

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

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

Councilors Excused: None

Staff Present: City Manager Estes, Parks and Recreation Director Dart-McLean, Community Development Director Leatherman, Finance Director Brooks, Fire Chief Crutchfield, Police Chief Spalding, Public Works Director Harrington, Assistant City Engineer Moore, 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 that she attended a League of Oregon Cities (LOC) webinar on their new website resource on homelessness. She attended the Clatsop County Board of Commissioners work session to discuss the distribution of American Rescue Act funds to local service agencies. She also attended the Port of Astoria's waterfront master plan meeting, and she liked the ideas the consultant presented for revitalizing the area. She reported that work continued on the Nordic Heritage Park and was on schedule to be complete in the spring. A dedication has been scheduled for June 17, 2022, immediately preceding the midsummer festival at the fairgrounds.

Item 3(b): **Councilor Rocka** reported that he attended the joint Port and City meeting. It was good to see that a clear vision was being formed for the development of Port property and the public was being included in the planning. He also attended a work session on the Oregon Department of Transportation (ODOT) plans for Marine Drive between 8th Street and the Doughboy monument. He reported that the Larson Performing Arts Center had a fundraiser at the Bridgewater Bistro. He also reported that LOC has resumed its weekly Friday statewide phone calls to keep cities informed about the Delta and Omicron infections. The Governor's Office and State health officials participate in the phone calls. He attended the December 6th City Council meeting via Zoom from a small Mexican town on the Baha Peninsula. While there, he never saw anyone without a mask, so he did not believe wearing masks was a political issue in that town.

Item 3(c): **Councilor Hilton** reported that he attended the City's work session on ODOT's lane reconfiguration on 6th Avenue. He also reported that he had traveled to New York City to commemorate Neal Moore, who canoed from Astoria to the Statue of Liberty. He thanked the Astoria Heritage Museum, the Flavel House, the Clatsop County Historical Society, and the Columbia River Maritime Museum for giving Mr. Moore gifts. He also thanked Regina Wilke for connecting Mr. Moore with the right people. He thanked Chief Spalding for his service and dedication to the community over the last four years.

Item 3(d): **Councilor Brownson** reported that he listed to the Port meeting and enjoyed the presentation. He noticed that not a lot of comments were made during the meeting, which to him was an indication that people liked what they saw. The Port is very important and tying it together with Uniontown will make the west end a place where people want to go. He participated in the work session with ODOT. Trying to get traffic flowing through Astoria would be a huge challenge, but ODOT would help traffic flow and make traffic safer. He also reported that winter would begin in 17 hours.

Item 3(e): **Mayor Jones** reported that prior to the meeting, the City held a reception in recognition of the volunteer Board and Commission members. The volunteers do extensive work on policy, the budget, and the implementation of various initiatives. The work involves a lot of study, reading, and discussion and is essential to running the City. Anyone interested in serving on a board or commission should review the application process on the City's website. Solicitations for a few openings would be published in the next few days. He reported that Director Harrington and the Public Works Department received notice from a constituent about extensive trash along the waterfront. Public Works responded quickly to clean up the area and the constituent had asked Mayor Jones to thank Staff. He attended ribbon cuttings for a couple of new and

expanded businesses, Kim's Dough2go and Buoy Beer's new brewery. Former Senator Betsy Johnson and Business Oregon's Melanie Olson attended the brewery's ribbon cutting, as they had been instrumental in the business's expansion project. He looked forward to seeing the final Port Master Plan so that the Council could address the zoning and Code changes.

CHANGES TO AGENDA

No changes.

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

- 5(a) City Council Meeting Minutes of November 15, 2021
- ~~5(b) City Council Work Session Minutes of November 17, 2021~~
- 5(c) Consideration of Liquor License Application from BeyondInc dba Bikes & Beyond, doing business as Haunt, located at 143 9th Street Astoria, for a Full On-Premises Commercial Sales License

Councilor Hilton requested a full transcript of the November 17, 2021 City Council Work Session.

