

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

6  
7 PRESENT: Mayor B. Silver, P. Taunton, A. Brown (arr 7:07), G. Romans (arr 7:07),  
8 J. Brown, M. Lavery  
9

10 ABSENT: J. White  
11

12 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording  
13 Secretary S. Fox  
14

15  
16 I. PLEDGE OF ALLEGIANCE

17 Mayor Silver called for all to stand for the Pledge of Allegiance.  
18

19 II. CALL TO ORDER

20 Mayor Silver called the meeting to order and established a quorum at 7:00 PM, and then  
21 called a recess in anticipation of the arrival of Romans and Alice Brown. The meeting was  
22 reconvened at 7:05 PM.  
23

24 III. APPROVE MINUTES: April 20, 2004 Executive Session and Regular Meeting, April 27,  
25 2004 Special Meeting with Executive Session, and April 27, 2004 Budget Meeting.  
26

27 Motion 1: Lavery moved to approve the minutes of the April 20, 2004 Executive Session and  
28 Regular Meeting, the April 27, 2004 Special Meeting with Executive Session, and the April 27,  
29 2004 Budget Meeting, as written. Taunton seconded the motion.  
30

31 Mayor Silver said it was moved and seconded, and called for discussion. There was none.  
32

33 Vote: Motion 1 passed.

34 Ayes: Taunton, Silver, Jack Brown, Lavery  
35

36 Alice Brown noted a correction to the April 27, 2004 Special Meeting with Executive Session:  
37 she was not present at the meeting.  
38

39 IV. ACCOUNTS PAYABLE

40 Motion 2: Romans moved to approve Accounts Payable. Jack Brown seconded the motion.  
41

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

44 Vote: Motion 2 passed.

45 Ayes: Taunton, Alice Brown, Silver, Romans, Jack Brown

46 Abstain: Lavery

47 V. PUBLIC INPUT

1 Marie Bahr, 131 SE Ainslee, distributed a handout (copy attached to original of these minutes)  
2 and addressed the Council regarding an article appearing in the *News Guard* that she felt was  
3 an unfair assessment of the work on the apartment building that she and her husband are  
4 doing as managers for the owner. She provided an outline of the work that's being done and  
5 showed photos of her husband's work.

6  
7 VI. NEW BUSINESS

8 A. Metro West Ambulance – Presentation & Proclamation

9 Steve Gulley was present to present a proclamation to designate the week of May 16, 22,  
10 2004 as Emergency Medical Services Week (copy attached to original of these minutes),  
11 which Murray read into the record.

12  
13 Motion 3: Lavery moved to accept the proclamation To Designate the Week of May 16-22,  
14 2004 as Emergency Medical Services Week. Romans seconded the motion.

15  
16 Mayor Silver said it was moved and seconded, and called for discussion. A Councilor asked  
17 what special events would be taking place. Gulley said that VIP ambulance rides will be  
18 available (call the Newport office to make arrangements), and there will be a picnic.

19  
20 Vote: Motion 3 passed.

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

22  
23 Gulley presented Mayor Silver with a plaque of appreciation.

24  
25 B. North Lincoln Sanitary – Uniform Rate Report 2004

26 Tina French provided a handout to Councilors (copy attached to original of these minutes) and  
27 summarized the Uniform Rate Report for 2004 (copy attached to original of these minutes).  
28 New rates will go into effect July 1, 2004.

29  
30 C. Repeat Offender Policy/Review & Update or Ord. #94

31 Tabled to the May 18, 2004 meeting.

32  
33 D. Proposed Ord. #266 Prohibiting Panhandling

34 Tabled to the May 18, 2004 meeting.

35  
36 E. Proclamation – Older Americans Month – May 2004

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

38  
39 Motion 4: Lavery moved to accept the proclamation of Older Americans Month May 2004.  
40 Taunton seconded the motion.

41  
42 Mayor Silver said it was moved and seconded, and called for discussion. There was none.

43  
44 Vote: Motion 4 passed.

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

46 F. Proposed Res. #335 Worker's Compensation Coverage for Volunteers 2004-05

1 Murray reviewed the proposed resolution (copy attached to original of these minutes),  
2 highlighting changes that were made last year, including coverage for the people setting up  
3 the radar trailer and insurance to cover Councilors, Commissioners, and Committee members  
4 who must travel on City-related business.

