

Depoe Bay City Council
Regular Meeting
Tuesday, March 4, 2003 - 7:00 PM
Depoe Bay City Hall

PRESENT: Mayor B. Silver, S. Scorpio, P. Taunton, A. Brown, G. Romans, M. Lavery

ABSENT: J. Brown

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

I. PLEDGE OF ALLEGIANCE

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

II. CALL TO ORDER

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

III. APPROVE MINUTES: February 18, 2003 Regular Meeting, February 18, 2003 Workshop Meeting, February 25, 2003 Workshop Meeting

Two corrections to the February 18, 2003 Regular Meeting minutes were noted: 1) Page 1: Motion 2 was incorrectly labeled as Motion 1. 2) Page 1, Motion 2: Taunton abstained.

Motion 1: Lavery moved to approve the minutes of the February 18, 2003 Regular Meeting with the corrections as noted above. Taunton seconded the motion.

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

Vote: Motion 1 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

One correction to the February 25, 2003 Workshop Meeting minutes was noted: Page 2, Paragraph 1, "...thinks a pattern of ~~split~~ *split* votes can be detrimental."

Motion 2: Scorpio moved to approve the minutes of the February 18 and February 25, 2003 Workshop Meetings, with the correction as noted above. Alice Brown seconded the motion.

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

Vote: Motion 2 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

IV. ACCOUNTS PAYABLE

Motion 3: Romans moved to approve Accounts Payable as presented. Lavery seconded the motion.

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

Vote: Motion 3 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

V. PUBLIC INPUT

Peggy Leoni Chamber of Commerce: 1) The Citizen of the Year Banquet is Saturday night. Tickets can be purchased at the Chamber, at Troller's Lodge, or at the door. 2) The Chamber has submitted a business license application. Lavery withdrew his motion to research the Chamber obtaining a business license. Alice Brown withdrew her second.

Dick Johnson representing the Parking Committee: The Stakeholders Committee has held two of their scheduled three meetings, with the final meeting to take place in April. A draft report has been put together of near-term, mid-term, and far-term (3-5 years) solutions. They have started working on near-term projects: 1) defining sign placement for parking behind shops in the downtown core, 2) design of a standardized sign and logo, 3) gathering written approval from property owners to put directional signs on their lots, which should be in place by May 1, 4) development of parking usage and turnover studies, 5) discussion of parking standards, possible ordinance and zoning changes and a possible parking policy.

Bill Sachs 1450 Walking Wood: reported on the Child Safety System Clinic held on March 1 in Newport. There were 26 cars inspected. One child safety seat was condemned and the seat replaced through contributions. None of the 26 cars passed inspection.

VI. NEW BUSINESS

A. Appointments to Fill Vacancies on City Commissions and Committees

Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to original of these minutes) and announced the results. All Councilors voted to accept James White for Position #4 of the Traffic Safety Commission.

Motion 4: Lavery moved to accept the canvass of votes and appoint James White to the Traffic Safety Commission. Alice Brown seconded the motion.

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

Vote: Motion 4 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

B. Proposed Resolution #320 - Special City Allotment Agreement, Winchell Street Project

Motion 5: Lavery moved to adopt proposed Resolution #320 - Special City Allotment Agreement, Winchell Street Project. Taunton seconded the motion.

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

Vote: Motion 5 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

C. Proposed Resolution #321 - PERS Rate Order Challenge

In January the City received a letter from the League of Oregon Cities (LOC) addressing the issue of cities, as a group, hiring a legal firm to challenge the PERS Board's adoption of increased employer rates which will take effect July 1, 2003 (increasing from 9.5% to ~15%). The challenge would require the PERS Board to consider updated actuarial valuations, specifically regarding life expectancies. Depoe Bay's contribution toward legal fees would be \$150. A letter of intent would need to accompany the resolution and fee sent to LOC.

Motion 6: Lavery moved to adopt proposed Resolution #321, entering into an agreement with the League of Oregon Cities, issuing a check for \$150, and including a letter of intent. Romans seconded the motion.

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

Vote Motion 6 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

D. Winchell Street Project Engineering Services - Proposal Acceptance

Owings reviewed his memo to the Council dated February 27 (copy attached to original of these minutes), and recommended accepting the bid from Hightower Engineering.

Motion 7: Alice Brown moved to accept Hightower Engineering's proposal of \$7,500 for the Winchell Street Project. Taunton seconded the motion.

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

Vote: Motion 7 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

E. Natural Resources Inventory & Mapping Project - Consultant Services Proposal Acceptance

Murray reviewed memo to the Council from Larry Lewis dated February 27 (copy attached to original of these minutes).

Motion 8: Lavery moved to accept the Pacific Habitat Services proposal, in the amount of \$20,500. Alice Brown seconded the motion.

Silver said it was moved and seconded, and called for discussion. In response to questions and concerns raised: 1) matching funds will be required, 2) this project is included in the current year budget, 3) Pacific Habitat Services was the recommended choice because they have done projects focused on Pacific coastal areas and Lewis obtained excellent recommendations for them from coastal cities where they have worked. 4) There would be heavy public involvement in this procedure, including property owner permission prior to

inspection of land, public meetings, and Council approval and adoption of an ordinance enacting wetland designations.

Vote: Motion 8 passed.