City Manager Estes explained that transcriptions are not done for any of the City's meetings and the minutes provide more detail than is required by State law. If the Council wants full transcriptions of City meetings, the service contract would need to be renegotiated. Videos of the City's meetings are available on the City's website.

Councilor Hilton responded that the way in which the words he used were put into the minutes provided a vague description of what he said. He wanted to make sure the words he said were clearly stated.

Mayor Jones suggested the minutes be removed from the Consent Calendar so that Staff could update them per Councilor Hilton's instructions.

City Manager Estes requested that Councilor Hilton provide Staff with specific direction on what sections of the minutes need more details. If there is a difference in intent than what was said, the minutes will need to state what was said at the meeting.

Councilor Hilton agreed that Item 5(b) should be removed from the Consent Calendar.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman, to approve Items 5(a) and (c) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

REGULAR AGENDA ITEMS

Item 6(a): Conduct a Public Hearing and Consider Ordinance Regarding Proposed Ward Redistricting

The City of Astoria Charter, Chapter III, Section 3.3 states, in part, the following: "In order to provide more equal representation, the City Council may, by ordinance, from time to time, change the ward boundaries." At a minimum redistricting is normally completed after each census. With the completion of the 2020 census, it is necessary to review the voter population by Ward and determine appropriate distribution to comply with the City Charter and to follow general Guideline of the State of Oregon.

General guidelines in the State of Oregon consider voting districts to be in equal representation when the voter count is within +/- 10 percent of the average. For the purposes of the City of Astoria this average would be 2,504 voters per Ward with an upper count of 2,754 and a lower count of 2,254. Based on this information, a review of the voter population by Ward was conducted with Portland State University Population Research Center to determine a redistricting plan which would have the least impact on the Ward boundaries while achieving equal representation.

Staff is bringing forth an ordinance implementing the boundary amendments for a public hearing and to conduct the first reading. A second reading and adoption would be brought to Council on January 3, 2022, should a first reading be held on December 20th. The attached ordinance amendment is being brought forward with County map and tax lot references to expedite the necessary boundary changes and facilitate providing information to County elections. It is recognized revisions will be necessary, after the beginning of the year, to reference subdivision lot information which will help to avoid potential issues if changes occur to County maps and tax lots in the future. It is recommended that City Council conduct a public hearing regarding the proposed changes to the Ward boundaries and if acceptable direct staff to prepare an ordinance implementing the boundary amendment.

Mayor Jones opened the public hearing at 7:16 pm [16:56] and called for comments on the proposed Ward boundary changes. Seeing none, he closed the public hearing at 7:17 pm. [17:19]

Councilor Herman said she read and heard a lot about redistricting on the national scale, but she found it interesting to see the redistricting happen on a local scale. She was very impressed that PSU's Population Research Center was able to balance the numbers in the four wards so closely.

Councilor Brownson stated he was sorry to see some of his constituents go into another ward. However, it was all being done in fairness and equity.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman, to direct Staff to prepare an ordinance implementing the boundary amendments and hold a first reading of the proposed ordinance. [18:20] Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Director Brooks conducted the first reading of the ordinance.

Item 6(b): Approve the Contract for Preliminary Engineering Services for Wastewater Treatment Plant Improvement Project

The City's Wastewater Treatment Plant (WWTP) is in need of upgrades as outlined in our City of Astoria WWTP 2019 Wastewater Facilities Plan Update and Headworks Concept Plan which was finalized in 2019 and has Oregon Department of Environmental Quality support. The WWTP Improvement Project includes new flow measurement, screening, influent grit removal, pond baffles, and removal of existing accumulated solids. Staff is requesting authorization from City Council to award a professional services contract for preliminary engineering services for the WWTP Improvements Project to Gibbs & Olson in the amount of \$50,000.

Councilor Herman asked how long the upgrades would keep the WWTP going.

