

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, March 21, 2006 - 7:00 PM  
4 Depoe Bay City Hall  
5

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

8 ABSENT: P. Taunton  
9

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

### 13 I. PLEDGE OF ALLEGIANCE

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

### 16 II. CALL TO ORDER

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

### 19 III. APPROVE MINUTES: March 7, 2006 Executive Session and Regular Meeting 20

21 Motion 1: Alice Brown moved to accept the minutes of the March 7, 2006 Executive Session as written  
22 and the Regular Meeting with one correction to Page 5, Line 2: "...would result in Meas. #57 #37  
23 claims." Cameron 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: Cameron, Alice Brown, White, Romans, Jack Brown

29 Abstain: Lavery  
30

### 31 IV. ACCOUNTS PAYABLE

32 Motion 2: Romans moved to pay the accounts payable. Lavery 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: Cameron, Alice Brown, White, Romans, Jack Brown, Lavery  
38

### 39 V. SPECIAL ORDERS

40 A. Presentation: District Attorney Bernice Barnett – Annual Report

41 Mayor White said Ms. Barnett was unable to attend the meeting due to a personal emergency. The  
42 presentation will be rescheduled.  
43

44 B. Presentation: Yarrow Currie – United Way

45 Yarrow Currie, representing United Way of Lincoln County, addressed the Council about the  
46 organization and its services. She can be contacted at 265-5812 or [yarrow@opusnet.com](mailto:yarrow@opusnet.com).

1  
2 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

3 Carol Connors, Planning Commission President, reported that the Planning Commission voted to ask the  
4 Council's permission to look at zoning ordinances, and if granted, to request a joint workshop with the  
5 Council to discuss the parameters of the task.

6  
7 Motion 3: Lavery moved to permit the Planning Commission to look at zoning ordinances and to have a  
8 joint workshop with the Council to discuss the task. Alice seconded the motion.

9  
10 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion to  
11 clarify the motion.

12  
13 Vote: Motion 3 passed.

14 Ayes: Alice Brown, White, Romans, Jack Brown, Lavery

15 Noes: Cameron

16  
17 The joint workshop was scheduled for Monday, April 17 at 6:00 P.M.

18  
19 VII. PUBLIC COMMENTS

20 Peggy Leoni, Chamber of Commerce, reminded everyone that the Citizen of the Year banquet is  
21 scheduled for Saturday, April 25. Tickets are available at the Chamber.

22  
23 Maggie Brown, 15 SE Ainslee, thanked the Council for the City's sponsorship of the rowing club,  
24 especially the City Field Superintendent and his crew.

25  
26 VIII. UNFINISHED BUSINESS

27 There was no unfinished business.

28  
29 IX. NEW BUSINESS

30 A. Proposed Intergovernmental Agreement (IGA) Creating the Lincoln County Enterprise Zone  
31 Association and Zone Manager

32 Chris Chandler diTorrice, of the Economic Development Alliance of Lincoln County and Assistant  
33 Lincoln County Zone Manager, said the proposed IGA (copy attached to original of these minutes)  
34 would add three cities to the existing agreement, and would reduce the number of delegates from each  
35 city to one. Discussion included questions from Councilors on how the proposed agreement would  
36 benefit Depoe Bay.

37  
38 Motion 4: Lavery moved that the City enter into the agreement to create the Lincoln County Enterprise  
39 Zone Association and Zone Manager. Jack Brown seconded the motion.

40  
41 Mayor White said it was moved and seconded, and called for discussion. There was further discussion of  
42 how this agreement would benefit Depoe Bay.

43  
44 Vote: Motion 4 passed.

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

1 Murray asked if the Council wanted to designate the City's representative to the Zone Association  
2 tonight. Mayor White volunteered to serve as the City's Association member. There were no objections.  
3

4 B. Proposed Res. #357 – A Resolution Supporting Application for an Electronic Commerce Zone  
5 Designation for the Lincoln County Enterprise Zone and Requesting Said Designation

6 Ms. diTorrice said the Zone Association supported the proposed resolution and that competition for the  
7 designation is expected to be tough. (Copies of proposed resolution and handouts attached to original of  
8 these minutes.)  
9

10 Motion 5: Alice Brown moved to approve proposed Res. #357 – A Resolution Supporting Application  
11 for an Electronic Commerce Zone Designation for the Lincoln County Enterprise Zone and Requesting  
12 Said Designation. Jack Brown seconded the motion.  
13

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

16 Vote: Motion 5 passed.

17 Ayes: Cameron, Alice Brown, White, Romans, Jack Brown, Lavery  
18

19 C. Proposed Easement Agreement – City of Depoe Bay Granting Easement to Richard Ally, Valerie  
20 Allyn, Real Estate Centre, Inc. and Grey Investments, Inc. to Construct, Maintain, Repair, and  
21 Replace a Retaining Structure

22 Murray reviewed her memo dated 3/21/06 (copy attached to original of these minutes), noting City  
23 Attorney Pete Gintner's advice that approval of the easement agreement needs to be contingent upon  
24 receiving the quitclaim deed from Lincoln County.  
25

26 Motion 6: Romans moved to grant the easement and authorize the Mayor to sign the agreement upon  
27 receiving the quit claim deed from Lincoln County. Cameron seconded the motion.  
28

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

31 Vote: Motion 6 passed.

32 Ayes: Cameron, Alice Brown, White, Romans, Jack Brown, Lavery  
33

34 D. Depoe Bay Harbor Fuel Station Project – Change Order to Construction Contract – PNE, Inc.  
35 This item was tabled to the next agenda.  
36

37 E. Engineering Services Proposal – Winchell Street Improvements, Phase 3 – Hightower  
38 Engineering

39 Owings recommended the Council accept Hightower's proposal (copy attached to original of these  
40 minutes).  
41

42 Motion 7: Lavery moved to approve the engineering services proposal for Winchell Street  
43 Improvements, Phase 3 with Hightower Engineering, for \$4,890. Jack Brown seconded the motion.  
44

45 Mayor White said it was moved and seconded, and called for discussion. A Councilor asked a question  
46 about the project.

