

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

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

8 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, City Attorney P. Gintner,  
9 Recording Secretary F. Dreamingtime  
10

#### 11 I. PLEDGE OF ALLEGIANCE

12 Mayor White called for all to stand for the Pledge of Allegiance.  
13

#### 14 II. CALL TO ORDER

15 Mayor White called the meeting to order and established a quorum at 7:01 PM.  
16

#### 17 III. APPROVE MINUTES: March 21, 2006 Regular Meeting 18

19 Motion 1: Alice Brown moved to accept the minutes of the March 21, 2006 Regular Meeting with one  
20 typographical correction to Page 3, Line 19: "Ally" should be "Allyn". Lavery seconded the motion.  
21

22 Mayor White said it was moved and seconded, and called for discussion. There was none.  
23

24 Vote: Motion 1 passed.

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

26 Abstain: Taunton  
27

#### 28 IV. ACCOUNTS PAYABLE

29 Motion 2: Romans moved to pay the accounts payable, with four late additions: \$1,845 to A & T  
30 Painting, \$2,068 to Ken Martin Carpet, \$287.50 to M2 Inc., and \$3,021.92 to Larry Lewis. Taunton  
31 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, Alice Brown, White, Romans, Jack Brown

37 Abstain: Lavery  
38

#### 39 V. SPECIAL ORDERS

40 A. Presentation: Signe Grimstad – Audit Report FY 2004-05

41 Ms. Grimstad reviewed the FY 2004-05 Audit Report and responded to questions from the Council.  
42

#### 43 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

44 Loren Goddard 1) The Near Shore Action Team will be meeting with ODFW after April 10 regarding  
45 the tagging of rockfish. 2) The Harbor Commission has measured the docks and believes that we can  
46 add more fingers to Dock 4 and possibly Dock 3. Commissioners are preparing data to put this out to

1 bid. They believe that there is enough money in the budget to cover the project. 3) A Councilor asked  
2 about free transient moorage for the *Kingfisher*, which is expected to come for the Wooden Boat Show.  
3

#### 4 VII. PUBLIC COMMENTS

5 Mike Fitzpatrick, Pastime Fisheries owner, addressed the Council regarding use of the hoist. (Copy of  
6 his letter dated 4/3/06 to the Council attached to original of these minutes.)  
7

8 Dorinda Goddard, Fleet of Flowers, said there will be a fundraising dinner on April 25 at the Spouting  
9 Horn. Tickets are \$10 for adults and \$7 for children, and can be purchased at the Chamber of Commerce  
10 and at the Spouting Horn.  
11

12 Carol Connors, 45 Summit Pl., thanked Owings for his response to her safety concern about cars falling  
13 off the road. He quickly had cones put out and the street graveled.  
14

#### 15 VIII. UNFINISHED BUSINESS

##### 16 A. Millenium Digital Media Systems, LLC – Assignment of Franchise

17 Dave Walker, Northwest Regional Manager for Millenium, was present to answer the Council's  
18 questions regarding the sale of Millenium. A representative from Wave Broadband, the company  
19 acquiring Millenium, was unable to attend due to a scheduling conflict (copy of email dated 4/4/06 from  
20 Jim Penney at Wave attached to original of these minutes). Staff was directed to contact Mr. Penney and  
21 inform him that the Council is very interested in speaking with a representative at the next Council  
22 meeting.  
23

24 B. Depoe Bay Harbor Fuel Station Project – Change Order to Construction Contract – PNE Inc.  
25 Owings reported that the change order (copy attached to original of these minutes) covers the cost of  
26 extra trips and rentals items due to Bryant Fuel Systems equipment delays. He has checked with the  
27 State Marine Board on the grant, and they will not pay for this. The City holds close to \$20,000 retainage  
28 on the Bryant contract.  
29

30 Motion 3: Lavery moved to approve the change order to the PNE contract for \$6,953.01. Cameron  
31 seconded the motion.  
32

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

35 Vote: Motion 3 passed.

36 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery  
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#### 38 IX. NEW BUSINESS

##### 39 A. Proposed Engineering Services Agreement – Winchell Street Improvements, Phase 3 – 40 Hightower Engineering

41 Owings reported that Hightower Engineering is close to completing the drawings. He recommended  
42 entering into contract with Hightower in the amount of \$4,890 to complete this portion of the project  
43 (copy of contract attached to original of these minutes).  
44

45 Motion 4: Lavery moved to enter into contract with Hightower Engineering for \$4,890. Alice Brown  
46 seconded the motion.

