. Some people have long term effects and some people die, many of which are unnecessary.

Item 3(c): **Councilor Rocka** reported that an increasing number of young people are getting severely ill and dying. He hoped everyone would consider getting vaccinated, noting that it is not a political act, but a public health issue. On Saturday, he would be hosting a Meet the Councilor event at Maritime Memorial Park at 11:00 am. He thanked City Manager Estes, Director Dart-McLean, and Director Harrington for accommodating a neighborhood's desire for a new amenity. He reported that he represents the City on the Columbia River Estuary Study Taskforce (CREST) and a slideshow presentation about their current projects has been published on Astoria1.org. He visited the Chamber of Commerce on Friday to congratulate Regina Willkie on her 25 years with the Chamber. He attended a comic opera at the Performing Arts Center on Friday, presented by the Cascadia Opera Company.

Item 3(d): **Councilor Hilton** reported that he heard a lot from businesses that they are struggling to find people to work. Some businesses will have to close part time due to staffing shortages. On Tuesday, Emerald Heights is hosting National Night Out from 3:00 pm to 6:00 pm with food and a live band.

Item 3(e): **Mayor Jones** read aloud a proclamation issued to Ms. Willkie last week in recognition of being the longest tenured employee of the Astoria-Warrenton Chamber of Commerce. He reported that on August 14th, the Seaman's Memorial will be at 11:00 am at the Maritime Memorial and the Regatta boat parade will be at 5:00 pm. On Saturday, he would represent the City at Seaside's 100th anniversary of the promenade. He also attended Officer Whisler's celebration of life. He thanked Chief Spalding for taking care of Officer Whisler's family.

CHANGES TO AGENDA

No changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 5(a) City Council Minutes of July 6, 2021
5(b) Maritime Memorial Committee Minutes of June 24, 2021

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 6(a): Appeal (AP21-04) by Terri Delafiganieri of Astoria Planning Commission Denial of Variance Request (V20-19) to Exceed Allowed 30% Lot Coverage at 1312-1316 Kensington Avenue in the R-1 Zone

The City Council held a public hearing on July 19, 2021 and rendered a decision to tentatively approve the appeal application AP21- 04, and requested staff to prepare findings that reflect the Council's decision. The public hearing is closed and Staff has prepared revised findings for Council consideration. It would be in order for the City Council to review the revised Findings to ensure they reflect the Council's deliberations and make a final decision on AP21-04.

Mayor Jones stated the public hearing had been closed at the last meeting, so no new testimony would be taken.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Hilton, to adopt the Findings and Conclusions contained in the Staff report and approve Appeal AP21-04 by Terri Delafiganieri. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(b): Appeal (AP21-05) of Historic Landmarks Commission Approval of Exterior Alteration Request (EX21-08) by Corrina Lyons for multiple window and door alterations at 629 9th Street

At its June 15, 2021 meeting, the Historic Landmarks Commission approved Exterior Alteration Permit (EX21-08) by Corrina Lyons to reconfigure windows and doors and replace a foundation on an existing single- family dwelling at 629 9th Street. The HLC approval was for various alterations and included several conditions. The applicant had requested to replace an existing possible historic window on the east end of the north elevation with a larger picture window. The HLC found that the window was original and denied the replacement with Condition #12 which stated "*The original north elevation, east end, first floor window (#5) shall be retained and not enlarged. If the window needs to be replaced due to deterioration it shall be replaced with the same dimensions and in compliance with other conditions concerning window materials and installation.*" All other parts of the request were approved.

The Council has several options: 1) Uphold the HLC decision to approve the request with Condition #12 to deny the replacement of the one window; 2) Reverse the HLC decision and approve the request to replace the one window; or 3) Remand the issue back to the HLC for reconsideration (however it should be noted that this option would exceed the current 120 Day Rule deadline, September 10, 2021, and the applicant is not required to extend the 120 Day period).

It would be in order for the City Council to hold the public hearing on the appeal and provide direction to staff on how to proceed on the appeal matter.

Mayor Jones asked if anyone objected to the jurisdiction of the City Council to hear this matter at this time. There were no objections. He asked if any Councilor had a conflict of interest or ex parte contact to declare. None were declared. 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 opened the public hearing at 7:25 pm and confirmed that the consensus among the Councilors was to conduct a de novo hearing.

