

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, January 20, 2004 - 7:00 PM
4 Depoe Bay City Hall
5

6 PRESENT: Mayor B. Silver, J. White, P. Taunton, A. Brown, G. Romans, J. Brown,
7 M. Lavery
8

9 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording
10 Secretary S. Fox
11

12 I. PLEDGE OF ALLEGIANCE

13 Mayor Silver called for all to stand for the Pledge of Allegiance.
14

15 II. CALL TO ORDER

16 Mayor Silver called the meeting to order and established a quorum at 7:00 PM.
17

18 III. APPROVE MINUTES: January 6, 2004 Regular Meeting and Special Meeting with
19 Executive Session
20

21 Motion 1: Alice Brown moved to approve the minutes of the January 6, 2004 Regular Meeting
22 and Special Meeting with Executive Session as written. Taunton seconded the motion.
23

24 Mayor Silver said it was moved and seconded, and called for discussion. A Councilor clarified
25 that the motion authorizing the mayor to negotiate land acquisition for the clean water storage
26 tank was not an open-ended authorization (Page 3 Lines 26-27).
27

28 Vote: Motion 1 passed.

29 Ayes: White, Taunton, Alice Brown, Silver, Romans, Jack Brown, Lavery
30

31 IV. ACCOUNTS PAYABLE
32

33 Motion 2: Romans moved to pay the accounts payable. Taunton seconded the motion.
34

35 Mayor Silver said it was moved and seconded, and called for discussion. There was none.
36

37 Vote: Motion 2 passed.

38 Ayes: White, Taunton, Alice Brown, Silver, Romans, Jack Brown, Lavery
39

40 V. PUBLIC INPUT

41 Maggie Brown, 15 SE Ainslee, provided an update on the Kid Zone garden project discussed
42 at a previous meeting. She handed in a draft proposal (copy attached to original of these
43 minutes). Hearing no objection, Mayor Silver directed Staff to research how to implement this
44 request, and bring back results to the Council at a future meeting.
45

46 VI. NEW BUSINESS

47 A. Presentation of Audit Report 2002-03: Signe Grimstad

1 This item was postponed to the February 3, 2004 Regular Meeting.

2
3 B. Interview Applicants for City Commissions and Committees

4 There were no applicants present for interview. It was noted that Dave deBelloy was delayed
5 due to low tide.

6
7 C. Appointments to Fill Vacancies on City Commissions and Committees

8 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached
9 to original of these minutes) and announced the results. All Councilors voted to appoint Dave
10 deBelloy to Harbor Commission Position #7, Ty Pedersen to Parks Commission Position #1,
11 and Bill Spores to Parks Commission Position #5.

12
13 Motion 3: Taunton moved to accept the canvass of votes and appoint the applicants to their
14 respective positions. Alice Brown seconded the motion.

15
16 Mayor Silver said it was moved and seconded, and called for discussion. There was none.

17
18 Vote: Motion 3 passed.

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

20
21 D. State Marine Board Facility Grant Agreement

22 Murray reported that City Attorney Dave Gordon reviewed the agreement, and suggested
23 adding the following text to Page 3 Item 4 regarding public access: "except as required to
24 protect public safety".

25
26 Motion 4: Alice Brown moved to enter into the agreement and authorize the mayor to sign the
27 agreement with the above addition, and with the stipulation that it will be reviewed by the City
28 Attorney a second time. Jack Brown seconded the motion.

29
30 Mayor Silver said it was moved and seconded, and called for discussion. There was none.

31
32 Vote: Motion 4 passed.

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

34
35 E. Proposed Resolution #333 – Intrafund Appropriation Transfers to Adjust 2003-04
36 Budget

37 Murray read the proposed resolution (copy attached to original of these minutes) into the
38 record.

39
40 Motion 5: Alice Brown moved to adopt proposed Resolution #333 as written. Romans
41 seconded the motion.

42
43 Mayor Silver said it was moved and seconded, and called for discussion. There was none.

44
45 Vote: Motion 5 passed.

46 Ayes: White, Taunton, Alice Brown, Silver, Romans, Jack Brown, Laverty
47

1 VII. UNFINISHED BUSINESS

2 A. Economic Business Development Committee – Membership

3 Liaison officers Romans and Alice Brown reported that since Peggy Leoni was appointed to
4 the committee they have a quorum for meetings. The Planning Commission member has not
5 attended a meeting in several months, and two resident positions remain unfilled. Mayor Silver
6 will write a letter to the absentee member asking his intentions regarding attendance at future
7 meetings. This item will appear on a future agenda.

8
9 B. Central Lincoln PUD Franchise Tax Proposed Increase

10 Discussion on this item involved Councilors and the audience, and addressed how the
11 franchise tax works and possible options for allocating the money (such as undergrounding
12 utility lines or improving storm drains) should the City choose to increase the tax (see related
13 memo dated 1/20/04 from Murray, attached to the original of these minutes).

14
15 Motion 6: Romans moved to table this item until a decision is made to adopt or reject the
16 franchise tax increase. Motion died for lack of second.

17
18 Motion 7: Alice Brown moved to make an effort to form a committee to include Councilors and
19 members of the community, to gather information and hold informational meetings at the
20 Community Hall. White seconded the motion.

21
22 Mayor Silver said it was moved and seconded, and called for discussion. There was none.

23
24 Vote: Motion 7 passed.

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

26
27 A sub-committee was formed consisting of Councilors White and Alice Brown, and community
28 member Bette Silver. They were charged with finding additional committee members,
29 conducting further research on this subject, and setting up public meetings at the Community
30 Hall to disseminate information and gain public input. They will report to the Council at a future
31 meeting.