Director Harrington said the design would last 20 years.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Hilton, to award a professional services contract for preliminary engineering services for the WWTP Improvements Project to Gibbs & Olson in the amount of \$50,000. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(c): Consider Authorization to Enter Into Agreement with Motorola for New Body Cameras and Cloud Storage for Vehicle and Body Camera digital media

The Astoria Police Department is seeking Council approval for a five- year agreement with Motorola to provide body worn camera replacements and evidence management software with cloud storage for body worn cameras and in-car cameras. Cloud storage is known as Video-as-a -Service (VAAS) which will replace the current video server which is no longer supported. Astoria Police has budgetary resources approved in the FY 21-22 budget to enter into an agreement with Motorola for Body Camera replacements and cloud storage for six currently deployed vehicle cameras. This agreement would be for a term of five years with a total cost of

\$77,200.00. It is recommended that City Council approve the agreement with Motorola Solutions with a total cost of \$77,200.00 to be paid over the term of five years.

Councilor Brownson said the body cameras come with an "after the fact" feature that allows for the recovery of video even if it is not triggered. He understood this meant that the body cameras would be on all the time. He asked for more details about that feature. He also wanted to know how the price compared to previous costs to maintain and run systems.

Chief Spalding responded that the extended recording after the fact is an extension of what is currently in place. The cameras automatically record all the time, but they only keep in memory the last 20 to 30 seconds of video. People have been asking for this feature and his Staff appreciated the ability to capture video after the fact. If the video is not needed, it is not maintained. He also explained that comparing previous costs to the costs associated with these body cameras was difficult because the current system requires a significant hardware expenditure, and the useful life of the hardware is three to five years. He did not know the cost of a new server but the last one the City purchased was around \$20,000. Recording to the cloud is much more secure. The cost is more than the current system, but the contract includes the automatic replacement of cameras at three years and additional features that the City did not have before. He offered to do a deep-dive analysis of what the City spent in 2015, look at expenses over the last six years and look at expenses over the next five years.

Councilor Brownson stated he would not ask Chief Spalding to do a deep dive into the expenses. He just wanted a general idea of how the newer technology worked. With all of the new features, constantly updated hardware and additional security, it was well worth moving into the 21st century.

City Manager Estes reminded that the City Council had approved a software update to Springbrook, which is the City's finance software. There was a recommendation to go to the cloud with that as well for the increased security and additional services.

Mayor Jones called for public comments. There were none.

City Manager Estes noted that other large agencies in the State are having ongoing discussions about body cameras. It is a success that Astoria had implemented a body camera program in 2015 and is now upgrading the program. He thanked the 2015 City Council for supporting the program and Police Department Staff for working through the program development while other jurisdictions are still wrestling with the issues.

City Council Action: Motion made by Councilor Rocka, seconded by Councilor Herman to approve the agreement with Motorola Solutions with a total cost of \$77,200.00 to be paid over the term of five years. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(d): Consideration of License to Occupy a Portion of the Irving Avenue Right-of-Way Adjacent to 185 W. Irving Avenue

The City has received a request from Columbia Memorial Hospital (CMH) to occupy a portion of Irving Avenue right-of-way adjacent to 185 W. Irving Avenue for the purposes of installing a pole for emergency radio communications. Staff is recommending that City Council approve a license to occupy, subject to conditions, for the proposed emergency radio communications pole.

Mayor Jones called for public comments.

Kevin Dunn 92000 Lewis and Clark Road, Astoria, stated he was the only person that the hospital did not consult. He owned the property at 180 W. Irving Avenue and he was also the only one impacted by the box and the pole. He asked why the pole could not have been put somewhere on the property by the water tank. He lived there for 31 years and knew every nook and cranny. He was surprised that the hospital could not have somehow placed the pole on City property where the water tank is instead of directly in the middle of nowhere. He understood where the water lines run down but the hospital never asked him anything.