1  
2 Vote: Motion 7 passed.

3 Ayes: Cameron, Alice Brown, White, Romans, Jack Brown, Lavery  
4

5 F. Millennium Digital Media Systems, LLC – Request for Assignment of Franchise to  
6 WaveDivision Holdings, LLC

7 Murray said the City Attorney reviewed the Request for Assignment of Franchise (copy attached to  
8 original of these minutes), and indicated it was OK to proceed. Murray informed the Council that the  
9 existing franchise (Ord. #230) is effective until 2011, and re-assignment occurs by adoption of an  
10 ordinance, which provides an opportunity for public comment. A Councilor requested additional  
11 information on the company purchasing Millennium. Murray will ask a representative from Millennium  
12 to attend the next Council meeting.  
13

14 X. CORRESPONDENCE

15 There was one item of correspondence (copy attached to original of these minutes): a letter from Monty  
16 and Brenda Roberts regarding a dock lease agreement. There was brief discussion, which included a  
17 suggestion for a short-term lease vs. a long-term lease due to the potential establishment of a harbor  
18 walkway. It was noted that the City Attorney will be meeting with the Council soon regarding the leases  
19 around the harbor. This item was tabled to a future meeting.  
20

21 XI. CITY STAFF REPORT

22 Murray reported that two OLCC liquor license applications (copies attached to original of these minutes)  
23 were received after the agenda was distributed: one for the Chamber of Commerce's annual Crab Feed,  
24 and one for Bulldog Saloon, a new business.  
25

26 Motion 8: Romans moved to recommend approval of the Chamber of Commerce application. Alice  
27 Brown seconded the motion.  
28

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

31 Vote: Motion 8 passed.

32 Ayes: Cameron, Alice Brown, White, Romans, Jack Brown, Lavery  
33

34 Jack G. Brown, 250 SE Hwy 101, was present to answer questions from the Council regarding his  
35 application and his new business.  
36

37 Motion 9: Romans moved to recommend approval of the Bulldog Saloon application. Alice Brown  
38 seconded the motion.  
39

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

42 Vote: Motion 9 passed.

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

- 1 Owings reported: 1) A reminder that City Hall will be closed March 27 through April 3 for renovations.  
2 2) The water tank bid openings will be on April 6. 3) The harbor fuel equipment will arrive this Friday.  
3 4) The harbor flotation and piling cutting bid openings will be on April 4.

4  
5 XII. COUNCIL COMMENTS

6 Alice Brown complimented the Mayor on an effectively-run meeting. She is looking forward to the joint  
7 meeting with the Planning Commission.

8  
9 Jack Brown 1) Asked Parks Commissioner Valerie Sovern to address the Council regarding an  
10 opportunity to obtain grant funding for the harbor walkway. If the Council wants to apply for the grant, a  
11 notice of intent needs to be submitted by March 23, with the application deadline being in June. The  
12 minimum amount that can be requested on the Transportation Enhancement program grant is \$200,000,  
13 and the maximum request is \$1,000,000. The minimum local match is 10.27% of eligible transportation  
14 enhancement costs, which can include cash, materials, property, and services. It was noted that existing  
15 property cannot be used as match, while property which is donated to the project can be used as match.

16  
17 Motion 10: Lavery moved to submit a notice of intent to apply for the Transportation Enhancement  
18 grant, and follow up by getting additional information on the grant requirements. Alice Brown seconded  
19 the motion.

20  
21 Mayor White said it was moved and seconded, and called for discussion. There was none.

22  
23 Vote: Motion 10 passed.

24 Ayes: Cameron, Alice Brown, White, Romans, Jack Brown, Lavery

25  
26 2) Reported on his trip to Washington DC, saying the congressional delegation they spoke with was  
27 positive about all the projects, especially the Neighbors for Kids building addition. Congresswoman  
28 Hooley is behind the City and he felt that the City is in line for a HUD or USDA grant. 3) He was  
29 directed to Oregon FEMA for emergency preparedness funding; they said there are currently no funds  
30 available for emergency preparedness equipment, and they are in the process of determining whether  
31 sirens are appropriate for a coastal warning system. Oregon FEMA may be able to assist the City if a  
32 grant is obtained. 4) He was directed to State for the harbor walkway, and is following up with HUD.  
33 (Written report attached to original of these minutes.)

34  
35 XIII. ADJOURN

36 There being no further business, the meeting was adjourned at 8:14 PM.

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41  
42 \_\_\_\_\_  
43 Mayor James White

44  
45 \_\_\_\_\_  
46 Fox Dreamingtime, Recording Secretary