

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

5
6 PRESENT: Mayor R. Gambino, D. Callender, B. Leff, L. Goddard, K. Short, C. Bates, J. Grant
7 STAFF: City Superintendent B. Weidner, Interim City Recorder C. Duering

8
9 I. PLEDGE OF ALLEGIANCE

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

11
12 II. CALL TO ORDER

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

14
15 III. APPROVE MINUTES: February 19, 2019, Regular Meeting

16 Mayor Gambino asked for a motion to approve the February 19, 2019, minutes.

17
18 Motion 1: Callender moved to approve the February 19, 2019, Regular Meeting as written. Grant
19 seconded the motion.

20
21 Mayor Gambino said it was moved and seconded, and called for discussion. There was none.

22
23 Vote: Motion 1 passed.

24 Ayes: Callender, Leff, Goddard, Short, Gambino, Bates, Grant

25
26 IV. ACCOUNTS PAYABLE

27 Mayor Gambino stated he reviewed the accounts payable. He recommended approval as presented.

28
29 Motion 2: Short moved to approve the accounts payable. Goddard seconded the motion.

30
31 Mayor Gambino said it was moved and seconded, and called for discussion. There was none.

32
33 Vote: Motion 2 passed.

34 Ayes: Leff, Goddard, Short, Gambino, Bates, Grant, Callender

35
36 V. SPECIAL ORDERS

37
38 A. Request for Franchise Agreement – Spectrum Pacific West, L.L.C. locally known as Charter
39 Communications

40
41 Robin Smith, Charter Spectrum, came forward with a PowerPoint presentation and distributed general
42 information about Charter (copies attached to original of these minutes). She confirmed the Council
43 received copies of the proposed franchise agreement (copy attached to original of these minutes).

44
45 Discussion followed regarding: 1) Council will need time to review and to seek legal counsel; 2)
46 Installation – Typically use existing telephone/electrical poles unless required to place underground; 3)

1 Proposed construction scheduled to start in April with completion in May (anticipate minimal disruption
2 to traffic flow); 4) Residents would have a choice of service and benefit from the Spectrum Internet Assist
3 program; and 5) Ordinance No. 315 – Wave Broadband Franchise Agreement (copy attached to original
4 of these minutes).

5

6 In conclusion, Mayor Gambino reiterated there will be further discussion/negotiation and cautioned Smith
7 regarding time constraints. She understood.

8

9 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

10

11 A. Parks Commission Recommendation – Disposal of Spoils – Revetment Dam Cattail Removal

12

13 Mayor Gambino summarized the Parks Commission memorandum (copy attached to original of these
14 minutes).

15

16 Lars Robison, Harbor Commission Chair, and Councilor Goddard clarified they did not recommend
17 disposal of the cattailings in the City Park. Council agreed that the spoils be hauled to the Wastewater
18 Treatment Plant.

19

20 Mayor Gambino announced an additional agenda item. He presented Barbara Leff with a crystal gavel.
21 Leff cited the inscription: *Presented to Barbara Leff, City of Depoe Bay Mayor 2017-2018, In recognition
22 and appreciation of your dedication, commitment and service to our community.* There was applause and
23 photos were taken.

24

25 VII. PUBLIC COMMENTS

26 There were none.

27

28 VIII. UNFINISHD BUSINESS

29

30 A. Wastewater Treatment Plant Tour – Wednesday, March 6, 2019, 2 PM

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32 Weidner announced attendees will meet at the Wastewater Treatment Plant facility. He extended the
33 invitation to the Planning Commission, Harbor Commission members and others.

34

35 B. Gleneden Sanitary District/City of Depoe Bay Agreement

36

37 Motion 3: Short moved that Councilors Leff and Grant, Pete Gitner, City Attorney, and Rob Henry, HBH
38 Consulting Engineers, meet with two members of the Gleneden Sanitary District Board within the next
39 two weeks. Callender seconded the motion.

40

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

42

43 Staff will coordinate/schedule meeting date and time.

44

45 Vote: Motion 3 passed.

46

Ayes: Goddard, Short, Gambino, Bates, Grant, Callender, Leff

1 Duering stated the urgency of providing Gleneden Sanitary District with the revised monthly statements
2 for fiscal year 2017-18 prepared by Pery Murray (copies attached to original of these minutes).

3
4 Motion 4: Short moved to approve the revised monthly statements to be submitted to Gleneden Sanitary
5 District for payment.

6
7 Grant requested Short provide further explanation.

8
9 Short stated there is a balance due of \$109,938.62 for FY 2017-18 from Gleneden Sanitary District which
10 coincides with their figures. Grant seconded the motion.

11
12 Mayor Gambino said it was moved and seconded, and called for discussion.

13
14 There was brief discussion regarding further review/discussion of the itemized sheets.

15
16 Vote: Motion 4 passed.