Mayor Jones asked if someone from CMH could respond.

Paula Larson, CMH Safety Security and Emergency Preparedness Supervisor, stated this project will provide emergency communications to coastal community hospitals. The radio repeater could not be placed close to the other antennas that are on top of the water tower, so the radio shop that did the projections for this antenna specifically chose the proposed site. Other sites in the City were considered and the hospital tried to get a site near the Astoria Column. However, the other sites did not work because of the hole that the hospital is located in. The hospital must be able to reach the repeater and the repeater must be able to reach Seaside Hospital where the next repeater is located. The proposed site is the best position the hospital could get for both sites.

Mr. Dunn asked why the repeater could not be located across W. Irving in front of the tower. If anyone would have asked him, he would have made this suggestion. [Inaudible 38:42] do not care and Jim Forester [38:46] does not have line of site, but the pole is directly in his line of site.

Ms. Larson explained that she was told by the radio shop that the position of the radio tower is too close to the other electrical lines.

Mr. Dunn responded that if due diligence had been done and he had been notified, Ms. Larson would have known that he could have come up with a different solution, not necessarily a different site, just a different solution. He believed there was room on the property at the water tank that would not create interference. He gave a photograph to Mayor Jones showing a different view and said he had lived with the telephone pole for 31 years. The thing being put next to the telephone pole is not pretty. He confirmed for Mayor Jones that the photograph included the existing PP&L electric pole and a depiction of what the new pole would look like. He believed that CMH sent that picture to Jim Forester, who gave the photograph to him. The water tank is near his house and has antennas on it, but there is room in front of the tank down towards the road. He stated that the photograph showed where the water tank was located in relationship to his house.

Mayor Jones asked Ms. Larson if this issue could wait until the next City Council meeting. He wanted time to make sure there was not a different location that would not impede this neighbor's view.

Ms. Larson said it would be no problem to postpone a decision until the next meeting.

Mayor Jones asked if it was true that Mr. Dunn was the only neighbor not reached out to.

Ms. Larson responded that she was not sure and asked if the property was to the west of the water tank.

Mr. Dunn said that depending on which way she was looking, his house would be to the west of the tank.

Ms. Larson stated she would have the radio shop go back out to the site and check on that side of the street again to see if the spot is viable.

Mayor Jones asked if the Council had any objections to deferring a decision on this matter until the next meeting to give the Applicant time to reassess the site. There were no objections.

Councilor Brownson said he wanted to know if the hospital could work out a deal with PP&L to use the existing pole.

No action was taken, and the item was tabled to the next regular City Council meeting.

Item 6(e): Consider Approval of Local Agency Agreement Amendment No. 1 with ODOT for the OR202 Sidewalk Project

In July 2019, Council approved a Local Agency Agreement with the Oregon Department of Transportation (ODOT) for the OR202 Sidewalk Project that combined a two phase project into a single project. The first phase of the project was already under a Local Agency Agreement that had been signed in January 2016, then the City was notified that the second phase received funding in 2018. The combined project includes design and construction of new sidewalk, bike lane, retaining walls and drainage improvements from Dresden to the Department of Motor Vehicles (DMV) driveway and from the Astoria High School to 4th Street. Some aspects of the work in phase two was not explicitly described in the initial Local Agency Agreement scope of work nor attached project exhibit. Therefore, an amendment to the agreement is necessary to proceed. This

amendment does not change the schedule or cost of the project. It is recommended that Council approve Local Agency Agreement Amendment No. 1 with ODOT for the OR202 Sidewalk Project.

Mayor Jones called for public comments. There were none.

