

Depoe Bay City Council
Regular Meeting
Tuesday, May 6, 2003 - 7:00 PM
Depoe Bay City Hall

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

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: April 14, 2003 Workshop Meeting; April 15, 2003 Regular Meeting

Motion 1: Alice Brown moved to approve the minutes of the April 14, 2003 Workshop Meeting with one correction on Page 2, Item IV. 4): "If this tax is established and the State also takes 1%, that would put our total transient room tax rate at 9% 8% which is ~~higher~~ *similar* to surrounding communities"; and the April 15, 2003 Regular Meeting, with one correction on Page 6, under Item 1 of Alice Brown's Liaison Officer report: "Concern was expressed *about* the wind taking water out of the pool...". Scorpio seconded the motion.

Mayor 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, Jack Brown, Lavery

IV. ACCOUNTS PAYABLE

Motion 2: Romans moved to approve Accounts Payable as presented. Scorpio seconded the motion.

Mayor 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, Jack Brown

Abstain: Lavery

V. PUBLIC INPUT

Cheryl Preston POB 1583, on behalf of KidZone, said thank you for use of the Community Hall for the Mad Hatter's Tea Party.

VI. NEW BUSINESS

A. Presentation - Pacific West Ambulance, Proclamation to Designate the Week of May 18-24, 2003 as Emergency Medical Services (EMS) Week
Cheryl Preston representing Pacific West Ambulance, introduced their new Operations Manager, Steve Gulle, who spoke about this proclamation (copy attached to original of these minutes), invited Councilors to a barbeque celebrating EMS Week on Wednesday, May 21 in Newport, and presented Mayor Silver with a plaque of appreciation.

Motion 3: Lavery moved to adopt the EMS Week Proclamation and authorize the mayor to sign it. Romans seconded the motion.

Mayor 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, Jack Brown, Lavery

B. Appointment 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 appoint Roma Powis for Position #7 on Parks Commission.

Motion 4: Lavery moved to accept the canvass of votes and appoint Roma Powis to Position #7 on Parks Commission. Alice Brown seconded the motion.

Vote: Motion 4 passed.

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

C. OLCC License Renewals
The list of businesses with pending liquor license renewals was reviewed. Hearing no license-related complaints or objections, it was the consensus of the Council to take no action, which will allow the businesses to continue their OLCC renewal process.

D. Amendment to Engineering Services Agreement - H.T.E. Engineering, Hwy 101 Sidewalk Improvements Project
Owings reported that the engineer has been negotiating with ODOT to resolve the problem with the storm drain. The contract amendment increases the contract amount by \$500 and extends the contract termination date to November 30, 2003.

Motion 5: Lavery moved to approve the contract amendment #1 with H.T.E. Engineering for the Hwy 101 Sidewalk Project (west side). Taunton seconded the motion.

Vote: Motion 5 passed.

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

E. TGM Grant Application - Downtown Refinement Plan - Special Transportation Area (STA)

Murray reviewed her memo to Councilors (copy of memo and pre-application attached to original of these minutes), and asked if the Council wished to submit an actual application. Discussion about the potential for the in-kind “soft” match to become a “hard” cash match followed. Dick Johnson stressed the importance of this type of project, which provides building blocks toward construction improvements.

Motion 6: Lavery moved to direct Staff to apply for the TGM Program Grant for the Downtown Refinement Plan - STA, to include hard matching funds if necessary. Taunton seconded the motion.

Mayor 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, Jack Brown, Lavery

F. Loading Zone on Bay Street

Owings referred to Resolution 120 (copy attached to original of these minutes), which states that there is a 20-minute time limit to parking in this area, and requested authorization to purchase a sign reflecting this limit.

Motion 7: Romans moved to authorize Staff to purchase and install a “20-minute sign” at the loading zone on Bay Street. Alice Brown seconded the motion.

Mayor 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, Jack Brown, Lavery

G. Preservation of Volunteers - Draft Policy

There was much discussion on the purpose of this draft policy (copy attached to original of these minutes). Suggestions and notations included: 1) To incorporate this draft policy into formal rules for volunteers for commissions and committees, and to encourage commissions to include this draft policy should they adopt something similar to Council Rules. 2) It was counter-suggested that all commissions operate under the same set of rules. 3) Current volunteers were encouraged to consult with Staff for problem resolution. 4) This draft policy was more intimidating than protective. 5) The draft policy was meant to address actions occurring after, rather than during, disagreements.

Betty Langdon 1635 Tintinnabulary, said she felt this draft policy was intimidating and insulting. She noted that all citizens have the right and duty to report unethical and illegal behavior to the proper authorities, and this draft policy would take that right away from volunteers.

It was generally felt that this policy should be focused on positive aspects of volunteering, and it was the consensus of the Council that Mayor Silver should speak with each of the commissions regarding Council concerns on this issue.

