

Depoe Bay City Council
Regular Meeting
Tuesday, December 16, 2003 - 7:00 PM
Depoe Bay City Hall

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

STAFF: City Recorder P. Murray, Recording Secretary S. Fox, City Planner L. Lewis

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: December 2, 2003 Workshop and Regular Meetings

Motion 1: Alice Brown moved to approve the minutes of the December 2, 2003 Workshop and Regular Meetings as written. 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, Taunton, Alice Brown, Silver, Romans, Jack Brown, Lavery

IV. ACCOUNTS PAYABLE

Motion 2: Romans moved to pay the accounts payable. Lavery seconded the motion.

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

Vote: Motion 2 passed.

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

V. PUBLIC HEARING: Presentation of Final Report – Natural Resources Inventory Assessment

John van Staveren from Pacific Habitat Services and City Planner Larry Lewis were present to summarize the study and answer questions. Lewis, the Department of Land Conservation and Development (DLCD), and the Division of State Lands (DSL) will receive a copy of the final report next week. Once DLCDD and DSL have approved the report, the City can adopt its findings, which include 11 out of 14 streams as “significant” riparian resources. The Council was encouraged to develop an ordinance to protect the identified resources. Because a large number of property owners did not permit access to their property for the inventory, much of the assessment was done via an aerial photograph, resulting in a possible need for more

precise delineation of wetland prior to development in some areas. Bill Sachs 1450 Walking Wood, questioned whether the results of the study were binding, and was told that DSL can approve the study, but anyone who disagrees with the results can hire a consultant to challenge them. He also expressed concern about unidentified wetlands in Little Whale Cove, and was encouraged to write a letter to DSL before the report is approved.

Motion 3: Lavery moved that the Council continue with the process of developing a natural resource inventory, and direct Staff to send copies of the draft final report and a draft proposed ordinance to the Planning Commission for their review. Alice Brown seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. A Councilor requested the Council receive copies of what is sent to the Planning Commission.

Vote: Motion 2 passed.

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

VI. PUBLIC INPUT

Peggy Leoni, Chamber of Commerce, reported that 1) A Devil's Lake Rock truck hit the Chamber building, causing significant damage, and they have been very responsible in getting the damage repaired. 2) The Christmas potluck dinner was last night. Over 100 people attended. Leoni handed out the following prizes for the lighting contest: for 3rd place in the marine category, \$20 to the City of Depoe Bay for harbor lighting; for 3rd place in the commercial interior category, \$20 to Fuddy Duddy Fudge. The Coast Guard station was awarded a \$50 1st place prize and the boat *Jim Bob* was awarded a \$30 2nd place prize; both donated their prizes to the Kid Zone.

VII. NEW BUSINESS

A. ACTS Oregon Building Safer Communities Grant Agreement

Lavery reported that the Traffic Safety Commission applied for a \$5,000 grant for purchasing a new type of radar reader that would be semi-permanently mounted. The grant has been awarded (copy of letter to Traffic Safety Commission attached to original of these minutes).

Motion 4: Lavery moved that the mayor sign the grant receipt for a radar reader, and return it to the Traffic Safety Division of ODOT for disbursement of funds. Taunton seconded the motion.

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

Vote: Motion 4 passed.

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

B. Proposed Amendment to Engineering Contract – Pirate’s Cove Sidewalk Project
Murray reported that Paul Hightower has provided a proposed amendment (copy attached to original of these minutes) in the amount of \$935 to the existing contract, to provide a solution to the storm drain problem that was identified last year.

Motion 5: Lavery moved to authorize Hightower’s amendment increasing the contract price by \$935 for additional work required to resolve the storm drain problem. Taunton seconded the motion.

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

Vote: Motion 5 passed.

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

C. Proposed Resolution #332 to Prohibit Parking on Graham Street
Murray read the proposed resolution (copy attached to original of these minutes) into the record. Bill Sachs commented that he did not believe signs prohibiting parking will be obeyed.

Motion 6: Romans moved to adopt proposed Res. #332. Taunton seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. Bill Sachs noted that 12’ of clearance is necessary for emergency vehicles, and suggested that all streets maintain this clearance.

Vote: Motion 6 passed.

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

Mayor Silver asked the Council if they wished to address Sachs’ suggestion.

Motion 7: Lavery moved to direct the Traffic Safety Commission to inventory secondary city streets’ widths and bring a proposal to the Council on how to treat those streets, including parking issues. Taunton seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. He suggested the Traffic Safety Commission also present enforcement ideas to the Council. The Traffic Safety Commission was encouraged to contact the fire department for input.