5  
6 Motion 5: Lavery moved to adopt proposed Res. #335 – A Resolution Extending Worker’s  
7 Compensation Coverage to Volunteers for Policy Year 2004-05; Superseding Res. #323.  
8 Taunton seconded the motion.

9  
10 Mayor Silver said it was moved and seconded, and called for discussion. It was noted that the  
11 premium experience modification factor dropped down to 0.99, and that this safety trend  
12 should be encouraged. Staff was directed to add a brief paragraph to the volunteer sign-in  
13 sheet documentation and an informational memo to volunteers engaged in activities that fall  
14 under Worker’s Compensation extended coverage.

15  
16 Vote: Motion 5 passed.

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

18  
19 G. Amendment to Engineering Services Agreement – Hwy 101 Sidewalk Improvement  
20 Project

21 Owings reported that the contract amendment request from HTE Engineering for the Pirate’s  
22 Cove Sidewalk Improvement Project (copy attached to original of these minutes) is to cover  
23 costs for doing the project in two parts, preparing, and administrating two construction  
24 contracts (due to funding from two agencies).

25  
26 Motion 6: Lavery moved to change the “contract amount not to exceed” from \$7,660 to  
27 \$9,210, and authorize the Mayor to sign the amendment. Taunton seconded the motion.

28  
29 Mayor Silver said it was moved and seconded, and called for discussion. There was none.

30  
31 Vote: Motion 6 passed.

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

33  
34 H. 2004 Needs & Issues Inventory – Local Priority List of Projects

35 Murray noted this is an annual review by the Council. The program is going through a  
36 transition this year, and the State is asking that the City only include projects for which funding  
37 will be applied for within the next two years. The Council discussed the list, which must be  
38 submitted by May 15. The following items were deleted as complete or funding already  
39 obtained: Austin Street Improvements, Whale Park Improvements, City Hall ADA Ramp and  
40 Restroom, and Hwy 101 Sidewalk Improvements. The following items were deleted as no  
41 action within two years: Transportation Improvements on Harney & Lane Streets, and  
42 Alternate Bypass Road on Bayview & Shell Avenue. The following items were retained on the  
43 list: Water System Improvements, Street Improvements on Ainslee Avenue & Winchell Street,  
44 Stormwater System Improvements, City Park System Master Plan, and City Hall Building  
45 Rehabilitation. The Salmon Enhancement Commission will be consulted for their input on the  
46 North Depoe Creek Fish Ladder Spillway before retaining or deleting this item from the list.  
47 The following items were added to the list: Priority #1 is Dredging at \$300,000; Priority #2 is

1 Civil Works/Seawall/Parking Lot Improvements at \$500,000 (Water System Improvements  
2 were set at Priority #3), and in no particular order: City Park Nature Trail, Painter Building  
3 Railing, Community Hall Kitchen Remodel, and South Point Street Improvements. Public input  
4 included a question from Peter Cameron of 60 SE Cook regarding the status of the Winchell  
5 Street Improvements, and Owings responded that a survey has been done and the project is  
6 on hold until further information is received.

## 7 8 VII. UNFINISHED BUSINESS

### 9 A. Park (Painter) Building Lease

10 Murray reported that Mr. Wechter sent an email dated April 27, 2004 withdrawing his proposal  
11 for leasing this building. The Council discussed how to proceed, and directed Staff to advertise  
12 in local newspapers, in Portland, Salem, and Eugene newspapers, the Oregon State  
13 University Marine Science Center in Corvallis, and Linfield Community College, at a cost not to  
14 exceed \$1,500. Jack Brown offered to make phone calls in follow up to four letters that were  
15 sent out with the previous advertisement. Alice Brown and Jack Brown will work together in an  
16 attempt to bring in results for this advertisement. The closing date for proposals will be three  
17 weeks. Public input included a suggestion from John O'Brien of 270 NE Bensell to email  
18 advertisements directly to college departments we are interested in attracting, and a  
19 suggestion from Peggy Leoni of 355 SW Hwy 101 to put the ad on the City's website, to  
20 contact government entities such as NOAA, and perhaps ODOT would be interested in putting  
21 a camera on the building. Jack Brown asked Rick Beasley (present in the audience) about  
22 installing a camera on the building for broadcasting channel entrance conditions.