VII. UNFINISHED BUSINESS

A. Planning Commission Recommendation: M-C Zone - Tourists Accommodation as a Permitted Use

The Planning Commission's recommendation was to not initiate a text amendment to modify the M-C Zone at this time unless it is included in an overall review of zoning uses (see copy of memo from Larry Lewis, attached to original of these minutes). After lengthy discussion, it was the consensus of the Council to give latitude to the Planning Commission to move forward with overall planning, and ask them to include the Harbor Commission when discussing the M-C Zone.

B. Parking Signs

Dick Johnson reported that the Sign Committee approved the parking sign project (see copy of memo & application attached to original of these minutes): a total of 13 signs at a total cost of ~\$3,500.

Motion 8: Lavery moved to approve the sign project, at a cost not to exceed \$4,000. Jack Brown seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. A concern was expressed regarding the Sign Committee exceeding its authority. There was much discussion about the sign design.

Vote: Motion 8 passed.

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

C. Proposed Resolution #322 - Council Rules

Motion 9: Scorpio moved to table this item to the next agenda, for adoption. Alice Brown seconded the motion.

Mayor 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, Jack Brown, Lavery

D. Architectural Services - City Hall ADA Improvements Project

Owings reviewed his memo to the Council (copy attached to original of these minutes), and recommended accepting William Lindburg Architects' bid of \$7,500.

Motion 10: Alice Brown moved to accept the \$7,500 proposal from William Lindburg Architects, for ADA improvements at City Hall. Lavery seconded the motion.

Mayor 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, Jack Brown, Lavery

VIII. CORRESPONDENCE

Murray reported there were two items of correspondence received (copies attached to original of these minutes): 1) A letter from Wayne Belmont at Lincoln County, congratulating Depoe Bay on our successful grant application to the Economic Development Grant Program. This item was scheduled for discussion and approval on the next agenda. 2) A letter from the Lincoln County Board of Commissioners regarding the joint meeting scheduled for 6 PM on June 11, 2003. They are asking for topics of discussion for this meeting.

IX. LIAISON OFFICERS' REPORTS

Jack Brown distributed a handout (copy attached to original of these minutes) regarding an advertising brochure being developed by OCZMA (Oregon Coastal Zone Management Association).

Motion 11: Jack Brown moved to donate \$50 toward the cost of the brochure, with a cover letter signed by Mayor Silver. Alice Brown seconded the motion.

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

Vote: Motion 11 passed.

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

Laverty reported: 1) He attended a CWACT (Cascades West Area Commission on Transportation) meeting on April 24. Improvements to Hwy 20 funded with Federal money will begin in May, 2005. The project will be designed and built simultaneously. 2) Answers to questions he was directed to ask ODOT regarding Hwy 101 sidewalks right-of-way: there is no deadline on making the decision whether or not to accept responsibility for the sidewalks, but Laverty encouraged the Council to reach a decision by January, 2004, at which time the Tradewinds issue will need to have been resolved; affected businesses would be any abutting the ODOT right-of-way along the east side of Hwy 101, from the north end of the bridge to the south side of Bradford Street; the value of the property is 50% of the surrounding property, since it is considered to be unusable; the property can be purchased on a 30-year low-interest contract.

Scorpio reported that at the April 16 Planning Commission meeting a public hearing item for a partition was approved, and items discussed included the M-C Zone and Planning Commission goals.

Taunton reported that the Safety Committee met. There were no accidents reported. Safety films have been ordered. The Committee is submitting a safety equipment budget of \$6,000 (same as last year). A worn eyehole was discovered on one of the park swings. Murray noted that our Workers' Comp insurance rate will drop again this year from 1.79 to 1.56. City Staff was commended.

Alice Brown reported the Law Enforcement Subcommittee will meet tomorrow at 11 AM.

Silver reported he signed the deeds to 10 properties on the west side of Hwy 101 south of North Point to Tidal Raves restaurant, culminating the Scenic Lands Acquisition Project. Many people worked on this project for a long time, and it was nice to see it come to fruition.

X. CITY STAFF

Murray had no report.

Owings reported that there was a meeting with Scott Wilson from COG (Council of Governments) on April 30 regarding the water improvement project (see copy of memo attached to original of these minutes). Three funding agencies were identified. A letter of interest is being sent to the Safe Drinking Water Revolving Fund Loan Program.

XI. COUNCIL COMMENTS

Alice Brown asked if the City has received information on a grant award for acquisition of a lot south of the Smokehouse and north of the old Joan-E Charters office. Murray responded that the City has not yet received confirmation of this funding.

XII. ADJOURN

There being no further business, the meeting was adjourned at 8:34 PM.

Mayor Bruce R. Silver

Silver Fox, Recording Secretary