

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, May 3, 2005 - 7:00 PM
4 Depoe Bay City Hall
5

6 PRESENT: Mayor J. White, P. Cameron, P. Taunton, G. Romans, J. Brown, M. Lavery
7

8 ABSENT: A. Brown
9

10 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings
11

12 I. CALL TO ORDER

13 Mayor White called the meeting to order and established a quorum at 7:00 PM.
14

15 II. PLEDGE OF ALLEGIANCE

16 Mayor White called for all to stand for the Pledge of Allegiance.
17

18 III. APPROVE MINUTES: April 18, 2005 Workshop Meeting, and the April 19, 2005 Executive and 19 Regular Meetings 20

21 Motion 1: Taunton moved to accept the minutes of the April 18, 2005 Workshop Meeting, and the April
22 19, 2005 Executive and Regular Meetings. Cameron seconded the motion.
23

24 Mayor White said it was moved and seconded, and called for discussion. There was none.
25

26 Vote: Motion 1 passed.

27 Ayes: Cameron, Taunton, White, Romans, Jack Brown

28 Abstain: Lavery
29

30 IV. ACCOUNTS PAYABLE

31 Motion 2: Romans moved to pay the accounts payable. Taunton seconded the motion.
32

33 Mayor White said it was moved and seconded, and called for discussion. There was none.
34

35 Vote: Motion 2 passed.

36 Ayes: Cameron, Taunton, White, Romans,

37 Abstain: Jack Brown, Lavery
38

39 V. SPECIAL ORDERS

40 A. Susan Barfield – American Red Cross

41 Ms. Barfield presented information regarding blood donations and answered questions from Councilors
42 and the audience. There is a blood drive scheduled for Friday, July 1, 2005 from noon to 5 PM, and their
43 goal for Depoe Bay is 45 pints. (Copy of handout attached to original of these minutes.)
44

45 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

46 A. Parks Commission Recommendation to Establish a Parks Memorial Fund Program

1 Bill Spores, Parks Commission Chairman: 1) Informed Councilors a new barbeque has been installed at
2 the gazebo in City Park. 2) There are new plants in planter boxes at the Painter Building, supplied by
3 Valerie Sovern and planted by her and the Kids Zone. The City and the State shared the cost. 3)
4 Presented a recommendation from the Parks Commission for implementation of a Parks Memorial Fund
5 with plaques on benches (copy of handout attached to original of these minutes).

6
7 Motion 3: Lavery moved to authorize payment for brochures for a Parks Memorial Fund Program.
8 Taunton seconded the motion.

9
10 Mayor White said it was moved and seconded, and called for discussion. There was none.

11
12 Vote: Motion 3 passed.

13 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery

14
15 VII. PUBLIC COMMENTS

16 A. Debbie Davilla, Chamber of Commerce, said thank you to the Council and the community for a
17 fabulous Wooden Boat Show/Crab Feed/Ducky Derby. There will be a Chamber membership meeting
18 Monday May 9 at 6 PM at the Spouting Horn, where awards for the rowing competition will be given.
19 Everyone is welcome, but please contact the Chamber in advance of the meeting if you plan to attend
20 and are not a regular attendee.

21
22 VIII. UNFINISHED BUSINESS

23 There was no unfinished business.

24
25 IX. NEW BUSINESS

26 A. Loren and Dorinda Goddard – Use of Structure at 223 SW Hwy 101
27 Loren and Dorinda Goddard asked the Council to revert the use of the ground level of their building
28 from residential to commercial, leaving the second level as residential use. (Copies of their memo
29 received 5/2/05, and a memo to the Council from Murray dated 4/29/05 are attached to original of these
30 minutes.)

31
32 Motion 4: Romans moved that the Council rescind the previous action, re-establishing the first level of
33 the building to commercial use, with the second level remaining as residential use, and directed Staff to
34 do what is necessary to implement this change. Jack Brown seconded the motion.

35
36 Mayor White said it was moved and seconded, and called for discussion. A Councilor asked about City
37 Planner Lewis' 7/22/04 letter (with copy of Murray's memo attached to original of these minutes).
38 Murray explained that when the use of a single family dwelling changes to a two-unit use, there are
39 certain requirements to be met, including parking requirements and System Development Charges.
40 Lewis' letter to the Goddards explains the requirements particular to this case. Passage of the motion
41 would excuse the Goddards from the City's requirements.

42
43 Vote: Motion 4 passed.

44 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery

45
46 B. Proposal to Enact a "Scoop Law" in the City

1 Discussion included enforcement concerns; it was the consensus of the Council that the City Field
2 Superintendent should not be responsible for enforcement of a scoop law. It was also generally agreed
3 not to enact ordinances that can't be enforced. Peggy Leoni, 355 SW Hwy 101, noted than a scoop law
4 can serve as a deterrent, and asked people to pick up after their dogs. Cameron was asked to prepare
5 draft ordinance language and bring back to the Council for review.
6

7 C. Contract Renewal: City Planner Services

8 Murray noted that the agreement form (copy attached to original of these minutes) is the same as
9 previous years, with the following changes: dates, the dollar amount, and some new wording which
10 Murray read into the record.
11

12 Motion 5: Lavery moved to approve the agreement for City Planner Services bewteen the City of Depoe
13 Bay and Larry Lewis. Taunton seconded the motion.
14

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

17 Vote: Motion 5 passed.

18 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery
19

20 D. Contract Renewal: City Attorney Services

21 Murray noted the only changes in this agreement (copy attached to original of these minutes) are the
22 dates.
23

24 Motion 6: Lavery moved to approve the agreement for Legal Services between the City of Depoe Bay
25 and David Gordon of MacPherson, Gintner, Gordon, and Diaz. Taunton seconded the motion.
26

