

Depoe Bay City Council
Regular Meeting
Tuesday, February 19, 2002 - 7:00 PM
Depoe Bay City Hall

PRESENT: Mayor J. Steen, S. Scorpio (arrived 7:01), P. Taunton, B. Silver, A. Brown,
J. Brown, M. Lavery

STAFF: City Field Superintendent T. Owings, City Recorder P. Murray, Recording
Secretary S. Fox

I. PLEDGE OF ALLEGIANCE

Mayor Steen called for all to stand for the Pledge of Allegiance.

II. CALL TO ORDER

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

III. APPROVE MINUTES: February 5, 2002 Regular Meeting

Motion 1: Brown moved to approve the minutes as written, with one clarification of the word "topic" used in Motion 9 on page 5. It should be clarified as follows: *having a joint Council / Planning Commission meeting where there is a presentation by the Planning Commission on Text Amendment issues*. Scorpio seconded the motion.

Steen said it was moved and seconded, and called for discussion. There was none.

Vote: Motion 1 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

IV. NEW BUSINESS

A. Interview Applicants for City Commissions & Committees

1) Donna Soelberg who applied for the Traffic Safety Commission but was unable to be present at the last meeting, was present and was interviewed by the Council. 2) Rick Davilla applied for Position #5 on the Harbor Commission, and was present and was interviewed by the Council.

B. Appointments to Fill Vacancies

Ballots were distributed, completed, and turned in. Murray tallied the votes verbally. Bob Ward received 100% of the votes for Business Community member of the Economic Development Committee.

Motion 2: Silver moved to appoint Bob Ward to the position of Business Community Member of the Depoe Bay Economic Development Committee. Lavery seconded the motion.

Steen said it was moved and seconded, and called for discussion. There was none.

Vote: Motion 2 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

C. Authorize Contract for Engineering Services - Pac West

Murray reported that insurance documentation has been provided by Pac West (copy of contract attached to original of these minutes).

Motion 3: Lavery moved to authorize the Mayor to sign the Pac West contract. Silver seconded the motion.

Steen said it was moved and seconded, and called for discussion. There was none.

Vote: Motion 3 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

D. Authorize Use of Depoe Bay City Park/Community Hall - Gates of Thyme
Cheryl Preston POB 1538, submitted her proposal (copy attached to original of these minutes) for use of City Park & Community Hall by the Gates of Thyme Faire and Village Apprentice School. Silver said the Parks Commission enthusiastically supports the faire. Lavery asked if they are requesting the park be completely closed for the duration of the faire. Preston said yes, because of insurance reasons. Murray said one written complaint was received last year. Silver suggested letting citizens know the issues, and ask their patience in dealing with this inconvenience.

Motion 4: Silver moved to approve the Gates of Thyme application for use of the City Park and Community Hall from September 25 through October 1, 2002. Scorpio seconded the motion.

Steen said it was moved and seconded, and called for discussion. Murray asked about waiving fees.

Amended Motion 4: Silver amended the motion as follows: To approve the Gates of Thyme application for use of the City Park and Community Hall from September 25 through October 1, 2002 with all fees waived. Scorpio seconded the amended motion.

Vote: Amended Motion 4 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

E. Proposed Ordinance #258, Regarding the Operation or Use of Skateboards in the City, Amending Ordinance #156.

Murray did the first reading of the proposed ordinance, and called for questions or comments. Bob Ward clarified that permission is not being granted for skateboarding on Highway 101. Murray said the highway and the downtown business area will remain off-limits, per Ordinance #156. Bud Romans said Collins is a county road and the City doesn't have the right to grant permission on this street, either.

Motion 5: Lavery moved to adopt Ordinance #258 as per the first reading. Silver seconded the motion.

Steen said it was moved and seconded, and called for discussion.

Amendment: Alice Brown moved to amend the motion to eliminate any street where the speed is greater than 25 MPH. Silver seconded the amendment.

Steen said it was moved and seconded, and called for discussion. It was determined that there are no streets in Depoe Bay with speeds greater than 25 MPH. Alice Brown withdrew her amendment, and Silver withdrew the second.

Vote: Original Motion 5 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

Murray proceeded with the second reading of Ordinance #258, and called for further questions or comments. There were none.

Motion 6: Lavery moved to adopt Ordinance #258. Silver seconded the motion.

Steen said it was moved and seconded, and called for discussion. There was none.

Vote: Motion 6 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

Silver advised the young people present that the next Parks Commission meeting on March 13 will include the skateboard ramp as a topic of discussion. He encouraged them to attend this meeting and provide their input. The meeting begins at 5:30 at City Hall.

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. PUBLIC INPUT

There was no public input.

VII. CORRESPONDENCE

There were four items of correspondence (all attached to the original of these minutes): 1) A letter from Tina French, Vice President of North Lincoln Sanitary Service (NLSS). Their survey on curbside recycling is complete. Depoe Bay respondents overwhelmingly indicated they do not want the curbside recycling. NLSS will not pursue this service unless Council advises them to. 2) An emailed request to enclose a survey with the water/sewer bill mailing. Murray noted that the water bills are sent out as postcards, and a survey mailing would be an increased cost. Maggie Brown 15 SE Ainslee, said a formal presentation is planned for the March 19 Council meeting. The tentative cost of the survey mailing is \$200, and the group making the request would like to split the cost with the City. They hope to indicate the Mayor, City Council, and possibly the Chamber of Commerce are supportive of the survey, when it is mailed. 3) A

request from the Chamber requesting use of the sea-wall parking lot for the annual Wooden Boat Show coming up on April 27-28.

