

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, July 18, 2006 - 7:00 PM
4 Depoe Bay City Hall
5

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

8 STAFF: City Recorder P. Murray, Recording Secretary F. Dreamingtime
9

10 I. PLEDGE OF ALLEGIANCE

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

13 II. CALL TO ORDER

14 Mayor White called the meeting to order and established a quorum at 7:00 PM.
15

16 III. APPROVE MINUTES: July 6, 2006 Regular Meeting
17

18 Motion 1: Alice Brown moved to accept the minutes of the July 6, 2006 Regular Meeting with one
19 correction to Page 3, Line 45: “...~~sand castles~~ Kids Zone sand castle float.” Lavery seconded the
20 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: Alice Brown, White, Romans, Jack Brown, Lavery

26 Abstain: Cameron, Taunton
27

28 IV. ACCOUNTS PAYABLE

29 Motion 2: Romans moved to pay the accounts payable. Taunton seconded the motion.
30

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

33 Vote: Motion 2 passed.

34 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery
35

36 V. SPECIAL ORDERS:

37 A. Tina French – North Lincoln Sanitary Service: Annual Rate Review

38 Tina French, 1726 SE Hwy 101 in Lincoln City, distributed and reviewed a packet containing
39 information on services (copy attached to original of these minutes) to Councilors. She also reviewed the
40 Rate Review Report (copy attached to original of these minutes) submitted and distributed to Councilors
41 on 7/11/06. She said that curbside recycling is likely to be implemented next year. She requested
42 approval of a rate increase to \$12, effective August 1, 2006.
43

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

1 Deputy John Beckwith, of Lincoln County Sheriff's Office, reported that he or Deputy Vertner will
2 provide a regular report at Council meetings. He provided the Mayor with a report for June 20 through
3 July 16.

4
5 VII. PUBLIC COMMENTS

6 Dorothy Mayes, 335 SE Anchor, read a letter written by her husband into the record (copy attached to
7 original of these minutes). The letter expressed concern regarding overdevelopment.

8
9 VIII. UNFINISHED BUSINESS

10 A. Port Lease Proposals

11 Murray read her memo dated 7/18/06 (copy attached to original of these minutes). She reported that one
12 proposal was received; the proposal was from Monty Roberts. Mr. Roberts, 628 SE Cliff in Newport,
13 was present to answer Councilors' questions. He indicated that he is the owner of the property, and that
14 he did not intend to invest a lot of money into the dock until after the December renewal.

15
16 Motion 3: Laverty moved to approve Roberts' proposal for lease of the dock, and to direct Staff to
17 develop a lease agreement and bring it back to the next regular Council meeting. Alice Brown seconded
18 the motion.

19
20 Mayor White said it was moved and seconded, and called for discussion. There was concern about first
21 right of refusal being offered; this will be included in the draft lease agreement

22
23 Vote: Motion 3 passed.

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

25
26 IX. NEW BUSINESS

27 A. Requests to Schedule Events at City Park

28 There were four requests to schedule events: 1) On August 4, the Coast Guard plans to hold a 216th
29 birthday party. 2) On August 14, the Chamber of Commerce plans an annual appreciation picnic for city
30 volunteers, Coast Guard, and fire department. 3) On August 18, the Kids Zone plans a hotdog dinner
31 and talent show. They will require use of the bandstand. 4) On September 23, the Lincoln County
32 Personnel Department plans to hold a company picnic. Murray noted that all groups have been told that
33 the park cannot be reserved. (Copies of requests attached to original of these minutes.)

34
35 Motion 4: Cameron moved to approve the requests for use of City Park. 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 4 passed.

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

41
42 B. Proposed Ord. #275 – An Ordinance Amending the Zoning Map of the City of Depoe Bay (Ord.
43 #24, as Amended) to Establish an Overlay Zone of “Planned Development” Over Certain Parcels
44 Relating to a Proposed Planned Development Known as “Stonebridge”.

45 Murray noted that this proposed ordinance (copy attached to original of these minutes) is one step in the
46 approval of the Stonebridge development, and that the entire parcel would be zoned R-4PD.

1
2 Motion 5: Alice Brown moved to read proposed Ord. #275 by title only. Lavery seconded the motion.

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

5
6 Vote: Motion 5 passed.

7 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery
8

9 Murray performed the first reading of proposed Ord. #275 by title only, and called for comments or
10 questions. There were none.

11
12 Motion 6: Lavery moved to adopt proposed Ord. #275 at the first reading. Cameron seconded the
13 motion.

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

16
17 Vote: Motion 6 passed.

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

20 Murray noted that because the vote to adopt the proposed ordinance was unanimous, the second reading
21 could be performed immediately.

22
23 Motion 7: Lavery moved to perform the second reading of proposed Ord. #275. Cameron seconded the
24 motion.

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

27
28 Vote: Motion 7 passed.

29 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery
30

31 Murray performed the second reading of proposed Ord. #275 by title only, and called for questions or
32 comments. There were none.

33
34 Motion 8: Lavery moved to adopt proposed Ord. #275 at the second reading. Cameron seconded the
35 motion.

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

38
39 Vote: Motion 8 passed.

40 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery
41

42 C. Proposed Res. #363 – A Resolution Amending Res. #188, Superseding Res. #327, Revising the
43 Rate of the Agate Beach Closure Fee

44 Murray said the proposed resolution (copy attached to original of these minutes) will reduce the fee for
45 Agate Beach Closure from \$11 per ton to \$1 per ton.

46

1 Motion 9: Alice Brown moved to adopt proposed Res. #363 – A Resolution Amending Resolution #188,
2 Superseding Res. #327, Revising the Rate of the Agate Beach Closure Fee. Lavery seconded the
3 motion.