City Council Action: Motion made by Councilor Herman, seconded by Councilor Rocka, to approve Local Agency Agreement Amendment No. 1 with ODOT for the OR202 Sidewalk Project. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

Item 6(f): Consider Intergovernmental Agreement for Right-of-Way Services with ODOT for the OR202 Sidewalk Project

In July 2019, Council approved a Local Agency Agreement with the Oregon Department of Transportation (ODOT) for the OR202 Sidewalk Project that combined a two-phase project into a single project. The first phase of the project was already under a Local Agency Agreement that had been signed in January 2016. Then the City was notified that the second phase received funding in 2018. The combined project includes design and construction of new sidewalk, bike lane, retaining walls and drainage improvements from Dresden to the Department of Motor Vehicles (DMV) driveway and from the Astoria High School to 4th Street. At this stage of the project, it is necessary to approve the Right of Way Services task due to the Federal funding source. If City Council approves Local Agency Agreement Amendment No. 1, then it will be incorporated into this draft Intergovernmental Agreement (IGA) for Right of Way Services prior to signatures. City Council is being asked to authorize the City Manager and Mayor to sign the final Intergovernmental Agreement for Right of Way Services after the Local Agency Agreement No. 1. It is recommended that Council approve the Intergovernmental Agreement for Right of Way Services with ODOT for the OR202 Sidewalk Project and authorize the Mayor and City Manager to sign the final version when it is received from ODOT.

Mayor Jones called for public comments. There were none.

Councilor Herman said she thought it would be great that there would be continuous sidewalks from 7th Street east to 45th Street once the project is done.

City Council Action: Motion made by Councilor Brownson, seconded by Councilor Herman, to approve the Intergovernmental Agreement for Right of Way Services with ODOT for the OR202 Sidewalk Project and authorize the Mayor and City Manager to sign the final version when it is received from ODOT. Motion carried unanimously. Ayes: Councilors Brownson, Herman, Rocka, Hilton, and Mayor Jones; Nays: None.

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

Councilor Hilton said there was a brand new sign in front of the Kentucky Fried Chicken that said, "Port of Astoria Marina District." It was interesting to see a sign claiming a district in the city. He considered that area to be Uniontown and the West End Mooring Basin.

City Manager Estes explained the sign was installed by ODOT. He suggested Councilor Hilton ask Ken Shonkwhiler how the district was named. The City has no jurisdiction over signage on State highway property. He would make the Port Director aware of Councilor Hilton's concern and the Port could pursue changes with ODOT.

Councilor Rocka said he recalled from the meeting that there was supposed to be public participation in the naming of that area.

Councilor Brownson said that in response to Councilor Hilton's concerns with the November 17, 2021, work session minutes, he wanted to explained how he viewed the meeting minutes and see if he should be doing it differently. Clearly, the minutes were not done by someone from this area and sometimes, awkward or funny things appear in the minutes as a result. Unless it is something substantive that affects a decision the Council has made, he did not worry about it too much. Otherwise, the Council would be spending a lot of time at every meeting picking away at the minutes. There are a lot of things in the minutes that are not exactly what was said but are close. For every meeting, there is something he could point out in the minutes that is not exactly right. He asked how picky he should be about this.

Mayor Jones proposed that the Council continue reviewing the minutes the way they do now and on those rare occasions, if a Councilor sees something specific that is important, that Councilor should send their corrections to Staff. Ideally, the corrections should be identified prior to a meeting, but could also be stated during the Council's review of the Consent Calendar. Staff will either confirm the accuracy of the minutes or make the corrections. Mistakes rarely happen and the minutes will not be exact because the people who do the minutes do not attend the meeting; they receive a recording.

City Manager Estes added that Staff is notified when the transcriptionist could not understand something or had questions. He encouraged Councilors to let Staff know in advance of any necessary corrections so those corrections could be made prior to a meeting.

Councilor Brownson noted that the minutes are a general synopsis of what is being said, but sometimes the intent of what was said is not expressed in the minutes. He had previously discussed whether a better job could be done with the minutes, what the requirements were, and what it costs. He had always been concerned that it took three weeks to get the minutes back.

