

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

PRESENT: Mayor B. Silver, J. White, P. Taunton, B. Romans, J. Brown, M. Lavery

ABSENT: A. Brown

STAFF: City Field Superintendent T. Owings, City Recorder P. Murray

Mayor Silver called for all to stand for the pledge of allegiance.

Mayor Silver called the meeting to order and established a quorum.

Approve Minutes: October 9, 2003 Special Meeting and October 21, 2003 Regular Meeting

MOTION: Lavery moved to approve the minutes of the October 9, 2003 Special Meeting and October 21, 2003 Regular Meeting as written. J. Brown seconded the motion.

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

VOTE: Motion passed.

AYES: White, Silver, Romans, J. Brown (10/21/03 meeting only), Lavery

ABSTAIN: Taunton, J. Brown (10/9/03 meeting only)

Accounts Payable

MOTION: Romans moved to pay the accounts payable. White seconded the motion.

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

VOTE: Motion passed.

AYES: White, Taunton, Silver, Romans, J. Brown

ABSTAIN: Lavery

Public Input

Bill Sachs, 1450 Walking Wood, presented two issues, 1) The Traffic Safety Commission has been granted \$500 Good Neighbor Award from Allstate Insurance to obtain helmets for the Kid Zone. The check will be presented to Jack and Maggie Brown in the name of the Kid Zone.

2) The state legislature has made a change in law which will become effective November 26, 2003. The new law makes it illegal to transport minors (under 18 years old) in the open bed of a pickup. There are exceptions, which Sachs reviewed.

Ernestina Dixon, a Kid Zone volunteer, introduced Carla Kearns, the new director of the Kid Zone program.

DBCC110403

Page 1 of 6

Carla Kearns, 140 Gull Station, distributed Kid Zone information brochures which were produced by Kay Wyatt (copy attached to the original of these minutes. Kearns said the

program is being expanded by adding two more days each week, Thursdays and Fridays. Thursday activities will focus on puppeteering and self-esteem, Fridays will be dedicated to community service activities. Kearns said volunteers are needed as well as snack suppliers for the two additional days, noting local restaurants currently provide after school snacks Monday through Wednesday.

Debbie Davilla, Depoe Bay Chamber of Commerce, said she is standing in for Peggy Leoni and reported the annual tree lighting ceremony will be on Saturday, November 28th at 5:00 PM, with afternoon music and activities planned.

New Business:

A. Request to Use Community Hall for 55 Alive Driving Program

Bill Sachs reviewed his memo (copy attached to the original of these minutes) providing information on the program and the specifics of his request. If the city endorses the class, he will need 1) Use of the Community Hall for two evenings, with fees waived, 2) use of the city's television and VCR and city's assistance in moving the equipment to the community hall, 3) office staff to accept student registrations and class fees for AARP and 4) cooperative efforts in promoting the classes. Sachs indicated the preferred dates for the class are January 14 and 15, 2004. It was confirmed the community hall is available on those dates.

MOTION: Lavery moved to endorse the 55 Alive Driving Program, and grant the four requests to accommodate the classes being held in Depoe Bay on January 14 and 15, 2004. J. Brown seconded the motion.

Silver said it was moved and seconded and called for discussion. There was brief discussion on promotional efforts, with it being understood that if there is a city mailing before the scheduled class that would accommodate a flyer being inserted, it would be included with the mailing. Debbie Davilla encouraged Sachs to provide the information to the Chamber of Commerce for dissemination.

VOTE: Motion passed.

AYES: White, Taunton, Silver, Romans, J. Brown, Lavery

B. Bid Award - City Hall ADA Access and Restroom Project

Owings reviewed his memo (copy attached to the original of these minutes), two bids were received, both exceeding project budget. The city could reject all bids and rebid the project, but the architect does not believe rebidding would necessarily result in any savings. Murray reviewed budget adjustments that would be necessary to provide for the expenditure if the city accepts the low bid. Appropriations would be moved from Materials & Services to Capital Outlay in Parks and Buildings Fund, with no increase to appropriations.

MOTION: Lavery moved to award to NHB, Inc., New Hope Builders, in the amount of \$92,800. Taunton seconded the motion.