Planner Johnson presented the Staff report via PowerPoint.

Councilor Brownson asked if a variety of window sizes was part of the Craftsman architecture. He also wanted to know if the City usually defaulted to keeping existing windows. Planner Johnson said yes, Craftsman style includes all kinds of window designs, including picture windows. This house has multiple window designs, some of which were altered by a previous owner. The current owner is trying to bring many of the windows back to their original sizes. The HLC denied this request to enlarge a window since the original frame still existed. The Codes for historic reviews of windows give the Commissions and City Council some flexibility. However, the standards say that the removal or alteration of historic materials or distinctive architectural features should be avoided when possible. This window is not a distinctive architectural feature. It is a typical window in the Craftsman style, but so are picture windows. Therefore, it would not be out of character for this window to be enlarged. There is no prohibition of removing historic material and the proposed design is compatible with the building.

Mayor Jones called for the Appellant's testimony.
[Begin verbatim transcription]

Corrina Lyons, 629 9th Street, Astoria:

"I just kind of want to... Oh, by the way, do you guys have the pictures that I submitted? And I'm not sure how they numbered it in your packet, but Page 44 or 87. Do you have access to those pictures?"

Mayor Jones:

"Yes, we do. They were in the packet on Page 10 of the appeal."

Ms. Lyons:

"Okay, I just wanted to point out the pictures that I took of the interior when we were trying to determine if it was an original window. And we are assuming that it is, however, based on the glazing and the double aluminum spacers, obviously, that portion of the window is not original. But if you go to the picture on the bottom of the page, I just want to illustrate. So, this is when you're in the main living space of the living room. There's a window on the north side and a window on the south. And what happens on the south side is because we're on a steep hillside, the view from the south is the retaining wall constructed of concrete blocks. So, part of our reasoning in the interior of wanting to enlarge the window is to enable more light and then obviously, to appreciate the gorgeous Astoria viewpoint. It would be nice to be able to see outside that window. I'd have to go on my tiptoes to look out of it but I want to point out that right now the window is approximately three feet high by three feet wide. And our proposal is to change it to four feet high by five foot wide. And we wouldn't be raising it from the top or the left. We would just be widening it on the right-hand side and then making it lower on the bottom side. So, it would approximately end up being a four by five window. And then thanks for putting that on the screen. I took some pictures on the exterior. So, you can see the window when you stand in the middle of the street on Main Street. And you see the porch opening, and then you see the window. And then I just took pictures from different perspectives on all of the four corners of the block. I do want to point out, and I don't know if this is important or anything, but one of the very top windows on that north facade, which isn't in question but I just want to know, when we're trying to determine if windows are original or not, one of those windows was actually twice that size in 1985 but a prior owner actually made it smaller. So, I just want to throw that out there. Could there be a possibility that at some point, maybe someone did make that window smaller? I don't know. I'm on Page 46. It's just another viewpoint of the house from the different corners. And then Page 47, it's just the exterior view from the southwest corner of north of Franklin. And then just to get a better sense of our proposed change, which is our attachment to I believe it's your Page 48. So, you see the stairs in the porch. And it's that window that's right next to the porch window on the main floor. So again, that's the proposed change, changing it to four feet high by five feet wide. We believe it's a subtle change and that aligns with the original elements and proportions of the home without disrupting its historic character or integrity. We also believe it brings more symmetry to that north facade just because all the windows are not including that basement portion which is going to be changed with the foundation. But if you just look at the main floor and the second floor, they're just kind of all over the place. So, we feel like the reason we chose to enlarge that window is it will add a symmetry to the home. So, those are the pictures that I wanted to illustrate for you. And I just kind of wanted to go through our appeal and just kind of highlight just a few points. On Page 41, we excerpted from Page 6 of the June 24 decision. And I'm just pulling a couple of lines. The Craftsman shingle style reflected simplicity and design, emphasis on horizontal continuity in the exterior details, which we actually believe the enlarging of the window will add to the horizontal continuity. And then Rosemary stated that large picture windows were used sometimes. In response, we just thought these findings confirmed large picture windows emphasize that horizontal continuity were used. And then down to