17 Ayes: Short, Gambino, Bates, Grant, Callender, Leff, Goddard

18
19 C. Dock 3 Piling Project

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21 Weidner summarized the scope of work and noted the attached photographs (copies attached to original
22 of these minutes). He explained sole source procurement and requested Council adopt Resolution No.
23 475 (copy attached to original of these minutes).

24
25 Gambino read into the record Resolution No. 475.

26
27 Goddard noted Gambino misread *with formal competitive bidding*. Document states *without formal*
28 *competitive bidding*.

29
30 Motion 5: Leff moved to adopt Resolution No. 475. Bates seconded the motion.

31
32 Mayor Gambino said it was moved and seconded, and called for discussion.

33
34 Discussion ensued regarding: 1) Projects using this technology; 2) No warranty – Contractor is requesting
35 waiver of the builder’s risk insurance requirement; and 3) Epoxy – Environmental and durability concerns.

36
37 Vote: Motion 5 passed.

38 Ayes: Gambino, Bates, Grant, Callender, Leff, Goddard, Short

39
40 IX. NEW BUSINESS

41
42 A. Request Waiver of Community Hall Fee – Friends of Lincoln County Animals (FOLCAS)

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44 Emily DeHuff, President, FOLCAS Board of Directors, distributed packets (copies attached to original of
45 these minutes). She introduced her husband, Jack Shumate, Director of the Lincoln City Cribbage Club.
46 She explained that together they have been putting on cribbage tournaments sanctioned by the American

1 Cribbage Congress. She stated they would like to hold a cribbage tournament at the Depoe Bay
2 Community Hall November 9 and 10, 2019, and waiver of the \$50 fee would mean another \$50 for the
3 animals.

4
5 Brief discussion followed regarding: 1) Benefits to the community; 2) FOLCAS spay and neuter program;
6 and 3) FOLCAS thrift store grosses \$22,000/month.

7
8 Motion 6: Leff moved to waive the \$50 Community Hall fee so funds can be used for the spay and neuter
9 program. Goddard seconded the motion.

10
11 Mayor Gambino said it was moved and seconded, and called for discussion.

12
13 There was a comment regarding putting money in the kitty.

14
15 Vote: Motion 6 passed.

16 Ayes: Bates, Grant, Callender, Leff, Goddard, Short, Gambino

17
18 X. CORRESPONDENCE

19
20 1) Fleet of Flowers – Request for 2019/Fleet of Flowers Ceremony; and 2) Agreement Between the City
21 of Depoe Bay and the Miroco Water District (copies attached to original of these minutes).

22
23 XI. CITY STAFF REPORT

24
25 Weidner: 1) Construction of two finger docks; 2) Intersection of Schoolhouse Street and Highway 101 –
26 Install bollards around fire hydrant and relocate stop sign; 3) Highway 101 South of the Bridge Project
27 status; 4) Basement construction clean-up and reorganization; 5) Cat Lick Park – Stainless handrail and
28 social media exposure; and 6) Update on Martin and Lee property complaints.

29
30 Discussion followed regarding the vandalized drinking fountain in the park.

31
32 Dueling: 1) Depoe Bay/Gleneden Sanitary District Wastewater Advisory Committee Meeting scheduled
33 on March 18, 2019; 2) Urban Renewal Meeting scheduled on March 19, 2019; 3) Meeting (Murray, Forty,
34 and Dueling) held to discuss the audit extension and findings; 4) Larry Lewis, City Planner, is out of the
35 office this week; 5) Status of utility billing, transient room tax quarterly forms; and business license
36 renewals; and 6) Very pleased with staff's teamwork skills (supportive and cooperative).

37
38 XII. COUNCIL COMMENTS

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40 Callender: Stated the funeral is tomorrow for Oregon Secretary of State Dennis Richardson, a very fine
41 and honest man. She noted she participated in his campaign in 2014 and encouraged everyone to keep
42 him in their thoughts.

43
44 Grant: Commented this is a real loss for the State of Oregon. He was a decent, smart man who knew
45 more about Oregon State finances than anyone.

46

1 Leff: Thanked everyone for the beautiful, treasured gift. She stated staff has been working hard under
2 very difficult circumstances and applauded their efforts (recognized and appreciated).

3

4 Goddard: Seconded Leff's comments and thanked the Fleet of Flowers Committee for asking Dockside
5 Charters for use of electrical power during the ceremony.

6

7 Short: Requested an update on Nick Peterson, Whale Inn, regarding repayment of grant funds.

8

9 Duering reported on the status.

10

11 Gambino: Reiterated the comments about staff. He noted a lot was accomplished this evening and
12 thanked the Council.

13

14 Bates: None.

15

16 XIII. ADJOURN

17 There being no further business, the meeting was adjourned at 8:06 PM.

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21

Robert Gambino, Mayor

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23

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Carla Duering, Interim City Recorder