

Depoe Bay City Council
Regular Meeting
Tuesday, June 18, 2002 - 7:00 PM
Depoe Bay City Hall

PRESENT: Mayor J. Steen, S. Scorpio, 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: June 4, 2002 Regular Meeting Minutes

Motion 1: Alice Brown moved to approve the minutes of the June 4, 2002 Regular Meeting as written. Silver 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. Budget Hearing - FY 2002-03

Murray said this public hearing was for public comment on the Budget for Fiscal Year 2002-2003, as approved by the Budget Committee. It will be presented in resolution form later in the Regular Meeting for adoption by the City Council. There was one change made since approval by the Budget Committee. They had approved a total of \$5,000 for Personnel Services as a bonus amount to be distributed between all funds having payroll expenses. In distributing these funds, it became necessary to reduce an expenditure in the Harbor fund, in order for the fund to balance. She reduced the Contingency line item by \$250 to achieve the balance. There were no questions or comments from the audience. Silver said it was important for the audience to know that it is within the Council's authority to change the budget up to 10% of total fund expenditures. Steen then closed the public hearing.

B. Legal Service Contract Extension

Steen said the City Attorney has agreed to continue to provide legal services on monthly basis until a replacement is found, with the provision of one week's notice before termination.

Motion 2: Silver moved to authorize the extension of the legal services contract on a monthly basis, with one week's notice to be provided before termination. Scorpio 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. Proposed Res. #311, A Resolution Declaring the City's Election to Receive State Revenues

Murray said this resolution (copy attached to original of these minutes) is an official declaration of the City's election to receive State revenues from cigarette, gasoline, and liquor taxes in the upcoming fiscal year.

Motion 3: Lavery moved to adopt Resolution #311, A Resolution Declaring the City's Election to Receive State Revenues. Alice Brown 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. Proposed Resolution #312, to Adopt the Budget, Make the Appropriations, Impose and Categorize the Ad Valorem Tax Levy for the 2002-03 Fiscal Year

Murray said the appropriations for this resolution (copy attached to original of these minutes) are defined in the Budget by fund. The only thing the City levies property taxes for is repayment of bonded debt on our water and sewer bonds. Both these levies are excluded from the general government limitation.

Motion 4: Lavery moved to adopt Resolution #312, to Adopt the Budget, Make the Appropriations, Impose and Categorize the Ad Valorem Tax Levy for the 2002-03 Fiscal Year. Silver seconded the motion.

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

Vote: Motion 4 passed.

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

E. Solid Waste District/Hauler's Proposal

Owings said this is a complicated ordinance. The Advisory Group met today, recommending forwarding the ordinance, with a few changes, to Lincoln County Commissioners. The Solid Waste District met today and on June 5 to discuss this proposal. There are four different hauling companies, but there has never been a uniform ordinance. This ordinance would help Lincoln County and the haulers operate more efficiently. There are three main parts of the ordinance: 1) Operating ratio. The ratio structure would provide a constant stream of revenue which would be fair to haulers and rate payers. 2) Accounting for shared management.

Because of different ways of accounting between the different companies, this would bring some uniformity to the system, the haulers, and Lincoln County. 3) Consumer price index adjustment for rates. Using the index for adjustment rates makes it easy to administrate. The current inflation rate would be passed to rate payers semi-annually. The Solid Waste District voted to extend this to Lincoln County Commissioners. Lincoln County legal counsel has taken a preliminary look at the ordinance and will set up meetings in October or November with all the cities in the county, to explain the ordinance in detail. They are considering a 3% per year increase, not to exceed 6% over two years.

F. Signage - Bridge Underpass

Steen referenced a memo from David Dunne, Traffic Safety Chair (copy attached to original of these minutes), which had been distributed to the Council. Owings said the City wrote a letter to ODOT on January 5 requesting bigger signs, and to have them placed on street light poles. He asked for direction from the Council as to whether to pursue this course, or just have a bigger sign on the bridge, before he contacts ODOT's sign crew.

Motion 5: Lavery moved to have Staff contact ODOT to see about getting larger signs designating the bridge underpass as a traffic-free pedestrian crossing of Highway 101. Jack Brown seconded the motion.

Steen said it was moved and seconded, and called for discussion. Silver questioned if a larger sign would be a solution to getting people to see that there's an alternate way across the highway. He suggested getting the advice of an agency such as ODOT as to their experience in getting people to see what we're trying to get them to see, whether this be color, size, or placement of the sign. Lavery maintained the sign needs to be larger, regardless of color or placement. He thought placement should be near the bridge railing. Debbie Davilla of 325 Coast said if it's highlighted as a scenic underpass, people will be more likely to use it.

Vote: Motion 5 passed.

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

G. Temporary OLCC Permit for Special Event, Nautical Nook

Steen said the application for this permit has not been received. The item was tabled.