27 Mayor White said it was moved and seconded, and called for discussion. There was none.
28

29 Vote: Motion 6 passed.

30 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery
31

32 E. Proposed Resolution #347 – A Resolution Authorizing Interfund Loans from Reserve Funds to
33 the Water Capital Project Fund

34 Murray read the proposed resolution (copy attached to original of these minutes) into the record. There
35 were no questions or comments.
36

37 Motion 7: Lavery moved to approve proposed Res. #347 – A Resolution Authorizing Interfund Loans
38 from Reserve Funds to the Water Capital Project Fund. Taunton seconded the motion.
39

40 Mayor White said it was moved and seconded, and called for discussion. There was none.
41

42 Vote: Motion 7 passed.

43 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery
44

45 X. CORRESPONDENCE

1 There were four items of correspondence (copies attached to original of these minutes): 1) An email
2 from Robert Regan offering the City an option to lease his property for RV parking. A Councilor added
3 that he had been in contact with Bill Spores regarding contacting Mr. Regan about leasing the property,
4 and the intent to make the property attractive. It was the consensus of the Council to pursue the offer. 2)
5 A letter from Gleneden Beach Sanitary District requesting a meeting to review the Shared Facilities
6 Agreement. Mayor White and Jack Brown will participate in the negotiations. 3) A letter from John
7 Sollers requesting permission to use Council Chambers to tutor a Depoe Bay boy who is out of school
8 through the end of this school year; other locations did not pan out.

9
10 Motion 8: Lavery moved to allow John Sollers to tutor a student in the Council Chambers. Jack Brown
11 seconded the motion.

12
13 Mayor White said it was moved and seconded, and called for discussion. There was none.

14
15 Vote: Motion 8 passed.

16 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery

17
18 Correspondence, continued: 4) A letter from Governor Kulongoski regarding a planning meeting on
19 May 23 for the sesquicentennial celebration of statehood in 2009. Mayor White would like to attend the
20 event.

21
22 Motion 9: Jack Brown moved to approve travel expenses for Mayor White to attend the sesquicentennial
23 celebration meeting in Salem on May 23, 2005. Taunton seconded the motion.

24
25 Mayor White said it was moved and seconded, and called for discussion. There was none.

26
27 Vote: Motion 9 passed.

28 Ayes: Cameron, Taunton, Romans, Jack Brown, Lavery

29 Abstain: White

30
31 XI. CITY STAFF REPORT

32 Owings provided updates on the Pirate's Cove Sidewalk Project, Collins Street improvements, hauling
33 of bio-solids which will take place for the next week or two, the Harbor Fuel Project, painting of City
34 Hall and new chairs which will be set up within the next two weeks, and requested permission to engage
35 Coast Range Equipment for necessary replacement of the existing malfunctioning centrifuge pumps with
36 submersible pumps at the Edgewater sewer lift station, at a budgeted cost of around \$10,000.

37
38 Motion 10: Lavery moved to authorize Owings to make a contract with Coast Range Equipment for
39 rehabilitation of the Edgewater lift station, at a cost not to exceed \$12,000. Taunton seconded the
40 motion.

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

43
44 Vote: Motion 10 passed.

45 Ayes: Cameron, Taunton, White, Romans, Jack Brown, Lavery

1 Murray reported: 1) The public hearing for the Matrix was scheduled by the Council for the May 17,
2 2005 regular Council meeting, and the City Planner will not be available on that date. It was the
3 consensus of the Council to proceed with the public hearing as scheduled. 2) The City has 21 days from
4 the filing date of a Notice of Intent to Appeal the Council's decision on the LUBA remand issue to
5 prepare the record, and Staff is working on that. 3) An appeal of a recent Planning Commission decision
6 was filed. A public hearing date for the Council to hear the appeal needs to be scheduled. It was the
7 consensus of the Council to hold the public hearing at a regular Council meeting, tentatively scheduled
8 for June 21, 2005.

9
10 XII. COUNCIL COMMENTS

11 Laverty 1) The State has decided that Hwy 101 will not be designated as a freight route between
12 Florence and Astoria. 2) Work on Hwy 20 will begin this summer and continue through 2009. 3) Work
13 on the Spencer Creek Bridge will begin in 2006. 4) The Pirate's Cove sidewalk was finished in a timely
14 manner, and they also cleaned up after themselves. Mayor White suggested sending them a letter of
15 thanks.

16
17 Romans 1) Asked Mayor White to write a letter to Larry Hardy thanking him for all the work he has
18 done on the south side of the bridge. 2) Requested potholes be filled on Hawkins Street and Evans
19 Street. Owings responded that potholes are taken care of every spring, and will be done as soon as the
20 weather permits.

21
22 Taunton 1) Thanked everyone who attended the fundraising dinner for the Fleet of Flowers at the
23 Spouting Horn. 2) The Pirate's Cove sidewalk is nicely done.

24
25 Cameron 1) Asked why a picture of Mayor White hasn't been posted in Council Chambers yet. 2)
26 Asked what the grounds of the LUBA remand appeal were. Murray responded that that information
27 wasn't contained in the notice.

28
29 White On Thursday, May 5 he will be meeting with other Lincoln County Mayors, Commissioners, and
30 Senator Wyden in Newport. There are 14 items for discussion on the agenda.

31
32 XIII. ADJOURN

33 There being no further business, the meeting was adjourned at 8:53 PM.
34
35
36
37

38 _____
39 Mayor James White

40
41 _____
42 Silver Fox, Recording Secretary
43