Mayor Jones explained that the minutes have to capture what was said. If a Councilor later wished they hadn't said something or should have said something differently, that can be captured in the minutes. However, the minutes cannot be changed to reflect what a Councilor wished they had said.

Councilor Brownson clarified that was not what he was saying. He meant that the meaning of what was said is not reflected in the minutes.

City Manager Estes said the Council could discuss the turnaround time as part of the budget process. If the Council would like minutes returned in time for the next meeting, the price will increase.

Mayor Jones stated he did not believe the City needed to spend more money to expedite the turnaround time. Now, everyone is aware that if there is a discrepancy, that discrepancy would be addressed.

Councilor Brownson added that the recording is available quickly and reflects exactly what was said.

Councilor Rocka said what he saw happening most often was due to the fact that the people doing the minutes do not understand the issues being discussed or the place. Things are paraphrased that miss the point because the transcriptionists are just hearing words without knowing the meaning behind those words. However, Staff has given the Council an avenue to deal with that if it is important.

Denise Kenny, Owner of the Astoria Downtown Market, asked if there had been any movement on the relocation of Feeding Empty Bellies.

Mayor Jones said options were being considered but it was too premature to answer. He was not aware of any specific things happening.

Ms. Kenny said there were police in the area every day with all of the problems going on and it was not good for businesses in Downtown Astoria.

Mayor Jones encouraged Ms. Kenny to continue reaching out to Oz and Erin next door with specific problems.

Ms. Kenny stated she would not reach out to the neighbors because they do not like her and they do not talk to her. She had tried.

Unidentified Speaker added that the neighbors do not want the police to be called. However, calling the police does no good anyway. Yesterday, he had a problem with a man who had tried to stab him a year ago in the store. The man came back into the store yesterday so he called 911, but the police would not do anything. He sees people camping out by the courthouse underneath the covered area. Today, he saw people camped at the Liberty Theater where the tickets are sold. This is a huge problem that no one is taking care of.

Mayor Jones asked for clarification about the 911 call.

Unidentified Speaker stated that someone responded but did not do anything. The police do not care and do not want people in their police car. The police are scared of Covid. He confirmed for Mayor Jones that the man did break the law by trespassing into the store.

Mayor Jones said Chief Spalding would look into the trespassing issue and get back with Unidentified Speaker. He added that the courts have ruled that if a person does not have a home or shelter to sleep in, they have the right to camp on public property.

Unidentified Speaker responded that the court's ruling would destroy Astoria. When he ran Busy City Gas Station after graduating high school, there were never problems like this. If he would have known this issue would happen in Astoria, he never would have opened a store. He was considering buying Columbia Motor Parts in Knappa where he would not have to deal with Astoria's issues. The City has a big problem and needs to figure out a solution.


Mayor Jones said the Council had been in continuous communication with the Police Department, the Astoria Downtown Historic District Association, the Chamber of Commerce, Clatsop Behavioral Health, and others trying to address the issues. Some of the people causing problems have mental health or drug issues. In the 1980s, courts decided that people getting mental health treatments needed to be released and cannot be compelled to seek treatment if they do not impose an immediate threat to themselves or others. Clatsop Behavior Health will try to provide assistance to anyone who they can provide assistance to.

Unidentified Speaker said he did not have any problems until the neighbors opened their doors, and they needed to relocate next to City Hall because then he believed something would get done.

ADJOURNMENT

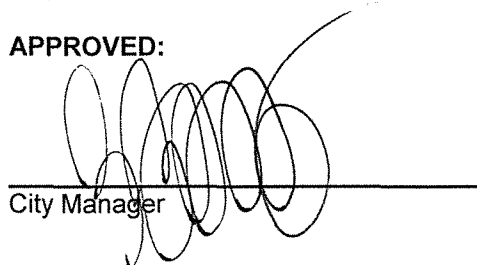
There being no further business, the meeting was adjourned at 8:07 pm.

ATTEST:



Finance Director

APPROVED:



City Manager