V. Unfinished Business

A. Neighborhood Watch Request for Street Lights, South Point

Owings said a lot of correspondence has been received regarding this request for streetlights on Point Street, which crosses South Point and Cliff Streets. The initial request was followed by correspondence from a resident on the corner of Point and Cliff Streets, who had concerns about light shining into their house and not being able to see the lights of the city at night. For these reasons, they would prefer a different location than that identified in the request. Owings met with a PUD engineer to get an idea of what options exist. He noted that most of the electricity is underground on Point Street. He used an drawing of the neighborhood on the dryboard as a visual aid for the Council, while he explained the options outlined by PUD: 1) A light on the corner of Point and South Point will require pole replacement and a 10 foot extension. 2) A light at Point and Cliff would also require pole replacement. Also, the property

owner would have to trim trees back and the new pole would be five feet higher than the existing pole. 3) Any other location would cost the City money for underground work. Other locations may also interfere with existing views, and may not provide light to the intersection. Steen noted recent vandalism, stating that's why people want more lights. Silver suggested lighting closer to ground level may be a better option. Owings said PUD doesn't offer this type of lighting, due to liability issues.

Motion 6: Silver moved, based on the Staff report, to proceed with installation of a street light at the corner of Point and South Point Streets, and explore alternatives for lighting at the corner of Point and Cliff Streets. Laverty seconded the motion.

Steen said it was moved and seconded, and called for discussion. Scorpio noted that people always have the alternative of providing their own security lighting. Silver pointed out that vandalism has taken place right under street lights.

Vote: Motion 6 passed.

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

VI. Public Input

Peggy Leoni, Chamber of Commerce, said the Citizen of the Year event took place Saturday, June 15. A lot of money was raised and everyone had a good time.

Note: Laverty briefly departed on a fire call at 7:30, returning at 7:35.

VII. Correspondence

Murray had one letter of correspondence from Gracie Strom (copy attached to original of these minutes), requesting the City pave Bay View Avenue from Winchell Street to the east end of Bay View where the foot path leading to the City Park playground begins. Her reason for this request was to make Depoe Bay streets safer and more attractive for visitors. Silver requested a Staff report on the history of the south end of Bay View, how it fits in with the City's transportation project, previous agreements for the area, rights of way, and condition and use of the area. Owings said the City has been receiving matching funds through SCA (Special City Allotments) grants, to improve and maintain our streets. The City has been working its way down Winchell Street toward Bay View, one section at a time, depending on how much money is received. A 1997 cost estimate for Bay View Avenue improvements is \$93,000. This section of road is in the 1997 Traffic Study, because at the time it was done, it was thought that the City would like to continue the road down to the park, put in a bridge, and continue up Shell Ave. Before applying for grant money to improve this area, the City will need to make a decision whether or not it wants a bridge going through the park. ODOT looks at the amount of traffic that uses the streets and reducing highway traffic when deciding how much money to grant. Silver said it doesn't look like the paving will happen in the near future. Alice Brown asked if there were other less expensive options, such as loose gravel or chip sealing. Owings said chip sealing is a good option, and that it cost about \$3-\$4 per square yard the last time he checked. Murray said there is \$15,000 budgeted for chip sealing this year, and asked if Strom's request should be a priority. Silver said the chip sealing list should be looked at as an agenda item. There were no objections to placing this matter on the next meeting agenda.

VIII. LIAISON OFFICER'S REPORTS

Alice Brown reported 1) The Planning Commission held a special meeting on June 12 to continue deliberations on the Tourist Accommodation Overlay Zone, and that deliberations shifted to pursuing a Limited Land Use Overlay Zone in a Commercial Zone for the subject properties. This use would require a Zoning Text Amendment and a Map Amendment, as well as a new public hearing, which was scheduled for July 17, 2002. 2) The Planning Commission will hold its next regular meeting tomorrow night.

Jack Brown reported 1) The new ramps are in at the harbor. The Harbor Commission is happy with them. 2) The harbor docks are full this summer. 3) There are 37 meters being installed by July, so the City will be able to charge for exact electrical use. 4) The Harbor Commission is looking for a lift to assist handicapped people in getting onto boats, but expressed the need for caution due to potential liability. 5) Harbormaster Gary Walls did an outstanding job at the Fleet of Flowers, and the Harbor Commission gives him a strong vote of confidence.

