

Depoe Bay City Council
Regular Meeting
Tuesday, September 2, 2003 - 7:00 PM
Depoe Bay City Hall

PRESENT: Mayor B. Silver, J. White, A. Brown, G. Romans, J. Brown, M. Lavery

ABSENT: P. Taunton

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: August 14, 2003 Special Meeting and August 19, 2003 Regular Meeting

Motion 1: Alice Brown moved to approve the minutes of the August 14 Special Meeting and the August 19, 2003 Regular Meeting. Lavery seconded the motion.

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

Vote: Motion 1 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown (August 19 meeting only), Lavery

IV. ACCOUNTS PAYABLE

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

Mayor Silver said it was moved and seconded, and called for discussion. There was a question regarding funding of brush removal.

Vote: Motion 2 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown, Lavery

V. PUBLIC INPUT

Betty Langdon 1635 Tintinnabulary, expressed concern about the possibility of private Council meetings and whether groups of Councilors large enough to constitute a quorum are meeting unofficially. She also indicated that if Councilors are shielded from complaints being aired in public, all public officials should receive the same consideration.

VI. NEW BUSINESS

- A. Proposed Resolution #330 – A resolution of the City of Depoe Bay, Lincoln County, Oregon, calling a special election to submit to the voters the questions of contracting a general obligation bonded indebtedness in the amount of \$1,602,000 to finance improvements to the city's water system and to pay related costs; and to submit to the voters the question of local option tax levy at a rate of thirty five cents (\$.35) per thousand dollars assessed value to finance in part, public safety and law enforcement service and to pay related costs, rescinding Resolution #329.

Murray reported that the bond counsel had provided revisions to the text of Res #329, which was adopted at the last meeting: 1) In the Notice of City Measure Election for the Local Option Tax Levy – instead of "\$1 total estimated tax revenues to be received in a five-year period", it had to be broken out with an estimate of tax revenues per year for each of the five years. That breakout is now included in the summary. It was necessary to prepare a replacement resolution due to the wording in the resolution which stated that "The City Recorder shall file the attached notices". 2) On Page 1 of the resolution, Paragraphs A & B have text changes. 3) On Page 2, Item E now has NewsTimes and News Guard italicized. 4) Also on Page 2 is a new Item F, which states that Res. #329 is rescinded and replaced in its entirety by this resolution. 5) In the Notice of City Measure Election and Notice for General Obligation Bond, there were a couple of minor changes in the summary text, and the notices are in the format used by Lincoln County. 6) In the Notice of City Measure for Local Option Tax Levy, the question was changed in order to meet the 20 word limit (copy of resolution and notices attached to original of these minutes).

Motion 3: Lavery moved to adopt Res. #330. Jack Brown seconded the motion.

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

Amendment: Alice Brown amended the motion to include rescinding of Res. #329.

It was noted that this information was part of the new resolution. Alice Brown withdrew the amendment. There was no further discussion.

Vote: Motion 3 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown, Lavery

B. Review Voter's Pamphlet Explanatory Statements for Ballot Measures

Law Enforcement: A Councilor requested a clarification to avoid giving the impression that taxes would increase every year. It was the consensus of the Council to make the following change to the last sentence: "A *fixed* tax levy of 35¢ per \$1,000 assessed value is \$35 for property with an assessed value of \$100,000." No other changes were made, and no Council action was necessary prior to the filing of the statements with the County, which will be done tomorrow.

General Obligation Bond: There were no changes to this statement. Murray was commended for a job well done on both statements. No action was necessary. The statements will be filed with the County tomorrow. (copies of statements attached to original of these minutes)

C. ACTS Oregon Mini-Grant Program – Application for Funding

Murray reported that there is a \$5,000 limit per application to this program. The Traffic Safety Commission is submitting an application (see copy attached to original of these minutes) to purchase a mile-per-hour speed monitor advisory sign, with a cost just under \$5,000. A letter of support from the Council needs to accompany the application.

Motion 4: Lavery moved to direct Staff to write a letter of support to ACTS Oregon for the purchase of a mile-per-hour speed monitor advisory sign through the Mini-Grant Program, at a cost of \$5,000, and authorize the mayor to sign. Alice Brown seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. Traffic Safety Commission (TSC) Chairman Bill Sachs provided additional information on the purpose behind the application for this permanently-installed device, as well as the TSC's intent to pursue the purchase of a second sign next year.

Vote: Motion 4 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown, Lavery

D. Scenic Lands Dedication & Celebration Event – OLCC Special Event Permit

Murray reported that Tide Pool owner Vicky Baker volunteered materials and labor when the City was fundraising for the Scenic Lands Acquisition Project (SLAP), and she has again offered materials and labor (see copy of letter attached to original of these minutes) to celebrate the culmination of the project at an event tentatively scheduled for September 27, 2003 which will include entertainment and a beer garden. Council approval is needed before proceeding with plans for the event to occur in City Park.