DBCC110403

Page 2 of 6

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

VOTE: Motion passed.

AYES: White, Taunton, Silver, Romans, J. Brown, Lavery

MOTION: Lavery moved to authorize the Mayor to sign the contract with NHB, Inc. for the construction of the City Hall ADA access and restroom improvements. Taunton seconded the motion.

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

VOTE: Motion passed.

AYES: White, Taunton, Silver, Romans, J. Brown, Lavery

Unfinished Business

A. Economic Business Development Committee - Membership

This issue was presented at the August 5, 2003 regular Council meeting, due to concerns relating to unfilled positions and meeting attendance resulting in lack of quorum and inability to hold committee meetings, and was tabled for 90 days. Rick Davilla, EBDC member, present in the audience, was asked for input. Davilla said lack of a quorum is a problem and the Committee lacks clear direction and needs guidance from the Council as well as more input from the public. J. Brown proposed inviting speakers to committee meetings, such as Chris diTorrice from the Alliance for Economic Development, Russ Crabtree from the Port of Brookings or Don Mann from the Port of Newport, to help generate ideas and grant writing efforts. Bill Sachs offered to help promote involvement with the committee. Council agreed, by consensus, to table this matter to the second regular Council meeting in January 2004. In the meantime, J. Brown will arrange for a speaker to attend a future committee meeting, Romans will speak to the committee chairperson to determine a meeting date.

B. Painter (Park) Building Lease

Murray reported that telephone contact had been made with the Oregon Coast Aquarium and they are not interested in continuing to occupy the building beyond the lease term, which expires May 31, 2004. Discussion occurred, with it being agreed, by consensus, to continue to offer the premises for lease and to proceed with advertising for a lessee to occupy the building after the current lease expires. Staff is directed to bring information on advertising to the next council meeting.

C. Request for Relocation of Travel Information Sign

Lavery reviewed a letter he'd received from Jim Renner, Deputy Director of the Travel Information Council (copy attached to the original of these minutes), noting the letter instructs the City to work directly with ODOT for relocating the sign. He and the City Parks Commission chairperson conducted a site visit, and have determined what appears to be a suitable place for the sign to be moved to, if the Council wants to proceed with relocating the sign. Discussion followed regarding ensuring there are no conflicts with a new location.

DBCC110403

Page 3 of 6

MOTION: Lavery moved to relocate the sign to an area adjacent to the large trees at the north end of the scenic lands property, approximately 100 feet south of the existing sign location. Romans seconded the motion.

Silver said it was moved and seconded and called for discussion. It was clarified that the relocation would be in conformance with state and federal laws and that the sign owners, Martin's Trailer Harbor and Sea Hag Inn, need to be contacted for approval of the relocation.

VOTE: Motion passed.
AYES: White, Taunton, Romans, J. Brown, Laverty
NAYS: Silver

Taunton suggested contact be made to determine if the City could be involved with any future sign placements, as a coordinated effort with the Travel Information Council and ODOT. Laverty agreed to investigate the matter.

D. Joint Meeting with Lincoln County Board of Commissioners - Schedule Meeting Date and Identify Discussion Topics

It was agreed to schedule the meeting on January 7, 2004, with a request to the Salmon Enhancement Commission to reschedule their regular meeting date. Suggestions for discussion topics for the meeting include: 1) Pedestrian safety on Collins Street, 2) Lincoln County Solid Waste District - continuation of the district and recycling goals and standards, 3) Collins Street approach off Highway 101 - RV access, 4) Marine reserves

E. VFW Memorial Maintenance

Discussion occurred on background information (copy attached to the original of these minutes) regarding the City's authorization in March 1999 to place the memorial in the City Park and understanding of ongoing maintenance responsibilities. It was suggested that the VFW Ladies Auxiliary may be able to care for the plants around the memorial or this could be a Kid Zone project. It was agreed, by consensus, that White will contact the Ladies Auxiliary and J. Brown will contact the Kid Zone about caring for the plants at the memorial.