number two, where it says the distinguishing original qualities of character of building structure or site and its environment shall not be destroyed, in our response, we felt that it was not established that the subject window exhibits distinguishing original qualities or character from the building. Also of note, the subject window was not mentioned in either the National Register of Historic Places inventory nomination form, which would be Page 117, nor was it mentioned in the Oregon Inventory of Historic Properties, Page 118. There was a window that was mentioned and that was the main first floor window on the east elevation, which had been replaced by a prior owner to us. And that is a window that we are going to restore to the way that it originally looked. And I believe there's a black and white picture that Rosemary showed you in the beginning. So, our plan is to restore that to its original look. Our goal in this whole restoration is restoring, not renovating, like restoring it, just making the house as beautiful as it once was. And again, while the location of the window is assumed to be original, the glazing is not. And our proposed alteration of the subject window has been designed for consistency with the historic architectural style and proportions of the building and would not destroy any distinguishing original qualities or character. The next section I just wanted to highlight a couple things and then I'll be done. Number five, distinctive stylistic features or examples of skilled craftsmanship which characterize a building structure or sites shall be treated with sensitivity. And in our response, one of the bullet points, the HLC's adopted findings for this criterion as they pertain to this window, the fixed window on the north elevation is proposed to be enlarged to a picture window. Picture windows are a historic feature on the Craftsman style homes. And then I just skip ahead, the proportion of the proposed window is similar to other proportions on the structure and retains the horizontal continuity of the features. The adopted findings and just another bullet point, the adopted findings do not establish that this window is a distinctive stylistic feature or an example of skilled craftsmanship which characterizes the building. And the subject window again was never mentioned on any historic and inventory forums, which would suggest to us that it would be, but it was not. Adopted finding suggests that the proposed window enlargement would treat the overall distinctive historic characteristics of the home with sensitivity and that the size and type of window would be consistent with the historic architectural style, and the dimensions and proportions of the proposed window would be harmonious with the rest of the building. Those are the points that I wanted to highlight for you. So, we are requesting a reversal of the HLC's decision to allow us to enlarge that window. And I thank you all for your time."

Mayor Jones:

"Thank you, Ms. Lyons. Okay, next, we'll invite testimony by anyone wishing to speak in favor of the appeal. So, if you can just raise your hand on Zoom so we can see you. And you'll be given three minutes after you state your name and address. And I can't see, Jennifer, if there's anybody with a raised hand. Okay, looks like nobody is asking to speak in favor of the appeal. Is there anyone who wishes to speak against the appeal? Please use the raise hand feature on Zoom. Okay, I don't see anyone. Is there anyone who wishes...? Okay, there's a Richard. I can't quite read that. Is it Balkans? Yes. Okay, please state your address and then go ahead for three minutes."

Richard Balkans, 1243 Franklin Avenue, Astoria:

"I actually meant to that get that flag up on the first part in favor because it just took me a while to find it. I do support the argument for the possibility of enlarging the windows given that it is architecturally within style provided other elements of historic continuity is maintained in the process of putting in a new window. Therefore, I would support the appeal even though both arguments on both sides have their valid points. I lean to support the appeal if there's a change of window to an enlargement because it would add to and balance out that front. As I was seeing it, it looked like there might have been... Was there a potential staircase in that area at one time leading up to the, if Corrine can... Anyway, never mind."

Mayor Jones:

"I don't think we have that information. Is that all, Mr. Balkans?"

Mr. Balkans:

"Yes, that would be all."

Mayor Jones:

"Okay, thank you very much. Is there anyone else, in case anyone else had a hard time finding it that wants to speak in favor or against? In that case, is there anyone who wants to speak impartially? Ms. Lyons you do have five minutes for a rebuttal if you wish to say anything else."

Ms. Lyons:

Page 4 of 10

City Council Journal of Proceedings
August 2, 2021

"I think I've said everything. I just honestly believe it will add to the symmetry and to that north facade. It just always looks so odd to me. I think it will be an improvement in line. Thank you very much for your time."

Mayor Jones:

"So, Ms. Lyons, the original Staff report recommended approval of your window enlargement but called for the upper portion of the window to have multi-lite panels. And so I'm wondering did you ever consider that option?"

