

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, February 5, 2019 - 7:00 PM  
4 Depoe Bay City Hall  
5

6 PRESENT: Mayor R. Gambino, D. Callender, B. Leff, K. Short, J. Grant  
7 ABSENT: L. Goddard, C. Bates  
8 STAFF: City Superintendent B. Weidner, Interim City Recorder C. Duering, City Planner L. Lewis  
9

10 I. PLEDGE OF ALLEGIANCE

11 Mayor Gambino called for all to stand for the Pledge of Allegiance.  
12

13 II. CALL TO ORDER

14 Mayor Gambino called the meeting to order at 7:00 PM and established a quorum.  
15

16 III. APPROVE MINUTES: January 15, 2019, Regular Meeting  
17 January 22, 2019, Special Meeting with Executive Session

18 Mayor Gambino asked for a motion to approve the January 15, 2019, Regular Meeting and January 22,  
19 2019, Special Meeting with Executive Session minutes.  
20

21 Motion 1: Callender moved to approve the January 15, 2019, Regular Meeting and January 22, 2019,  
22 Special Meeting with Executive Session minutes as written. Leff seconded the motion.  
23

24 Mayor Gambino said it was moved and seconded, and called for discussion. There was none.  
25

26 Vote: Motion 1 passed.

27 Ayes: Callender, Leff, Short, Gambino, Grant  
28

29 IV. ACCOUNTS PAYABLE

30 Mayor Gambino announced three Councilors reviewed the accounts payable and a check register has been  
31 distributed. A transaction activity report is available upon request.  
32

33 Motion 2: Short moved to approve accounts payable. Leff seconded the motion.  
34

35 Mayor Gambino said it was moved and seconded, and called for discussion. There was none.  
36

37 Vote: Motion 1 passed.

38 Ayes: Leff, Short, Gambino, Grant, Callender  
39

40 V. SPECIAL ORDERS

41  
42 A. Interview/Appoint Applicants for City Commission and Committees  
43

44 Parks Commission applicant, Jan Speer, cited why she would like to serve and her contributions to the  
45 commission (copy of application attached to original of these minutes). Brief discussion followed  
46 regarding her volunteerism throughout the community.  
47

48 Salmon Enhancement Commission applicant, Frederick “Vaughn” Robison, cited his background  
49 information/brief history; why he would like to serve; and his contributions to the commission (copy of  
50 application and resume attached to original of these minutes). A Councilor acknowledged his vast  
51 marketing experience would be an asset to the commission.  
52

1 Ballots were filled out, signed, and handed in.

2

3 Duering tallied the votes (copy of ballots attached to original of these minutes) and announced the results.

4

5 The vote to appoint Speer to the Harbor Commission was unanimous. The vote to appoint Robison was  
6 unanimous.

7

8 B. Fleet of Flowers – Funding Request

9 Kathy Wyatt and Clary Grant referred to the Non-Profit Funding Request Application requesting a  
10 donation of \$3,000 to Fleet of Flowers (copy attached to original of these minutes). Brief discussion  
11 ensued regarding how Fleet of Flowers benefits the entire community and is supported solely through  
12 volunteers.

13

14 Motion 3: Grant moved to grant their \$3,000 request. Short seconded the motion.

15

16 Mayor Gambino said it was moved and seconded, and called for discussion. Brief discussion ensued  
17 regarding the procurement of cedar, greens, and a sound system mixing board.

18

19 Vote: Motion 3 passed.

20

21 Ayes: Short, Gambino, Grant, Callender, Leff

22

## 23 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

24

### 25 A. City Recorder Recruitment Sub-Committee

26

27 Grant reported on the second meeting. He summarized the Organization Assessment Proposal submitted  
28 by Kevin Greenwood (copy attached to original of these minutes) and expressed his support of accepting  
29 the proposal and engaging Greenwood's services.

30

31 Items discussed included: 1) Seeking additional proposals; 2) Postponing the project for three months due  
32 to the audit time constraints; 4) Limited opportunity for the City to benefit from Greenwood's experience,  
33 background, and insight; and 5) Decisions being made outside of Council.