Vote: Motion 7 passed.

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

Noes: Taunton, Jack Brown

D. ODOT Speed Zone Investigation Report
Lavery reported that ODOT has responded to the Council’s request to reduce the speed limit at the south end of Depoe Bay from 55 MPH to 45 MPH. ODOT has provided a report (copy attached to original of these minutes) on the study they conducted, with the recommendation that the speed zones remain as they presently are, and a request to provide a written

response to their report within 60 days. There was much discussion on the report and its results.

Motion 8: Lavery moved to inform ODOT that the City Council disagrees with ODOT's investigation results, and wishes to challenge the recommendation through the Speed Zone Board Committee at their January, 2004 meeting. Alice Brown seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. Several Councilors provided comments on statistics, personal experience, and the City's history with successfully challenging a similar previous ODOT decision. Bill Sachs suggested compiling 72 consecutive hours worth of data through use of the sheriff's radar trailer to support the City's challenge. Peggy Leoni felt the ODOT study's time frame was too short.

Vote: Motion 8 passed.

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

E. Oregon Parks & Recreation Dept. Recreation Trail Program Grant Opportunity
Murray reported that the City submitted a letter of intent to submit a grant application (copy attached to original of these minutes) to the Oregon Parks & Recreation Dept. (OPRD) on December 3, with the help of Parks Commission Chairman Bill Spores. The application must be received by OPRD by February 6, 2004. The grant, if awarded, requires a 20% match in cash, volunteer labor, and/or Staff time. The project the Parks Commission wishes to pursue is a hard surface (for ADA access) nature trail on City property from the north side of the existing bridge in City Park, to follow the creek through the park to a new bridge at the south end of the park and back to the parking lot. Cost of the project is unknown at this time.

Motion 9: Alice Brown moved that the Council supports providing a trail in City Park, and to direct Staff to prepare cost estimates and bring to the January 20, 2004 Council meeting. Jack Brown seconded the motion.

Mayor Silver said it was moved and seconded, and called for discussion. Alice Brown suggested Staff get input from the Salmon Enhancement and Parks Commissions. Bill Sachs commented on the need for an emergency bridge in the event the Hwy 101 bridge is disabled.

Vote: Motion 9 passed.

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

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. CORRESPONDENCE

There was one item of correspondence: a letter from the Lincoln County Board of Commissioners confirming the joint work session scheduled for 6 PM on January 7, 2004.

X. LIAISON OFFICERS' REPORTS

White, Taunton, and Alice Brown had no report.

Jack Brown reported 1) Phase 1 work is done on the harbor stabilization project. The Corps of Engineers will be at the harbor tomorrow at 11 AM, to find out if everything is OK. Councilors are welcome to attend the meeting. 2) The grant application for a fuel dock will be submitted on Friday.

Lavery reported that the Traffic Safety Commission met on December 9. Items of discussion included the radar trailer not being out due to high winds, the static car will be coming soon, the \$500 Kid Zone grant check has been received, and there is an AARP driver safety class on January 14 & 15, 2004 at the Community Hall.

XI. CITY STAFF REPORT

Murray reported 1) Peggy Leoni has loaned City Hall a video tape with a 30-second advertising spot highlighting Depoe Bay. 2) ODOT has responded to the Council's request for extended boundaries in the downtown core STA (Special Transportation Area). The boundaries cannot be extended, but ODOT suggests that the extended areas be treated as transition zones. The STA becomes effective in January. 3) A request for authorization to disburse the Personal Services bonus to City employees - \$1,750 was budgeted for this purpose (savings were \$1,891.66). Hearing no objection, Mayor Silver changed the Line Item name from "Personal Services bonus" to "Safety Services bonus", to more accurately reflect the source of the bonus.

Motion 10: Lavery moved to authorize employees of the City of Depoe Bay to receive a Safety Services bonus in the budgeted amount of \$1,750. Alice Brown seconded the motion.

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

Vote: Motion 10 passed.

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

XII. COUNCIL COMMENTS

Lavery apologized for not following proper protocol when he answered a question from the audience.

Jack Brown had a great time at Alice Brown's birthday party.

Romans said the Economic Business Development Committee didn't meet, so he had no liaison report.

White, Taunton, Alice Brown, and Mayor Silver all expressed warm holiday wishes.

XIII. ADJOURN

There being no further business, the meeting was adjourned at 9:01 PM.

Mayor Bruce R. Silver

Silver Fox, Recording Secretary