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

3  
4 Vote: Motion 4 passed.

5 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery

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7 X. CORRESPONDENCE

8 There was one item of correspondence (copy attached to original of these minutes): a letter dated 4/4/06  
9 submitted by Carla Kearns requesting permission to use the Council Chambers for tutoring Kids Zone  
10 children. Maggie Brown, 15 SE Ainslee, provided details on the request. It was the consensus of the  
11 Council that the Council Chambers are utilized to such a degree that the request cannot be  
12 accommodated. Mayor White asked Councilors to contemplate possible alternatives.

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14 XI. CITY STAFF REPORT

15 Murray reported that a temporary OLCC sales license application was received today (copy attached to  
16 original of these minutes) for an event scheduled to take place tomorrow at Whale Inn at Depoe Bay.  
17 Applicant Kay Skaggs was present to answer Council questions.

18  
19 Motion 5: Lavery moved to recommend approving a temporary OLCC license for Whale Inn at Depoe  
20 Bay. Cameron seconded the motion.

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

23  
24 Vote: Motion 5 passed.

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

26  
27 Owings reported 1) He appreciates everyone's patience while City Hall was closed for refurbishing. 2)  
28 Bids for the new 1.6 million gallon water storage tank will be opened at 2:00 P.M. on April 6. 3) In  
29 response to a Councilor's question, he said that if a private party cuts the street to access water/sewer  
30 lines, the private party is responsible for patching the street. This should be done as quickly as feasible –  
31 within two weeks in summer months, and weather permitting in winter months. 4) In response to  
32 another question from a Councilor, he said that Depoe Bay water is not fluoridated because it is  
33 debatable whether fluoride is healthy and also it's another chemical added to the water. The Consumers  
34 Confidential Report contains information on all chemicals tested for in Depoe Bay water, and a copy of  
35 the report can be obtained by contacting Owings. 5) Bids (copies attached to original of these minutes)  
36 have been opened for the piling cutting and Dock 2 flotation. He recommended going with the lower bid  
37 of \$11,852 from Orca Divers.

38  
39 Motion 6: Alice Brown moved to accept the bid from Orca Divers in the amount of \$11,852, subject to  
40 their having adequate insurance. Lavery seconded the motion.

41  
42 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion  
43 regarding the project.

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45 Vote: Motion 6 passed.

46 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery

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XII. COUNCIL COMMENTS

Alice Brown said she's pleased with City Hall refurbishment and glad to see it done.

Laverty agreed with Alice Brown.

Jack Brown agreed as well, and said that Lincoln County Historical Society would like for Depoe Bay to offer free moorage for the *Kingfisher* for a month, so it can be the lead boat in the Fleet of Flowers in addition to being at the Wooden Boat Show.

Motion 7: Jack Brown moved to waive moorage for the *Kingfisher* for one month. Alice Brown seconded the motion.

Mayor White said it was moved and seconded, and called for discussion. Murray asked the Council to specify dates for the free moorage. It was the consensus of the Council that moorage would be offered from the time of the Wooden Boat Show through the Fleet of Flowers, with the *Kingfisher* leaving as soon thereafter as weather permits.

Vote: Motion 7 passed.

Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Laverty

Romans 1) Was glad the Council voted to recommend approval of the temporary OLCC license. 2) Commented on a long-standing pothole and recent street repairs.

Cameron said that shortly after midnight the date will be 01:02:03 04/05/06.

Mayor White 1) Attended a round table session in Salem on closure of salmon season. Congresswoman Hooley will be in Newport with Congressman DeFazio on April 10 to discuss a course of action to address the situation. Councilors were encouraged to attend this meeting. Mayor White will provide further information on this issue as soon as it is available.

XIII. ADJOURN

There being no further business, the meeting was adjourned at 8:22 PM.

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Mayor James White

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Fox Dreamingtime, Recording Secretary