32
33 C. Commercial Crab Pot Storage in Residential Areas

34 Discussion on this item centered around a misunderstanding of the Crab Pot Storage
35 Recommendations (copy attached to original of these minutes) made to the Council.
36 Councilors, several Harbor Commissioners, and members of the audience expressed their
37 concerns and suggestions regarding the recommendations. Harbor Commissioners felt the
38 recommendations did not reflect their wishes, and were disappointed that the planned joint
39 meeting between the Planning Commission and the Harbor Commission did not take place.
40 The Planning Commission Chairman outlined steps taken by the Harbor and Planning
41 Commissions to resolve this issue (copies of related documents attached to original of these
42 minutes). It was the consensus of the Council that the Harbor and Planning Commissions hold
43 a joint meeting, as previously planned, to discuss this issue. They were directed to schedule
44 and hold a joint meeting, and then return to the Council with their proposal. As enforcement
45 officer, Owings requested the proposal contain a clear definition of “fishing gear”. If the joint
46 meeting does not produce a proposal agreeable to both parties, the Council will decide the
47 outcome of this agenda item.

1
2 VIII. CORRESPONDENCE

3 There were two items of correspondence (copies attached to original of these minutes):

4 1) A letter from Bill Wright addressing crab pots, abandoned homes, garbage, the Planning
5 Commission, and the complaint process. The letter will be addressed at Thursday's workshop
6 meeting. 2) A letter from C. Renee Baff requesting reduction in the water bill of a four-unit
7 apartment building where a leak was detected while crew was reading meters for billing. A
8 sub-committee consisting of Taunton and Romans was directed to research the request and
9 make a recommendation to the Council at the next regular Council meeting.

10
11 IX. LIAISON OFFICERS' REPORTS

12 White and Taunton had no report.

13
14 Alice Brown reported that the Parks Commission will meet tomorrow at 5:30 PM.

15
16 Mayor Silver reported he will be filling in for White at tomorrow's Planning Commission
17 meeting.

18
19 Romans had no report.

20
21 Jack Brown reported that the Port of Brookings and Peter Friedman have invited him to return
22 to Washington D.C. between February 29 and March 5, 2004. He requested Council approval
23 to make the trip for the purpose of promoting: 1) harbor dredging to eight feet, 2) completion
24 of the landslide wall stabilization project, 3) retention of the Coast Guard in Depoe Bay, 4) the
25 Neighbors Against Drugs program, and 4) the possibility of new projects for next year.

26
27 Motion 8: Jack Brown moved that the Council approve his trip to Washington D.C. between
28 February 29 and March 5, 2004, at a cost not to exceed \$2,000. Taunton seconded the
29 motion.

30
31 Mayor Silver said it was moved and seconded, and called for discussion. There was a
32 question regarding whether there were funds in the budget for the trip.

33
34 Vote: Motion 8 passed.

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

36 Abstain: Jack Brown
37

38 Lavery reported 1) The Traffic Safety Commission (TSC) met on January 15. The Kid Zone
39 was given \$500. Moving the 55 MPH sign 300' south was discussed. Fire Chief Ron Smith
40 looked at incidents in that area, and also requested placement of various street signs
41 throughout town. The TSC will survey the streets. Owings received a letter from the sheriff
42 stating we can use the radar trailer, which has the ability to make and print out a record of the
43 speed of passing cars. 2) Bill Sachs will attend the January 29 TGM code assistance meeting.
44 3) Lavery attended a Council of Governments (COG) meeting; they discussed the COG
45 budget and approval of pay raises for their workers and the executive director. 4) Last week
46 Lavery rode with two ODOT engineers to the curve south of town; the engineers agreed that a
47 45 MPH speed advisory sign should be posted.

1
2 X. CITY STAFF REPORT

3 Owings reviewed his written report (copy attached to original of these minutes), providing
4 updates on water, the harbor fuel tank project, ADA restrooms, and streets; plus a report on
5 vandalism to City vehicles.

6
7 Murray 1) Reviewed her memo dated January 16, 2004 (copy attached to original of these
8 minutes) regarding the letter of intent the City submitted to the Parks & Recreation Department
9 for funding for a park trail. It is unlikely the City's project will be funded, due to the heavy
10 response from other cities and the nature of the City's project, which did not meet the grant
11 program's focus. 2) In mid-December, Staff mailed 25 letters to real estate and property
12 management companies in the local area, requesting proposals to help the City market the
13 lease for the Painter Building, and no inquiries or responses were received by the deadline of
14 January 15, 2004. Mayor Silver indicated this subject will be addressed at Thursday's
15 workshop meeting.

16
17 XI. COUNCIL CONCERNS

18 Taunton said thanks to all the people who have been working on the fuel projects at the
19 harbor.

20
21 Alice Brown said Jean and Monroe Ludlam sent the City an article from the *Statesman's*
22 *Journal*, with extensive information on landlord permits and how to regulate landlords in how
23 they deal with tenants. This information is available, and will be sent to Thursday's workshop.

24
25 Romans added that the problem is in the process of being resolved; both buildings have new
26 owners who are remodeling and attended the last neighborhood watch meeting to share their
27 plans. He said the information provided by the Ludlams might be incorporated by the City
28 against this type of problem recurring in the future.

29
30 Jack Brown thanked the Harbor Commissioners for attending the meeting, and noted that
31 small towns like Depoe Bay can and do have representative government, so its good to see
32 interested parties at these meetings.

33
34 XIII. ADJOURN

35 There being no further business, the meeting was adjourned at 9:12 PM.

36
37
38
39 _____
40 Mayor Bruce R. Silver

41 _____
42 Silver Fox, Recording Secretary