Ms. Lyons:

"Oh, well, as a matter of fact, that's why we were kind of surprised because originally, yes, you're right. The original finding said yes, no problem, do a multi-lite, you can enlarge it to a multi-lite. And then we just were trying to say we wanted to keep it just the picture window. And then after everything was over, we couldn't talk anymore and I guess the HLC wanted to make it smaller. But yes, I would absolutely. Whatever we can to make that window bigger, yes, we would absolutely consider that."

Mayor Jones:

"So, Ms. Johnson, can you talk a little bit about that original Staff recommendation to support the enlarged window? What was the background on the recommendation for the multi-lite at the top?"

Planner Johnson:

"The multi-lite was to make it more compatible or reflect some of the other windows that were historically on the home. The picture window could be done as a single lite. I think the multi-lite may make it look more compatible with the other windows, but either way would be appropriate for the house."

Mayor Jones:

"Thank you, Ms. Johnson."

Ms. Lyons:

"May I say something?"

Mayor Jones:

"Yes."

Ms. Lyons:

"Okay. I think originally, we just thought there were no multi-lites on that side, so we just kept it the single."

Mayor Jones:

"Thank you. Then at that point, are there any other questions for Staff while we still have the speakers, before I close the public hearing? Are there any more questions from the Council, I should say, of anyone who spoke?"

Councilor Brownson:

"Well, just to follow up on the Mayor's comments about multi-lite, so you look at the drawing of the elevation on the north side there, on the drawing, there are some additional multi-lite windows and it seems like the one we're discussing tonight is more the exception, which would tend to be to argue for multi-lite for continuity, as well as the multi-lite in the living room and on the porch and whatnot. Does that make sense to you, Corrina?"

Ms. Lyons:

"Oh, yes, absolutely. And I probably just should have kept my mouth quiet. Yes, there is a multi-lite in the inner porch. So, I guess if you look at it that way, yes, there are multiple lites. We want to do whatever. We would like to enlarge in any way that we can. And if you guys felt that it had to be a multi-lite, we would totally be happy, whatever you guys want us to do with the end goal of getting an enlarged window."

Mayor Jones:

"Any other Council questions for any of the speakers before we close the public hearing? Okay, the public hearing is closed and now we'll open for Council discussion or clarifications from the Staff."

[End of verbatim transcription]

The public hearing was closed at 7:55 pm.

Councilor Rocka stated he would vote in favor of the Appellant because basing the historic integrity of the house on one window was not appropriate.

Councilor Herman said she preferred the multi-lite option even though it would not be original to the house because it would honor the Craftsman design.

Councilor Brownson agreed with Councilor's Rocka and Herman. This house appears to have issues as a result of many attempts to alter it. So, the desire of the current owner to restore it makes a lot of sense. The City should help homeowners enhance the livability of their house when it can be done without compromising historic integrity. He was also in favor of the multi-lite option.

Councilor Hilton stated he was in favor of the appeal and believed the multi-lite window would look best.

Mayor Jones said he was also in favor of the appeal. He appreciated all the work the Historic Landmarks Commission put into their decision. They applied the Code strictly, but there is room for interpretation. He agreed with Councilor Brownson that the City should help homeowners enhance the livability of their house when it can be done without compromising historic integrity.

Planner Johnson explained that she would add to the Staff report the condition that the window shall be a multi-lite over one. No changes to the findings would be necessary.

City Council Action: Motion made by Mayor Jones, seconded by Councilor Rocka, to approve Appeal AP21-05 by Corrina Lyons and adopt the Findings and Conclusions contained in the Staff report with the addition of the following Condition of Approval:

- The window shall be a multi-lite over one window.

The 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 6(c): Second Reading and Consideration to Adopt the Repeal of City Code 5.931(P) Relating to Swimming and Wading Prohibitions

At the June 19, 2021 City Council meeting, the Public Hearing and First reading were conducted for the consideration to adopt the repeal of City Code 5.931 (P) relating to swimming and wading prohibitions. Astoria City Code section 5.931(P) prohibits swimming, bathing or wading in waters or waterways adjacent to a city park. It is not known when or why this prohibition was adopted. As written, this section prohibits anyone from wading or swimming in the Columbia River as much of the River within city limits is adjacent to the Riverwalk, which is a designated city park. Although, not recommended, there is no other known legal prohibition against swimming or wading in the Columbia River. It is recommended that Council hold a second reading and adopt the ordinance amending City Code 5.931 (P) relating to swimming and wading prohibitions in waters adjacent to a city park. It is recommended this section be removed in its entirety.

