

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, October 4, 2005 - 7:00 PM  
4 Depoe Bay City Hall  
5  
6

7 PRESENT: Mayor J. White, P. Taunton, A. Brown, G. Romans, J. Brown, M. Laverty  
8

9 ABSENT: P. Cameron  
10

11 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary  
12 F. Dreamingtime, City Attorney P. Gintner  
13

#### 14 I. PLEDGE OF ALLEGIANCE

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

#### 17 II. CALL TO ORDER

18 Mayor White called the meeting to order and established a quorum at 7:00 PM.  
19

#### 20 III. APPROVE MINUTES: September 20, 2005 Executive Session and Regular Meeting 21

22 Motion 1: Alice Brown moved to accept the minutes of the September 20, 2005 Executive Session and  
23 Regular Meeting as written. 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 1 passed.

28 Ayes: Taunton, Alice Brown, White, Romans, Jack Brown

29 Abstain: Laverty  
30

#### 31 IV. ACCOUNTS PAYABLE

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

34 Mayor White said it was moved and seconded, and called for discussion. There was none.  
35

36 Vote: Motion 2 passed.

37 Ayes: Taunton, Alice Brown, White, Romans, Jack Brown

38 Abstain: Laverty  
39

#### 40 V. SPECIAL ORDERS

##### 41 A. Presentation: Katherine Pfeiffer – Oregon Health Access Project

42 Katherine Pfeiffer of Portland, and Ellen Petty of Corbett, Executive Director for the Oregon Health  
43 Access Campaign (OHAC) were present. Ms. Pfeiffer spoke about OHAC, the Oregon Health Plan  
44 (OHP), the Oregon Health Access Project (OHAP), the Family Health Insurance Assistance Program  
45 (FHIAP), and the Children's Health Insurance Program (CHIP). The focus was on use of these programs  
46

1 to provide health insurance to uninsured children. She asked the Council to inform Depoe Bay citizens at  
2 all opportune times about these programs, and responded to astute questions from the Council.

3  
4 B. Recess to Local Contract Review Board Session

5 Mayor White recessed the meeting to the Local Contract Review Board at 7:27 P.M.

6  
7 1. Proposed Res. #353: Harbor Marine Fuel Facility Project – Exempting from  
8 Competitive Bid Process and Declaring an Emergency

9 Owings summarized the history of the Harbor Fuel Project and its many delays and challenges. He noted  
10 that: 1) The project was put out to bid two times, with no formal bids being received. 2) The City must  
11 spend the existing grant money by the end of the year, or will lose it. 3) The lack of fuel at the harbor is  
12 a safety issue, as people are fueling their boats with gas cans. Gintner confirmed this is a true emergency.  
13 (Copy of proposed Res. #353 attached to original of these minutes.)  
14

15 Motion 3: Lavery moved to approve proposed Res. #353, A Resolution Declaring an Emergency;  
16 Waiving a Requirement for Competitive Bids for Contract to Construct Harbor Marine Fuel Facility  
17 Project. Taunton seconded the motion.

18  
19 Mayor White said it was moved and seconded, and called for discussion. A Councilor expressed  
20 gratitude for Councilor Jack Brown and Murray’s turnaround trip to Bend to appear before the State  
21 Marine Board last week in support of this project.

22  
23 Vote: Motion 3 passed.

24 Ayes: Taunton, Alice Brown, White, Romans, Jack Brown, Lavery  
25

26 C. Adjourn Local Contract Review Board Session

27 Mayor White adjourned Local Contract Review Board at 7:39 P.M. Regular session resumed.

28  
29 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

30 There were no reports.  
31

32 VII. PUBLIC COMMENTS

33 Peggy Leoni, 355 SW Hwy 101, 1) Shared a story about a Trollers Lodge visitor who was pleasantly  
34 surprised at not having something he’d left on the public docks stolen overnight. 2) Asked the Council  
35 to review public hearing minutes, public comments, and input from the Economic Business  
36 Development Committee before reconvening for deliberations on the “Matrix”.  
37

38 Serena Scorpio, 147 NW Hwy 101, 1) Suggested the City hold an open forum at the Community Center  
39 to address the issue of insurance for Depoe Bay’s children as discussed by Ms. Pfeiffer. 2) Agreed with  
40 Leoni’s input regarding the Matrix, advising that regulation and over-restrictiveness will create more  
41 problems.  
42

43 VIII. UNFINISHED BUSINESS

44 A. Seafood Processing Facility – Harbor Commission Recommendation

45 There was no representative from the Harbor Commission present, and no written recommendation was  
46 received. Murray read from the Harbor Commission draft minutes: *During discussion of possible uses, it*

1 was noted the hoist is functional and suggested charging an hourly rate for use of the hoist as Newport  
2 does. Other ideas included making it a marine repair facility for small boats and leasing the building on  
3 a short-term basis during the crab season. The consensus was to not allow organizations or groups free  
4 use of the facility. There was discussion regarding these possible uses. Owings was directed to  
5 investigate the condition of the hoist, insurance issues, and to review grant conditions to prevent possible  
6 loss of grant funds. He will report at the next meeting.

7  
8 IX. NEW BUSINESS

9 A. Proclamation – October 2005 as Disability Employment Awareness Month

10 Murray read the proclamation (copy attached to original of these minutes) into the record. The Mayor  
11 will sign the proclamation tomorrow.