34

35 Motion 4: Grant moved to accept Greenwood's proposal and engage his services. Callender seconded  
36 the motion.

37

38 Mayor Gambino said it was moved and seconded, and called for discussion.

39

40 There was further discussion regarding: 1) Rumors of mismanagement; 2) Two employees' termination  
41 of employment; 3) Word of mouth recommendations; 4) Helpful to have guidance moving forward; 5)  
42 Proposal reflects Greenwood's capability to communicate professionally and effectively; 6) Retained staff  
43 didn't speak up regarding issues; 7) Setting timeline parameters once the proposal is accepted; 8) Cost is  
44 very reasonable; 9) Audit results may be useful in Greenwood's analysis; and 10) City's lack of succession  
45 planning has created a major problem.

46

47 Vote: Motion 4 failed.

48

49 Ayes: Grant, Callender

50

51 Nays: Short, Gambino, Leff

52

53 Grant will contact Kevin Greenwood.

54

55

1 VII. PUBLIC COMMENTS

2 There were none.

3

4 VIII. UNFINISHD BUSINESS

5

6 A. Appeal of Planning Commission Decision on Application for Development in Coastal Shorelands  
7 Overlay Zone (Case File #4-CS-PC-18) – Findings, Conclusions, and Final Order

8

9 Larry Lewis, City Planner, prepared the Findings, Conclusions, and Final Order for Council review and  
10 approval (copy attached to original of these minutes). He explained, should the Council move to approve  
11 the Findings, the motion would include authorization for the Mayor to sign.

12

13 Motion 5: Leff moved to approve the Findings, Conclusions, and Final Order. Short seconded the motion.

14

15 Mayor Gambino said it was moved and seconded, and cited the Order: *It is ORDERED by the Depoe Bay*  
16 *City Council that the Appeal of Case File #4-CS-PC-18 be DENIED and the Planning Commission's*  
17 *approval of Case File #4-CS-18-PC be APPROVED.*

18

19 Vote: Motion 5 passed.

20 Ayes: Gambino, Grant, Callender, Leff, Short

21

22 B. Salary Survey Recommendation

23 Duering reminded the Council the Draft Salary Survey prepared and presented by Ruth Mattox, Local  
24 Government Personnel Institute (LGPI), needs to be approved and finalized.

25

26 Motion 6: Short moved to approve the Draft Salary Survey as presented. Leff seconded the motion.

27

28 Mayor Gambino said it was moved and seconded, and called for discussion. There was none.

29

30 Vote: Motion 6 passed.

31 Ayes: Grant, Callender, Leff, Short Gambino

32

33 C. Lincoln County Board of Commissioners Annual Joint Meeting – Discussion Items

34

35 The Council identified the following items: 1) Transparency in government; 2) Grocery bag ban; 3)  
36 Homelessness; and 4) Affordable housing. Discussion followed.

37

38 IX. NEW BUSINESS

39

40 A. Oregon Cascades West Council of Governments (OCWCOG/City of Depoe Bay  
41 Intergovernmental Agreement

42

43 Duering stated OCWCOG was contacted initially regarding their availability to process payroll on short  
44 notice. Based on the City's current staffing situation and workload OCWCOG prepared an agreement for  
45 Council consideration. The agreement states the scope of services *shall be for the purpose of OCWCOG*  
46 *finance staff to provide financial services to the City of Depoe Bay.* Audit, budget process and preparation  
47 would be billed at a flat rate, per occurrence.

48

49 Discussion followed regarding: 1) Terms of the contract; 2) Attendees at meeting with Sue Forty,  
50 OCWCOG Finance Director; 3) Matter that led to City of Toledo/OCWCOG agreement; 4) OCWCOG's  
51 future plan as a daily financial operations resource to coastal communities; 5) Bryan Fitzsimmons, CPA,  
52 was contracted to prepare W-2's, 1099's, and 4<sup>th</sup> quarter payroll reports on behalf of the City (authorized

1 by the Mayor and Council President); and 6) Responsibility to keep Council informed and aware of matters  
2 concerning the City.

3  
4 No action was taken.

5  
6 B. Check Dam – Silt/Vegetation Removal

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8 Weidner summarized the discussion at the January 22, 2019, meeting with Kate Groth, U.S. Army Corp  
9 of Engineers. The attendees agreed to recommend the City move forward with vegetation removal.  
10 Weidner provided a cost estimate of \$5,000 and will request proposals.

11  
12 Motion 7: Callender moved to proceed with vegetation removal at a cost not to exceed \$5,000. Short  
13 seconded the motion.