Correspondence

Murray presented five items of correspondence (copies attached to the original of these minutes): 1) Central Lincoln PUD, Paul Davies - franchise tax increase, 2) Rich Allyn - request to encroach on public lands to construct a retaining wall for erosion stabilization, 3) Planning Commission memo - Crab Pot/Commercial Storage in Residential Zone, 4) Planning Commission memo - penalty fee for failure to obtain building permit, 5) Millennium Digital Cable- notification of rate change for cable service.

Disposition, by consensus: PUD franchise tax increase is scheduled on next meeting agenda, with an invitation extended to Mr. Davies to attend the meeting to provide additional information. Allyn will be requested to submit more detailed information, the matter will be scheduled for the next Council meeting following receipt of the information, Planning Commission Chairperson will be invited to attend the meeting at which Allyn's information is

DBCC110403

Page 4 of 6

presented. The matter of establishing a late filing penalty fee for building permit applications is scheduled on the agenda of the first meeting in January 2004, the City Planner is requested to be at the meeting.

Liaison Officers' Reports

White had no report.

Taunton reported the Salmon Enhancement Commission meets tomorrow night.

Laverty reported 1) He met with Andy Baldwin, ODOT, and Paul Hightower, Engineer on the Highway 101 sidewalk project, to conduct a site visit and discuss alternatives to enable the project to move forward. Hightower will provide information and cost estimates by next week. 2) He attended an ODOT Transportation Safety Division meeting, where the subject of fines in traffic safety corridors was discussed. Currently two of the fourteen safety corridors have doubled fines, the others soon will. 3) The Traffic Safety Commission will meet next Tuesday. 4) The City Hall sign along the Highway is off the signpost.

J. Brown reported that after the harbor seawall stabilization construction is done, the Army Corps of Engineers will be conducting monitoring, followed by civil works improvements program as funding is available. The civil works improvements include paving of the parking lot. He has spoken with Congresswoman Hooley's office and they are optimistic on funding for both activities.

Romans had no report.

City Staff Report

Owings reviewed his report (copy attached to the original of these minutes), Whale Park rockwork is nearing completion, 2) Pirates Cove Sidewalk Project status provided by Laverty, 3) City crew has located and repaired 3 substantial water leaks, 4) Painting of the Painter Park Building exterior is completed, 5) Harbor Seawall Stabilization construction is progressing well. The contractor has inquired as to the City's interest in allowing them to open the southerly end of Bayview Avenue, which would be helpful to them in working at the south end of the construction area. Discussion occurred regarding the various benefits of opening the currently unimproved portion of the street. It was agreed, by consensus, due to time constraints the opening of the street is not possible at this time.

Murray had no report.

Council Comments

White said he is upset with the City Recorder over the scheduled date of the DLCD land use training session (November 17th). Silver reminded everyone the date was previously discussed by the Council.

DBCC110403

Page 5 of 6

J. Brown would like the City to follow up on the matter of opening Bayview Avenue. He also is happy to hear about the new law restricting transport of minors in open beds of pickups, relating an incident in which a family member lost his life.

Romans referred to the minutes of the October 9, 2003 Special meeting, requesting interpretation of a portion of the proposed text amendments. Romans was advised that since deliberations are closed, it is inappropriate to discuss at this time.

White spoke to the impact of recent events in Iraq, that we are not insulated from what is happening there, one of the persons who lost his life in the downed Chinook helicopter has relatives who live in the local area.

Silver voiced his appreciation for the efforts of Rachel Saunders, Lincoln County Health and Human Services, in coordinating assistance programs available in the county. Saunders is compiling a directory which will be provided to the city and will be available at city hall for anyone who may be in need of information on assistance programs. He also encouraged councilors to attend the upcoming DLCDC training session on November 17th.

J. Brown announced that the Kid Zone is busy painting green wooden donuts for Christmas decorations which will be placed on the bridge. He mentioned a possible use for the donuts after the holiday season.

Silver announced that earlier this afternoon the County Clerk reported that Depoe Bay had over 50% voter turnout for the election.

There being no further business the meeting was adjourned at 9:47 PM.

Mayor Bruce Silver

Pery Murray, City Recorder