Motion 5: Lavery moved to approve the use of City Park on September 27, 2003 for a celebration event, and to approve a special liquor license on that date. Alice Brown seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. There was a question regarding cleanup, which will mostly be done by volunteers, with City Crew finishing. Clarification was given as to how the alcohol will be controlled.

Vote: Motion 5 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown, Lavery

E. Proclamation: Designating October as Disability Employment Awareness Month

Murray read the proclamation into the record (copy attached to original of these minutes).

Motion 6: Lavery moved to adopt the proclamation designating October, 2003 as Disability Employment Awareness Month. White seconded the motion.

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

Vote: Motion 6 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown, Lavery

VII. UNFINISHED BUSINESS

Additional Public Input:

Steve Pearl owner of *F/V Jim Bob* and a local tuna and salmon fisherman, was present at the request of Councilor Jack Brown. He spoke to an article in the *News Guard* in which a statement had been made that the Ilwaco and Canadian fleets no longer come to Depoe Bay because the fishery is no more. He said this was an inaccurate statement, as both fleets were here this summer, but they didn't come into Depoe Bay because there is nothing here to attract them. He was interested in finding a way to attract these vessels back into our port, and suggested providing ground support in the form of ice, a hoist, tackle, fishing gear, etc. as a way to do this.

VIII. CORRESPONDENCE

There were three items of correspondence (copies attached to original of these minutes): 1) A letter from Duane and Rebecca Papke regarding a piece of City-owned property on Pettinger Street. 2) A letter from Jeff Scheick at ODOT regarding proposed amendments to the Oregon Highway Plan, specifically relating to the designation of Special Transportation Areas within cities. Mayor Silver noted that he has an appointment with John DeTar, and will report to the Council on this meeting. 3) A letter from Postmaster Tanya York, regarding the initiation of street delivery on the south end of town.

IX. LIAISON OFFCERS' REPORTS

White had no report.

Alice Brown reported that at the Parks Commission on August 20: 1) An inquiry was made whether the plastic slats in the chain link fence at Whale Park could be removed, since the fence provides an adequate safety barrier. 2) The fundraising carwash at West Coast Bank raised \$606 towards the KidZone skateboard facility. 3) Items in a written report from the City Field Superintendent included new signage, parking bumpers, and a possible skate wall in the City Park, and a dog pooper scooper program. 4) A report was provided on the scenic lands dedication and celebration event. The next meeting is scheduled for September 24 at 5:30 PM.

There was no Economic Business Development Committee Meeting on August 28 due to lack of quorum. Informal discussion included concern about telephone rates and a suggestion that Depoe Bay participate in the Oregon Central Coast Visitor's Guide.

Jack Brown reported that the Army Corps of Engineers has offered to brief City principals and interested property owners about the upcoming seawall stabilization project during the week of September 15, 2003. There was a consensus of the Council to have Jack Brown and Owings set up a Town Hall Meeting prior to September 15. He noted that while this project is being done, there was a possibility of subcontracting jobs to businesses in town.

Romans reported that at the Economic Business Development Committee Meeting that did not hold a formal meeting due to lack of quorum on August 28, there had been informal discussion on a two-hour parking limit, and he suggested restricting this to the hours between 4 AM and 10 AM. As a member of the Stakeholders Committee, Mayor Silver indicated he would pass this suggestion along to the Committee.

Laverty reported: 1) Oregon State Police (OSP) has requested permission to borrow Depoe Bay's radar trailer. He noted that when the City was awarded the grant to purchase the trailer, one of the conditions was that we would loan the trailer to other organizations for speed control.

Motion 7: Laverty moved to authorize loan of the radar trailer to OSP for approximately two weeks at a location of their choice. White seconded the motion.

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

Vote: Motion 7 passed.

Ayes: White, Alice Brown, Silver, Romans, Jack Brown, Laverty

Laverty continued his report: 2) ODOT has supplied a total of 57 helmets – 47 for the KidZone and 10 for inline skaters. All have been delivered to Jack and Maggie Brown; about half have been distributed. 3) At last week's CWACT meeting, there was discussion about a 20-year project to widen a portion of I-5.

X. CITY STAFF REPORT

Owings called for questions on his written report (copy attached to original of these minutes). There were no questions.

Murray reported that Staff has developed a new website for the city, which is online at www.ci.depoebay.or.us.

XI. COUNCIL COMMENTS

Alice Brown reported on an incident involving an injured seagull. She received a letter of thanks (copy attached to original of these minutes) from the person who contacted her about the seagull. The Audubon Society injured animal hotline is 503-856-8242. She also questioned whether the City would like to participate in the Oregon Central Coast Visitor's Guide, and it was the consensus of the Council to investigate this through our contract with the Chamber of Commerce.

Jack Brown noted to Betty Langdon that he did not mean to suggest that Council members would do things in private.

XII. ADJOURN

There being no further business, the meeting was adjourned at 8:14 PM.

Mayor Bruce R. Silver

Silver Fox, Recording Secretary