Laverty reported 1) On June 7 he went to a Scenic Byways Advisory meeting in Salem. He said it was good that he attended, because they had questions that he was able to answer. Depoe Bay came out in the number two spot on their list for receipt of 2003 Federal dollars. There still remain some minor areas needing clarification. 2) The Traffic Safety Committee met on June 11. They received answers to questions from Ann Holder, who is the Traffic Safety Coordinator for ODOT Region 2. They also discussed the Highway 101 southbound lane change on the curve by City Hall. This continues to be a problem area, and the Committee will need to provide Holder with the answers to further questions. The striping on Cape Foulweather is being done as quickly as possible during the summer. ODOT is organizing a big push for the July 4 holiday. Their motto this year is "You drink, you drive, you lose". 3) Michael Ronkin from ODOT Bicycle and Pedestrian Safety is accepting grant applications for projects. One of the projects is a sidewalk on the west side of Highway 101 from WorldMark to the bank. Laverty suggested the City submit an application for this project, as getting a sidewalk connection would be beneficial for pedestrians, as well as the City. Information on this has been distributed to the Traffic Safety Committee and Owings. There were no objections. Silver noted that it be pointed out by whomever reports to ODOT on the lane change, that when the lane merge was further north it allowed more room for the left turn lane onto Schoolhouse Road.

Scorpio reported the Economic Business Development Committee will be holding regular meetings on the last Thursday of the month at 7 PM. She met with a subcommittee to put together a questionnaire for business owners in town. The questionnaires will consist of about 8-10 questions, with spaces for comments. The Council will receive a copy when it is complete.

Taunton reported that last Thursday-Saturday 20,000 fish got their fins clipped at the reservoir. There was a great group of volunteers, and their help was appreciated. Jim King alone clipped 2,700.

Silver reported that 1) Parks Commission met June 12. Whale Park construction is scheduled to be completed in August. Ty Pedersen gave a report on the skateboard ramp, bringing in some material which helped the Commission discuss different styles of ramp. They are considering how to fund it. A Parks Use Policy was discussed. The Chamber of Commerce requested that weekend use for the Salmon Bake and the Fleet of Flowers continue to be recognized as open park use weekends. The Parks Commission felt that all other events should be considered on a case-by-case basis. Their next meeting will be July 10 at City Hall. 2) The Solid Waste Consortium met this afternoon and approved the 2002-2003 Budget. Their next meeting will be July 16.

IX. CITY STAFF REPORT

Murray had no report

Owings reported that 1) Whale Park contracts have been signed and the contractor should be on site later this week or early next week. The project should be completed in 60 days. 2) Preliminary drawings for the Highway 101 Sidewalk Project should be done by this week. After review, they will be sent to ODOT for their comments. If they have no changes, the bidding process will begin. 3) The last part of the Gangways Project should be started tomorrow. Fins will be put around the gates so people can't go around the fence to get on the gangways. 4) The new sound system has been installed in Council Chambers. Volume for each microphone can be individually monitored at a control center, and the system is run by a 100 watt amplifier. 4) LSWCD (Lincoln Soil and Water Conservation District) wants to put stickers on stormwater collection boxes, telling people not to dump in them because they go directly out to the ocean. The stickers are free, and City workers would install them on the 42 collection boxes along Highway 101, if the Council would like them to do this. There was a consensus by the Council to do this. Scorpio asked Owings to describe the concrete wall that is going in at Whale Park, expressing concern over its appearance. Owings said the only way it fit the budget was to strip away everything not absolutely necessary, including the rock veneer, which will be applied at a later date.

X. ACCOUNTS PAYABLE

Motion 7: Scorpio moved to approve Accounts Payable as presented. Silver seconded the motion.

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

Vote: Motion 7 passed.

Ayes: Scorpio, Taunton, Silver, Steen, Alice Brown, Jack Brown, Lavery with one exception

XI. Council Comments

Scorpio expressed further concern about the appearance of the concrete wall in Whale Park and the length of time before it will be complete. Owings said the project went out to bid three

times, and this was not the way the City wanted it to happen. He's getting the job done to the best of his ability, with the resources he has available.

Silver said regarding conversation in tonight's Executive Meeting, he requested the Council schedule a workshop to discuss public restrooms. He would like a comprehensive report from Staff regarding the cost as relating to budget, staff availability, etc. In recent years, public restrooms have been instituted throughout town, and the City needs to look at the whole restroom question, and will need to prioritize and stay within budget constraints and Staff ability to maintain and service the restrooms. He asked Staff when a report could be put together for Council consideration, followed by scheduling of a meeting. Steen suggested a walkthrough of the restrooms prior to the workshop.

Alice Brown said 1) In order to reduce the incidence of personality issues during Council meetings, she encouraged Councilors to review page 380 of Robert's Rules of Order, which covers the subjects of "refraining from attacking a member's motives", "addressing all remarks through the chair", and "avoiding the use of members' names" during a meeting. She also suggested the public follow these guidelines in Council meetings. 2) She extended an apology from the May 21 meeting, to everyone whose name was mentioned in the correspondence.

XII. ADJOURN

There being no further business, the meeting was adjourned at 8:08 PM.

Mayor John Steen

Silver Fox, Recording Secretary