## 23 24 VIII. CORRESPONDENCE

25 Murray reported that there were two items of correspondence (copies attached to original of  
26 these minutes): 1) A letter of resignation from the Sign Committee, from Gene Harte. 2) A  
27 letter of resignation from the Economic Business Development Committee, from Evelyn  
28 English.

29  
30 Motion 7: Lavery moved to accept the letters of resignation, send thanks to the committee  
31 members, and declare vacancies. Taunton seconded the motion.

32  
33 Mayor Silver said it was moved and seconded, and called for discussion. Murray noted that  
34 English's position was as a Chamber member, so the City would not advertise her position.  
35 Mayor Silver noted that Staff developed a Certificate of Appreciation which he signs and mails  
36 to volunteers who have resigned.

37  
38 Vote: Motion 7 passed.

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

## 40 41 IX. LIAISON OFFICERS' REPORTS

42 Taunton reported that the Salmon Enhancement Commission meets tomorrow. He also  
43 reported that the Safety Committee had good news. Murray said the City received notice of  
44 another reduction to the City's Worker's Compensation rate experience modification factor,  
45 which means substantial monetary savings. This year's rate is 1.56 and the new rate will be  
46 0.99.

1 Alice Brown had no report.

2  
3 Laverty reported that 1) The Traffic Safety Commission meets Tuesday at 4 PM. 2) There  
4 were recently three crashes on Hwy 20 occurring within three days of each other and within a  
5 couple of miles of each other. He reminded everyone to use caution when driving this  
6 highway. 3) On April 30, Governor Kulongoski pronounced May as Traffic Safety Awareness  
7 Month in Oregon.

8  
9 Jack Brown reported that the Harbor Commission met April 28. Their discussion centered on  
10 the fuel dock.

11  
12 Romans reported that the Economic Business Development Committee (EBDC) met on May  
13 3. Alice Brown added that they had people from the Small Business Association and loan  
14 agencies to discuss small business financing, and that they also discussed the future of the  
15 EBDC. Peggy Leoni added that Oregon Coast magazine will be doing a spread on Depoe Bay  
16 in their upcoming winter issue, and they are looking for items of interest on the community. If  
17 you have any ideas for this article, please contact the Chamber.

#### 18 19 X. CITY STAFF REPORT

20 Owings reviewed his written report (copy attached to original of these minutes), providing  
21 updates on the Bay Street Utilities and Paving Project, the Fuel Tank Project, and Winchell  
22 Street Improvements. Jack Brown added that he received an email from John Edsel of the  
23 Army Corps of Engineers, and the fuel tank project has been officially approved.

24  
25 Murray reported that 1) The public hearing for an appeal of determination to grant city  
26 business licence scheduled for the May 18 meeting needed to be rescheduled to the June 1  
27 meeting because the appellant is not available on May 18. It was the consensus of the Council  
28 that June 1 was fine. 2) The TGM (Transportation Growth Management) Code Assistance  
29 Advisory Committee needs to hold one more meeting before reporting to the Council at a joint  
30 meeting between the Council and the Planning Commission. The joint meeting was scheduled  
31 for June 22, 2004.

#### 32 33 XI. COUNCIL COMMENTS

34 Jack Brown said he was approached by people renting the Community Center. These second  
35 and third generation citizens were offended at being charged for the rental. Policy for waiver of  
36 Community Center fees will be added to the as yet unscheduled Workshop meeting for  
37 discussion of Community Center issues.

38  
39 Romans apologized for being late to the meeting.

40  
41 Alice Brown suggested sending a letter of appreciation and thanks to Kids Zone for planting  
42 the beautiful plants and flowers around the VFW Memorial. Hearing no objection, Mayor Silver  
43 said he would send such a letter.

#### 44 45 XII. ADJOURN

46 There being no further business, the meeting was adjourned at 9:07 PM.

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Mayor Bruce R. Silver

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Silver Fox, Recording Secretary