Director Brooks conducted the second reading of the ordinance.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton to adopt the ordinance repealing City Code 5.931(P) relating to swimming and wading prohibitions adjacent to a City park. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(d): Consideration to Create and Update Job Titles and Positions – Tourist Facilities & Parks Coordinator, Senior Accountant, and Project Engineer

This memorandum addresses job descriptions for three positions: the addition of Tourist Facilities & Parks Coordinator; the addition of Senior Accountant; and changes to Project Engineer. The positions affected are in the Parks Department, Finance Department, and Public Works Department respectively. The job descriptions are outlined in the memorandum. It is recommended that the City Council approve the creation of the Tourist

Facilities & Parks Coordinator and Senior Accountant positions and update the job description for Project Engineer.

Mayor Jones said he was concerned about the amount of trash on the Riverwalk on summer weekends. Trash pickup occurs every day except Sunday. He asked if it was possible to schedule the Tourist Facilities & Parks Coordinator to work on Sundays and possibly Saturdays. Director Dart-McLean stated the ideal schedule for that position would be to work Thursday through Monday.

Councilor Brownson asked if the Tourist Facilities & Parks Coordinator position would replace the contract for cleaning services. City Manager Estes responded that once the position was filled, the contracted services would be terminated. Given the current labor shortage, Staff does not know how long it might take to fill the position.

Councilor Herman asked if the Tourist Facilities & Parks Coordinator could clean restrooms more frequently than the contractors do. Director Dart-McLean said yes, a designated person will be able to do multiple checks throughout the day and clean as needed while filling their time by taking care of garbage issues at tourist-related park sites.

Councilor Brownson asked for details about the Senior Accountant position. Director Brooks responded that the additional position would work on department requests for grant funding or the City's initiatives. This would free her up to work on tasks with critical deadlines.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman to approve the creation of the Tourist Facilities & Parks Coordinator and Senior Accountant positions and update the job description for Project Engineer. Motion carried unanimously. Ayes: Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(e): Consideration of Salary Resolution Establishing Basic Compensation Plan: Wage Adjustment and Addition of Positions

Staff positions and associated compensation are detailed in the "Resolution Establishing a Basic Compensation Plan for the Employees of the City of Astoria and Establishing Regulations for the Placement of Present Employees within the Wage and Salary Schedules Provided". Whenever there are changes in positions, whether a position is being deleted, added or redefined; or whether a change in compensation is proposed; such changes are adopted by resolution. It is recommended that Council adopt the Salary Resolution as presented.

The proposed resolution implements changes referenced in another item on this City Council agenda. Tourist Facilities & Parks Coordinator is proposed to be added at Range 20. A copy of that job description is included in the associated memorandum. Senior Accountant is proposed to be added at Range 34. That new job description is also included in the associated agenda item. Lastly, the proposed resolution also includes changes to the salary for Project Engineer which is proposed to be increased from Range 39 to Range 43. It is recommended that Council adopt the Salary Resolution as presented.

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

Item 6(f): Consideration of Policy for Monthly Employee Passes at Astoria Aquatic Center

Recruitment during the COVID-19 pandemic has proven to be incredibly challenging. Fewer applicants are applying to open positions than in years past. Recruitment efforts have been expanded to reach new potential sources for candidates and applicants from past years' recruitments are being contacted to garner additional interest. In the current job market, candidates have a host of choices to select from when seeking work. Recent candidates interviewed have been asking more frequently about benefits and incentives they will receive when considering a job offer. The proposed measure to allow monthly employee aquatic center passes will increase attractiveness of working for the City of Astoria as well as incentivize existing employees to remain in positions and will increase employee health and wellness.

To best manage how passes will be issued to employees, staff has developed a new section in the City of Astoria Personnel Policies and Procedural Manual that details the process for opting in for a pass, explains the tax implications, and provides information on how employees can make changes to their pass status throughout the year. Should City Council approve the policy, it will be added as *5.17 Employee Aquatic Center Pass* in the City of Astoria Personnel Policy and Procedural Manual. It is recommended that the City Council approve policy 5.17 Employee Aquatic Center Pass and direct staff to add it to the City of Astoria Personnel Policy and Procedural Manual.