14  
15 Mayor Gambino said it was moved and seconded, and called for discussion.

16  
17 Discussion ensued regarding: 1) Scope of work and cost; 2) Cat tail control and management; 3) Harbor  
18 Commission's recommendation; and 4) Harbor Commission and Council working cooperatively on harbor  
19 related endeavors.

20  
21 Vote: Motion 7 passed.

22 Ayes: Grant, Callender, Short, Gambino, Leff

23  
24 C. Gleneden Sanitary District/City of Depoe Bay Agreement

25  
26 Mayor Gambino confirmed the Council received a Memorandum from Pery Murray dated February 4,  
27 2019, regarding FY 2017-18 and 2018-19 "Sewer Pool" Financial Reports and an e-mail from Patsy  
28 Ingram, Gleneden Sanitary District dated February 1, 2019, with attachments (copies attached to original  
29 of these minutes).

30  
31 Discussion ensued regarding: 1) Disconnect between Gleneden Sanitary Board of Directors and their  
32 attorney; 2) Postponement of the Gleneden Sanitary District/Depoe Bay Wastewater Advisory Meetings  
33 initiated by Gleneden (January to February to March); 3) Purpose of the January 31, 2019, meeting with  
34 GSD and City staff; and 4) January 18, 2019, letter from Dennis Bartoldus.

35  
36 In conclusion, the Council agreed to allow Murray the time she requested to review the reports and provide  
37 the findings.

38  
39 X. CORRESPONDENCE

40 1) Letter from Gleneden Sanitary District regarding continued work with areas of I&I problems; 2) Oregon  
41 Department of Transportation report on U.S. 101 Bridges Repair and Protection; and 3) E-mail from  
42 Oregon State Marine Board regarding Maintenance Assistance Program (MAP) Grant Agreement.

43  
44 XI. CITY STAFF REPORT

45  
46 Weidner: 1) Oregon Department of Environmental Quality (DEQ) sanitary sewer system inflow and  
47 infiltration (I&I) reporting; 2) Sewer line tv project will be awarded later; 3) Update on Wastewater  
48 Biosolids Dewatering Press Project; and 4) Installation of stone sign and trail building at Cat Lick Park.  
49 Discussion followed.

50  
51 Duering: 1) Update on status of Urban Renewal Audit; 2) W-2's, 1099's, and 4<sup>th</sup> quarter payroll reports  
52 were completed/filed by the January 31, 2019, deadline.

1 XII. COUNCIL COMMENTS

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3 Grant: Spoke at length regarding his conclusion concerning Council’s decision to turn down Greenwood’s  
4 proposal (may provide recommendations contrary to Council’s organization/operation goals/plans for the  
5 City) and his request for a press release disclosing information to the citizens of Depoe Bay without  
6 violating executive privilege.

7

8 Motion 8: Grant moved the City get together with the attorney and craft a press release to explain generally  
9 what has happened inside the City of Depoe Bay to avoid continued speculation by the public. Callender  
10 seconded the motion.

11

12 Mayor Gambino said it was moved and seconded, and called for discussion.

13

14 Leff volunteered to write the first draft if the motion passes.

15

16 Vote: Motion 8 passed.

17 Ayes: Callender, Gambino, Grant

18 Nays: Leff, Short

19

20 It was clarified that Council will seek legal advice/review.

21

22 Gambino: Stated he was taken aback by the negativity of at least a Councilor that contributes to the  
23 general discontent of the entire Council. The Council should work together.

24

25 Short: Reported \$5,822.10 was raised at the volunteer sponsored “Benefit Chili Feed” for U.S. Coast  
26 Guard Station Depoe Bay.

27

28 Leff: Stated the event represented the best of Depoe Bay – A tribute to the goodness of the people of our  
29 community and the respect and affection with which they view the Coast Guard.

30

31 Callender: Stated at one point everyone joined in to spontaneously sing “God Bless America”. She likes  
32 transparency too and reiterated that all the Council needs to be involved in decision making (may have an  
33 opinion or insight) or be informed when decisions are made. The City needs to be transparent without  
34 placing blame and move forward in a positive manner.

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36 XIII. ADJOURN

37 There being no further business, the meeting was adjourned at 8:15 PM.

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Carla Duering, Recording Secretary

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Robert Gambino, Mayor