Ayes: Taunton, Alice Brown, Silver, Romans, Lavery

Noes: Scorpio

F. Lincoln County Economic Development Grant Program

Murray reviewed the Lincoln County Board of Commissioners News Release (copy attached to original of these minutes), and said this program, which has a \$20,000 limit, awarded the City \$10,000 toward ADA improvements last year. Matching funds are not required. Applications that involve partnering are looked upon more favorably than those that do not. Funds would not be available before June 30. Discussion regarding possible projects followed, with prioritized projects identified as: 1) dock flotation upgrade, 2) replace electrical power drops at docks, 3) a hoist for harbor docks. Other projects discussed included: 1) handrails on the Painter building, 2) signs for parking and pedestrian enhancement, 3) cement area near Painter building instead of blacktopping. Note: there is \$16,000 left over from the Gangways Project, which could match funding applied for harbor projects. Hearing no objection, Staff was directed to bring a draft application to the next meeting.

G. Law Enforcement

One of the goals recently adopted by the Council was for Public Safety/Law Enforcement. The subcommittee appointed last year to look into law enforcement alternatives (e.g. a contract with the county or creation of a law enforcement district) was directed to schedule a meeting and bring a proposal to the Council. Romans accepted appointment to the subcommittee.

H. Set Workshop Date for Review of Council Rules

Hearing no objections, a workshop date of Tuesday, March 25, at 7 PM was set.

I. Pay Request #1 - Wastewater Grit Removal System Improvements

Motion 9: Lavery moved to authorize the mayor to sign the first payment request with Mountain State Construction for \$40,134.60. Romans seconded the motion.

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

Vote: Motion 9 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

VII. UNFINISHED BUSINESS

A. Treated Water Storage Improvements

The Council-approved Water System Master Plan Update indicated a need for increased clean water storage (post-treatment). A project proposal is needed to move forward; it should include verification of site acceptability, engineering design, public meetings, and funding alternatives.

Motion 10: Scorpio moved to direct Staff to prepare a draft request for proposal for increased Clean Water Storage Project. Taunton seconded the motion.

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

Vote: Motion 10 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

An announcement of 2004 financing for the Safe Drinking Water Revolving Loan Fund (copy attached to original of these minutes) was distributed prior to the meeting. Murray said that the City has been advised to get on this list, as this will be favorable when seeking funding for the water storage. Hearing no objection, Staff was directed submit the letter of interest.

VIII. CORRESPONDENCE

There were four items of correspondence (copies of all attached to original of these minutes).
1) A memo from James Bassingthwaite inviting attendance of elected and appointed officials at a land use training program. Cost was \$10 per person. The City Planner will be attending. Silver volunteered to attend, and will report at a future workshop meeting. 2) A letter from Larry Tyler declaring his intent to appeal the Council's decision to remove him from the Planning Commission and asking for directions on how to proceed, and to preserve evidence.

Motion 11: Romans moved to direct Staff (City Recorder) to send a letter to Larry Tyler, advising him to seek the advice of an attorney on his own. Scorpio seconded the motion.

Silver said it was moved and seconded, and called for discussion. Brief discussion ensued.

Vote: Motion 11 passed.

Ayes: Scorpio, Taunton, Alice Brown, Silver, Romans, Lavery

CORRESPONDENCE, continued:

3) A letter from Bill and Arlene Wright requesting the street light recently installed on Sunnyview Lane be removed. It was noted that the Neighborhood Watch had indicated to the Council that there would be no opposition to this streetlight. Owings was directed to investigate and report back to the Council. 4) A letter from Marvin Hemple regarding removal of possibly hazardous trees. Staff was directed to send a letter to Mr. Hemple, advising him that this was not appropriate for the Council to address, as it was a private property issue.

IIX. LIAISON OFFICERS' REPORTS

Lavery: 1) Met with LinCom Intergovernmental Council on February 19. Discussion included budget and equipment. 2) Attended CWACT meeting on February 27. Discussion centered on deterioration of bridges. If action is not taken regarding heavy truck traffic before 2025, over 500 bridges will need repair, at a cost of \$4.7 billion. The bridge at Beverly Beach will not be looked at until 2006. Also discussed was the TGM grant. A decision on this grant, which would require a 12% cash match, should be made by May 26.

Scorpio: The Planning Commission met February 19. Discussion included planning goals regarding parks & recreation and SDCs, and the commercial zone north of Lane.

Taunton: 1) The Safety Committee met. No accidents were reported. Six Crew attended a CPR class. Four Crew got first aid cards. Rechargeable flashlights were acquired as a safety improvement. 2) Salmon Enhancement Commission meets tomorrow.

Alice Brown: 1) Parks Commission meets March 19 at 5:30 PM. 2) She attended a grant writing class.

X. CITY STAFF REPORT

It was noted that an email had been received from ODOT regarding the Sidewalk Project and the Culvert Project. Owings added the following to his written report (copy attached to original of these minutes): If the Council is agreeable, Rickreall Farm Equipment is willing to take two surplus pieces of machinery - a brush hog and a rototiller - on consignment. It was the consensus of the Council to sell the equipment as surplus, as proposed.

Murray had no report.

V. PUBLIC INPUT

Cheryl Preston: Pacific West Ambulance is sponsoring a community blood drive Wednesday, March 12 from 2-6 PM in honor of Becca Arnold. Contact Nancy at Depoe Bay Fire Department to make an appointment.

XI. COUNCIL COMMENTS

Romans requested an agenda item to review the possibility of a 1% increase in transient room tax to subsidize law enforcement. It was the consensus of the Council to place this item on the next meeting agenda.

Laverty is expecting an email from League of Oregon Cities with information on setting up a police force. He has also made preliminary contact with a town the size of Depoe Bay in southern Oregon. He will keep the Council informed.

XII. ADJOURN

There being no further business, the meeting was adjourned at 8:45 PM.

Mayor Bruce R. Silver

Silver Fox, Recording Secretary