Councilor Brownson said he fully supported Staff's proposal. He did not realize the full-time human resources employee would be so busy. He appreciated all of her good work.

Councilor Herman stated she believed the policy made a lot of sense. Many companies provide health club passes to their employees. She asked why employees would be limited to signing up shortly after being hired or during open enrollment.

Unidentified Staff explained that the City needed a more formal process for getting people into the system instead of coming on one month and then being off. Going back and forth creates work. People will have the ability to opt in so that it is more manageable for Finance and because the benefit is taxable.

Councilor Rocka said he agreed the idea was nice and cost efficient for the City. He believed the employees would enjoy the benefit.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Hilton, to approve policy 5.17 Employee Aquatic Center Pass and direct staff to add it to the City of Astoria Personnel Policy and Procedural Manual. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(g): Consider Authorization to Repair City Hall Service Elevator

The Astoria City Hall building has two elevators. The front elevator is a passenger elevator installed when the building was remodeled in 2011/2012. The front elevator was installed to meet current ADA requirements and was designed to service the three floors used for office space and public access but did not access the basement. The original elevator at the rear of the building services all floors including the basement and was determined to be kept in service and used as a service elevator for basement activities and the other floors of the building. Some staff still use it as a passenger elevator since it is located next to the employee entrance door. On January 20th of this year, the service elevator stopped working. Staff immediately had it inspected and received quotes for repair options. TK Elevator Corporation, which is the company that services both elevators, gave us three options for repair with Option 2 - Upgraded Machine Replacement costing \$82,960.23 being the most practical option. Upon Council authorization, the repair work will be ordered and should be complete by the end of the calendar year. It is recommended that City Council authorize the contract with TK Elevator Corporation for the amount of \$82,960.23 and a contingency of \$2,039.77 for unknown expenses during the project.

Councilor Herman asked if TK Elevator give any indication of how long the elevator would last with Option 2. Director Harrington said no, but noted the important thing was that the equipment could be reused when a full modernization is done. He did not believe the company would try to guess how long the elevator would last if Option 2 were chosen.

Councilor Brownson stated he was okay with Option 2. He asked what the timeline was for Option 3. He also wanted know when modernization would be necessary. Director Harrington explained that the upgraded machine replacement would buy quite a bit of time. However, other parts could wear out, which could possibly be handled with maintenance or by repairing individual parts. At some point, a full replacement will be necessary. He would ask TK Elevator for their opinion and report back to the Council.

Councilor Brownson wanted more discussion on the challenges of finding another \$100,000 to do the modernization now. He asked if there was a reasonable path to getting the modernization done before doing any repairs. He also wanted to know if it was necessary to get the elevator operating immediately. Director Harrington responded that it was very important to get the elevator fixed soon. Staff is currently carrying trash

cans up and down a very narrow spiral stairway. Additionally, there is an employee entrance at the back, so Staff needing to use the elevator must walk through the entire first floor through work spaces to get there. City Manager Estes added that the City's archives are in the basement and must be carried up stairs every time they are needed.

Director Harrington said the first option would be a waste of money if it did not last. The third option is a lot of money to spend and the City does not have that much. Therefore, Option 2 is a good compromise.

Councilor Brownson understood that coming up with a scheme to get the full amount would be challenging, if not impossible. City Manager Estes clarified that a large amount of the Capital Improvement Fund would be needed. However, the City might need those funds in upcoming years for other projects. Director Harrington noted that this elevator is used as a service elevator, primarily for access to the basement.

Councilor Brownson stated that the number two option could allow the elevator to last for years because elevators are pretty rugged unless they are obsolete.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson, to authorize the contract with TK Elevator Corporation for the amount of \$82,960.23 and a contingency of \$2,039.77 for unknown expenses during the project. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(h): Consideration of River Barrel Brewing, Inc. Railroad Easement

City Staff received a property use request in order to construct an aerial utility bridge that is approximately 12-foot wide and spans the rail banked property between Number 1 8th Street and 53 8th Street on June 02, 2021. The utility bridge will be used to route brewery process water between the two properties to utilize a shared industrial pretreatment facility. City Staff recommends an easement for the requested encroachments.