Motion 7: Silver moved to approve the request for using the sea-wall parking lot in the harbor for the purposes of a wooden boat show April 27-28, 2002. Scorpio seconded the motion.

Vote: Motion 7 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

Correspondence, continued. 4) A petition from Southpoint Neighborhood Watch Area 4, concerning streetlights and a security problem.

Motion 8: Scorpio moved to have Owings look into additional streetlights on Southpoint. Silver seconded the motion.

Steen said it was moved and seconded, and called for discussion. Owings said there was a past incident in this area, where streetlights were installed, followed by complaints about the light shining in bedroom windows at night and the subsequent removal of the new streetlights. George White POB 1458, of the neighborhood watch, said he will provide Owings with a petition signed by nearby residents, who are all in favor of the additional lighting. He said many of the neighborhood homes are owned by people who live in Portland, and a couple are vacant. Teens are regularly seen walking around the neighborhood late at night. Ken Powis 410 Pine Court, said he does not feel that a lot of lighting increases security, because his van got broken into, even though there is ample nearby lighting. He said the problem is one of enforcement, and Depoe Bay is seen as an "easy hit".

Vote: Motion 8 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

VIII. LIAISON OFFICERS' REPORTS

Alice Brown reported that the Planning Commission will meet on February 20. They will be looking at the Findings, Conclusions, and Final Order for a Building Permit Application in the Coastal Shorelands Overlay Zone; there will be a Public Hearing on a Conditional Use Permit Application to Construct a Parking Area in a Residential Zone (R-4); and the Workshop Session on a Text Amendment Application for Tourist Accommodation Overlay Zone or Conditional Use, will be continued from the previous meeting. She said she also received some written information from Dick Johnson on Text Amendment categorization.

Jack Brown reported that the Harbor Commission had not met. He attended a speech on sea urchins at OSU last week, noting that Whale Cove is one of only two locations on the Oregon Coast that is protected.

Lavery reported that Traffic Safety Commission Chairman David Dunne had drafted three hard-hitting PSAs (public service announcements) for Spring Break.

Scorpio reported there will be a Town Hall meeting on February 25 at 7 PM. Maggie Brown is trying to get representation from local schools. The new Fire Chief may be there. Scorpio is talking with the neighborhood watch groups about the possibility of combining their meetings with the Town Hall meetings.

Taunton said he had nothing to report the Salmon Enhancement Commission.

Silver reported 1) The Solid Waste Consortium met this afternoon. Their investigations into a financial assurance plan continue. 2) The Parks Commission met February 13. Cheryl Preston recapped last year's faire. The gazebo is progressing. Katherine Pyle has offered the Parks Commission tree seedlings for the City. They will be dropped off at the What-Not Shop. The next Parks meeting is March 13 at 5:30 PM.

Jack Brown apologized to Fran Recht for suggesting she was less than cordial at Planning Commission meetings. He said he listened to the tapes, and determined his opinion was wrong. He looks forward to working with her in the future.

IX. CITY STAFF REPORT

Murray had no report.

Owings reported that: 1) New drawings are being made for Whale Park, and it will go out for bid in about two weeks. 2) The gangway engineering will be started next week. 3) He has received a response regarding Ainslee street lights - all seven can go in.

X. ACCOUNTS PAYABLE

Motion 9: Scorpio moved to approve Accounts Payable as presented. Silver seconded the motion.

Steen said it was moved and seconded, and called for discussion. Murray said an invoice from Chris Coplen Construction in the amount of \$2,700 was received today after Accounts Payable was closed. It is for gazebo framing, and she requested approval to pay it at this meeting.

Amended Motion 9: Scorpio amended the motion as follows: To approve Accounts Payable as presented, to include payment of Chris Coplen Construction's invoice \$2,700. Silver seconded the motion.

Vote: Amended Motion 9 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery

XI. COUNCIL COMMENTS

Alice Brown had two concerns: 1) Page 8 of Resolution 305 (Council Rules), states all written information given by the City Recorder to one Councilor should be distributed to all councilors. Murray has given her a copy of a draft of the codified document regarding zoning she requested at the last meeting. She suggested setting up a Council committee to review the zoning code and determine Measure 7 concerns. Silver volunteered to help her with this

project. 2) As Planning Commission liaison, she thought she was supposed to share with them pertinent information from documents distributed into her council box. She requested guidance in the form of a motion before doing this in the future. She referred to “Windfalls, Wipeouts, and Measure 7”, “Local Focus”, and a press release by Attorney General Hardy Myers, “Formal Opinion About Meaning and Effect of Ballot Measure 7”, noting that all of these documents had been put in her box. She requested a consensus of making these documents available to the Planning Commission at tomorrow’s meeting, because it is pertinent for all to know what is happening with Measure 7. Silver said there is a dividing line between individual opinion and what the Council feels as a group. He wouldn’t want any Commission to get the wrong idea as to intent.

Jack Brown, responding to Alice Brown’s Measure 7 concerns, suggested focusing only on changes necessary to ensure compliance with Oregon and Federal laws and statutes.

Taunton reminded Silver that if the skateboard ramp is removed, it needs to be returned to Eric Lee, who donated it.

XII. ADJOURN

There being no further business, the meeting was adjourned at 8:25 PM.

Mayor John Steen

Silver Fox, Recording Secretary