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

6
7 Vote: Motion 9 passed.

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

9
10 D. Proposed Res. #364 – A Resolution Setting Solid Waste Removal Fees Pursuant to Ord. #224, as
11 Amended, Superseding Res. #339

12 Murray reviewed the proposed resolution (copy attached to original of these minutes).

13
14 Motion 10: Lavery moved to adopt proposed Res. #364 – A Resolution Setting Solid Waste Removal
15 Fees Pursuant to Ord. #224, as Amended, Superseding Res. #338. Cameron seconded the motion.

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

18
19 Vote: Motion 10 passed.

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

21
22 E. Proposed Resolution #365 – A Resolution Renaming a Street in View of the Bay Subdivision
23 (Planned Development), Phase 2

24 Murray reviewed the proposed resolution (copy attached to original of these minutes), explaining that
25 there was confusion between Bayview Street in the View of the Bay subdivision, and the existing
26 Bayview Avenue near the harbor. The proposed Bayview Street will be changed to Sea Star Drive.

27
28 Motion 11: Cameron moved to adopt proposed Res. #365 – A Resolution Renaming a Street in View of
29 the Bay Subdivision (Planned Development), Phase 2. Lavery seconded the motion.

30
31 Mayor White said it was moved and seconded, and called for discussion. A Councilor pointed out that a
32 street could be named anything the City wanted.

33
34 Vote: Motion 11 passed.

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

36
37 F. Request for Release of Public Easement: Lot 47, View of the Bay, Phase 2

38 Murray reviewed letter to City Planner Larry Lewis dated 5/30/06 from Dennis Bartoldus (copy attached
39 to original of these minutes, along with a copy of the release agreement). She noted that the City Field
40 Superintendent and the City Attorney had both reviewed and approved the release documents.

41
42 Motion 12: Lavery moved to agree to the release of the public easement on lot #47, View of the Bay
43 Phase 2. Alice Brown seconded the motion.

44
45 Mayor White said it was moved and seconded, and called for discussion. A Councilor questioned the
46 size of the easement.

1
2 Vote: Motion 12 passed.

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

5 G. Proposed Grant Agreement: Oregon Department of Land Conservation and Development Coastal
6 Management Section 306A for Funding Award – City Park Expansion Project
7 Murray reviewed the proposed agreement (copy attached to original of these minutes).
8

9 Motion 13: Lavery moved to approve the grant agreement with Oregon Department of Land
10 Conservation and Development (DLCD), and authorize the Mayor to sign the agreement. 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 13 passed.

16 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Lavery
17

18 H. Findings, Conclusions, and Final Order: Case File #1-APPEAL-PC-06, Appeal of Planning
19 Commission Decision on Application for Variance to Parking Requirements (Case File #1-V-
20 PC-06)
21 Murray said the findings (copy attached to original of these minutes) were prepared in accordance with
22 Council deliberations from last night’s meeting.
23

24 Motion 14: Alice Brown moved to approve the Findings, Conclusions, and Final Order for Case File #1-
25 APPEAL-PC-06 as written. Cameron seconded the motion.
26

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

29 Vote: Motion 14 passed.

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

31 Noes: Lavery
32

33 X. CORRESPONDENCE

34 There were two items of correspondence (copies attached to original of these minutes): 1) A letter from
35 Tina French of North Lincoln Sanitary Service requesting renewal of their franchise. This item was
36 tentatively scheduled for discussion at the first meeting in September. 2) A letter from Dorothy Mayes
37 regarding a moratorium on issuance of building permits for other than single occupancy. It was the
38 consensus of the Council to forward the letter to the Planning Commission for their input, and have the
39 Planning Commission provide a recommendation to the City Council at the second meeting in
40 September.
41

42 XI. STAFF REPORT

43
44 Murray reported that Owings met with the engineer and Devil’s Lake Rock Company regarding
45 Winchell Street Phase 3. Their attempt to reduce the amount of the bid was partially successful, but they
46 were unable to get it down to the \$110,000 that the Council approved. Therefore, Owings requested the

1 approved amount of expenditure be increased to \$116,000. Murray noted that the alternative would be to
2 re-advertise the project, as explained at the last meeting.

3
4 Motion 15: Lavery moved to authorize Owings to spend up to \$116,000 for construction of Phase 3 of
5 the Winchell Street Project. Cameron seconded the motion.

6
7 Mayor White said it was moved and seconded, and called for discussion. Lavery explained his reasons
8 for making the motion.

9
10 Vote: Motion 15 passed.

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

12
13 A Councilor asked about the status of the fuel station. Murray reported that wrong parts were received
14 and replacement parts are expected on Thursday.

15
16 Murray asked the Council if they wanted to pursue the law enforcement levy mentioned in Mr. Hardy's
17 recent letter. She noted that time is short and a resolution would need to be adopted in order to place the
18 initiative on the November ballot by the early September deadline. A workshop meeting was scheduled
19 for Monday, July 31 at 7:00 P.M. to discuss this issue. Murray also noted that there are three Council
20 positions and the position of Mayor expiring this year. Packets are available at City Hall for interested
21 parties.

22
23 XII. COUNCIL COMMENTS

24 Alice Brown said the issue of a system development charge for parking needs to be looked at. She agrees
25 with a suggestion in the *Beacon* to implement four-hour parking on Highway 101.

26
27 XIII. ADJOURN

28 There being no further business, the meeting was adjourned at 8:17 PM.

29
30
31
32
33 _____
34 Mayor James White

35
36 _____
37 Fox Dreamingtime, Recording Secretary