Councilor Rocka said since there are no drawings or schematics of what the bridge would look like, he wanted to know if it would impinge on the Riverwalk or visually impairing. Director Leatherman explained that the project was reviewed and approved by the Planning Commission. The application was for a variance from the setback and graphics were included. The bridge fits with the working waterfront utility style with crisscrossed bars.

David Kroening, River Barrell Brewing, said in addition to the variance, a Historic Landmarks Commission review was done on the greater campus plan, including the distillery in the adjacent building to the southeast of the current brewery. There was also an Urban Core Overlay approval done through a public process. Construction has already begun on what has been approved. The bridge will be a low-profile bridge that will hold utility piping between the original brewery and the new brewery to the south. The bridge will be made of two horizontal I beams with three support structures, two located in the parking lot and one located against the current brewery. The I beams will have diagonal cross bracing between them. The entire profile of the structure will be 14 to 16 inches. There will also be piping above the bridge because of trolley and railroad requirements. The bridge will sit up pretty high so that when people are walking on the Riverwalk, most of the piping will remain somewhat hidden by the I beams.

City Manager Estes noted that historically, Astoria had systems that would go between the north and south side, many times as part of canning operations. The working waterfront is a good descriptor.

Councilor Hilton asked if the bridge was currently being built. Director Harrington explained that the bridge has been constructed and was in place across the Riverwalk. The bridge would facilitate processed water across the trestle and would fit it nice with the working waterfront look. The bridge is galvanized and very industrial looking.

Councilor Hilton stated the Applicant has made a request in order to construct the bridge, but that has already been done. City Manager Estes explained that the easement is needed in order to move forward with the project. If the Council does not approve the easement, the bridge will have to come down.

Mr. Kroening clarified that he understood the order of operations were out of place. The project has been approved by the Planning Commission and the Historic Landmarks Commission. The Urban Core Overlay process has also been completed. Construction did not begin until the project passed those public processes.

Staff worked with him to figure out the right mechanism to document the fact that the bridge goes over the City's right-of-way. He believed this easement would document that.

Councilor Hilton said the language stated this was a use request in order to construct an aerial bridge. He asked if the language should be changed to state that the bridge had already been constructed.

City Manager Estes agreed the memorandum should have been written differently.

Director Harrington added that two things were happening. Staff started this year with a huge back log of these approvals. Additionally, the Applicant is moving extremely fast with their construction. So, with those two things combined, the cart got in front of the horse. However, he had extensive experience with installations. When a large water line is installed in a State waterway, for example, the Division of State Lands requires the easement be done after the fact to ensure that if any adjustments were made in the field, the easement will match the improvement. If this easement was approved, and then the bridge needed to be moved two feet, this entire process would need to be redone. He was comfortable with the way this has proceeded.

City Manager Estes noted the memorandum stated that, "City Staff received a property use request in order to construct an aerial bridge in June 2021."

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman, to approve the railroad easement request by River Barrel Brewing, Inc for an aerial utility bridge. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(j): Consideration of Bowline Investors Hotel Agreements

City Staff received four property use requests from Bowline Investors located at Number 1 9th Street in June 2021 for the purpose of constructing a pedestrian walkway, two utility corridors and construction of a sanitary sewer pump station. City Staff is recommending an easement, a license agreement, and amendment of a current lease and license agreement to document the requested encroachments.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Brownson, to approve the Bowline Riverwalk easement and authorize the Mayor to sign upon Staff review of the legal description and map, approve the two license agreements and the amended lease agreement with Bowline Investors.

Mayor Jones called for public comments.

Tiffany Turner thanked Staff for their hard work figuring out a very challenging project and get Bowline operating. They were thankful to be part of the city of Astoria.

The motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.


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

There was none.

ADJOURNMENT

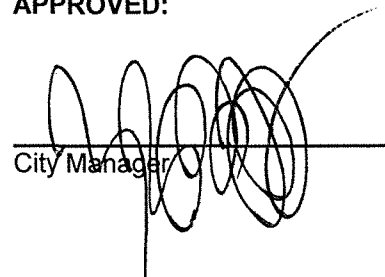
There being no further business, the meeting was adjourned at 8:01 pm.

ATTEST:



Finance Director

APPROVED:



City Manager