12  
13 B. Proposed Res. #354: A Resolution Approving the Addition of Properties into the Lincoln County  
14 Enterprise Zone within the City of Newport

15 Chris Chandler di-Torrice, Economic Development Alliance, was present and advised that State  
16 regulations require that six cities must approve the addition of any parcel to the enterprise zone.

17  
18 Motion 4: Lavery moved to approve proposed Res. #354, A Resolution Approving the Addition of  
19 Properties into the Lincoln County Enterprise Zone within the City of Newport. Jack Brown seconded  
20 the motion.

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

23  
24 Vote: Motion 4 passed.

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

26  
27 C. Proposed Agreement with Oregon State Marine Board, Facility Grant #1285 – Harbor Marine  
28 Fuel Station Installation

29 Murray reported that Gintner reviewed the agreement (copy attached to original of these minutes) and  
30 found nothing out of the ordinary. She noted that the City will have until June, 2007 to spend this grant  
31 money, but money from the existing grant still must be spent by the end of the year.

32  
33 Motion 5: Lavery moved to approve the agreement with the Oregon State Marine Board, Facility Grant  
34 #1285 for Harbor Marine Fuel Station Installation and authorize the Mayor to sign the agreement.

35 Taunton seconded the motion.

36  
37 Mayor White said it was moved and seconded, and called for discussion. There was none.

38  
39 Vote: Motion 5 passed.

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

41  
42 X. CORRESPONDENCE

43 There were two items of correspondence (copies attached to original of these minutes): 1) A letter from  
44 Don Sinnema received immediately prior to the meeting which was not distributed. Mr. Sinnema  
45 resigned from the Economic Business Development Committee effective September 27, 2005.

1 Motion 6: Lavery moved to accept Sinnema's resignation, send him a letter of thanks, and post the  
2 vacancy. Taunton seconded the motion.

3  
4 Mayor White said it was moved and seconded, and called for discussion. There was none.

5  
6 Vote: Motion 6 passed.

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

8  
9 Correspondence, continued: 2) A letter from Pat Maguire asking the Council to reconsider its decision  
10 to not allow social gaming in Depoe Bay. Discussion followed. It was noted that the matter had already  
11 been discussed, a decision reached, and the matter closed. No new information was received which  
12 would cause the Council to re-open the issue.

13  
14 XI. STAFF REPORT

15 Murray reported that 1) Two Planning Commissioners and two Councilors (including the Mayor)  
16 responded with interest to her memo regarding land use training in Newport this month. The cost will be  
17 \$115 per person, plus mileage reimbursement at the current federal rate of \$0.485 cents per mile.

18  
19 Motion 7: Lavery moved to approve the registration fees and mileage for four officials to attend land  
20 use training in Newport. Taunton seconded the motion.

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

23  
24 Vote: Motion 7 passed.

25 Ayes: Taunton, Alice Brown, Romans, Jack Brown, Lavery

26 Abstain: White

27  
28 Murray continued her report: 2) The OWEB grant was not funded. It was hoped this grant would  
29 supplement funding for the City Park Expansion Project. 3) The Near Shore Action Team (NSAT)  
30 submitted bylaws (copy attached to original of these minutes) for the Council's review and approval.  
31 John Rose, NSAT member, was present to answer questions. A Councilor raised a concern regarding the  
32 proposed bylaw regarding removal from office. There was lengthy discussion regarding this and the  
33 NSAT's level of independence.

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35 Motion 8: Lavery moved to accept the NSAT bylaws. Motion died for lack of a second. Jack Brown  
36 attempted to second the motion after an additional five minutes of discussion had passed.

37  
38 Discussion continued. It was noted that the NSAT is a unique hybrid committee that works for the City,  
39 and they developed bylaws to guide their own operations. It was the consensus of the Council that there  
40 was no objection to the NSAT operating under their chosen bylaws, and will make recommendations to  
41 the Council before submitting any official statements by the City. They are otherwise free to perform  
42 independently. 4) There is no grant funding available for the Water Improvement Project, but the  
43 current interest rate for the State Drinking Water Revolving Loan Fund is under 3.5%. There was no  
44 objection to Murray's recommendation that the City submit an application for 2005 funding. 5) The  
45 salary survey is complete but pending approval. Murray will have a final report at the next meeting.

46

1 Owings reviewed his written report (copy attached to original of these minutes), providing updates on  
2 the Harbor Parking Lot Project, the Harbor Fuel Project, the Water Improvement Project, the Sidewalk  
3 Project, and the budgeted purchase of a new vehicle.  
4

5 Motion 9: Lavery moved to authorize purchase of a new vehicle for \$15,457. Taunton seconded the  
6 motion.  
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8 Mayor White said it was moved and seconded, and called for discussion. There was none.  
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10 Vote: Motion 9 passed.

11 Ayes: Taunton, Alice Brown, White, Romans, Jack Brown, Lavery  
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### 13 XII. COUNCIL COMMENTS

14 Alice Brown stated she is very interested in the NSAT and what they are trying to accomplish.  
15

16 Lavery provided statistics on seatbelt and child safety restraint use in Oregon.  
17

18 Jack Brown noted he had submitted a memo promoting citywide wireless service (copy attached to  
19 original of these minutes), but will wait until the next meeting to discuss it, due to the late hour.  
20

21 Romans said his comments can wait until the next meeting as well.  
22

### 23 XIV. ADJOURN

24 There being no further business, the meeting was adjourned at 9:15 PM.  
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27  
28

29 \_\_\_\_\_  
Mayor James White  
30

31 \_\_\_\_\_  
32 Fox Dreamingtime, Recording Secretary