

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, April 17, 2007 - 7:00 PM  
4 Depoe Bay City Hall

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

8  
9 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, City Attorney P. Gintner,  
10 Recording Secretary F. Dreamingtime  
11

12  
13 I. PLEDGE OF ALLEGIANCE  
14 Mayor White called for all to stand for the Pledge of Allegiance. A moment of silence was also observed  
15 for the victims of the Virginia Tech shootings.  
16

17 II. CALL TO ORDER  
18 Mayor White called the meeting to order and established a quorum at 7:05 PM.  
19

20 III. APPROVE MINUTES: March 20, 2007 Regular Meeting  
21

22 Motion 1: Alice Brown moved to accept the minutes of the March 20, 2007 Regular Meeting as written.  
23 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, Davilla

29 Abstain: Cameron  
30

31 IV. ACCOUNTS PAYABLE

32 Motion 2: Davilla moved to approve the accounts payable. Jack Brown 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, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla  
38

39 April 3, 2007 Accounts Payable were also paid.  
40

41 V. SPECIAL ORDERS

42 A. Presentation: Signe Grimstad, Grimstad and Associates – Audit Fiscal Year 2005-06

43 Ms. Grimstad was present to answer questions about the audit for FY 2005-06. There were no questions.  
44

1 B. Gretchen Ammerman, Lincoln County Solid Waste District: Joint Statement for County  
2 Sustainability Plan

3 Ms. Ammerman was present to answer questions from the Council regarding her request to have the  
4 Mayor sign a letter (copy attached to original of these minutes) in support of Lincoln County's  
5 Sustainability Plan.

6  
7 Motion 3: Jack Brown moved to authorize the mayor to sign the letter in support of the joint statement  
8 towards a sustainable, healthy Lincoln County. Davilla 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, Alice Brown, White, Romans, Jack Brown, Davilla  
14

15 C. Sandra Adams, Lincoln County Health & Human Services: School Based Health Centers  
16 Ms. Adams was unable to be present.

17  
18 D. Interview Applicants for City Commissions and Committees  
19 Harbor Commission applicant Dan "Booner" Zimmerman was present and came forward to tell about  
20 himself and why he is interested in participating, and answered questions from councilors regarding his  
21 qualifications and application. Harbor Commission applicant Pat Wamack and Salmon Enhancement  
22 Commission applicant John Vogel were unable to be present. (Copy of application packet attached to  
23 original of these minutes.)  
24

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

26 John O'Brien, Chairman of Traffic Safety Commission, reported 1) The decoy crossing project was  
27 discussed at the last commission meeting. The event is scheduled to take place on Saturday, July 14. 2)  
28 Extra police patrols have been requested at the harbor for this Friday-Sunday (Wooden Boat Show). 3)  
29 He briefly discussed the radar trailer speed log (copy attached to original of these minutes) from October  
30 of last year. The log reflects that many people exceed the speed limit on Hwy 101 at Bradford Street.

31  
32 Carol Connors, Planning Commission President, informed the council that the Planning Commission is  
33 forwarding parking recommendations to the council for the May 1 meeting.  
34

35 VII. PUBLIC COMMENTS

36 John O'Brien, Acting Chair of the Emergency Preparedness Committee, reported that the committee is  
37 almost finished distributing packets to residents. They are working with staff to get the information to  
38 people who live out of town. They hope to have the packets distributed to businesses by the end of June.  
39 A letter has been sent to Chief Sparkman, Chief Williams, Sheriff Dotson, and Jim Hawley to have them  
40 participate in their next meeting, tentatively scheduled for May 16 at the community hall.

41  
42 Peggy Leoni, Chamber of Commerce, reported that the Fleet of Flowers fundraiser has been changed  
43 from April 24 to May 1. Tickets are \$7 and \$10.  
44

1 Jim Hayes, POB 83, reported that the target date for completion of the community hall remodel was  
2 April 14. Other than a couple of missing components which will be installed after the Crab Feed, the  
3 project is complete. The final inspection is scheduled for tomorrow. Volunteers who donated their time  
4 were Jack O'Brien, Monroe Ludlam, Steve Scopelleti, Rob Damos, Bernie Lynam, John Vogel, Pogo  
5 Robison, Rick Leoni, Norm Erickson, Jerry Hinkleman, Doug Coleman, and Pete Cameron. Mr. Hayes  
6 thanked city staff for their help with the project. A councilor suggested sending each of the volunteers a  
7 thank you letter suitable for framing.

8  
9 VIII. UNFINISHED BUSINESS

10 A. Urban Renewal Feasibility Study: Steering Committee

11 Murray reported that the consultant is ready to begin once the steering committee has been established,  
12 and that the committee should consist of approximately nine people. Alice Brown and Jeanine Buck (an  
13 audience member) volunteered to participate. It was the consensus of the council that the committee  
14 should also include a member from each commission. Staff was directed to make contact with the  
15 commission chairs to get names of interested people.

16  
17 IX. NEW BUSINESS

18 K. Measure 37 Claim

19 This item was moved up on the agenda in order to excuse the City Attorney from the meeting.

20  
21 Motion 4: Romans moved to waive or modify the land use regulation as discussed in Executive Session,  
22 and direct staff to draft a resolution for the next regular meeting. 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 4 passed.

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

28 Abstain: Davilla

29  
30 Attorney Gintner left the meeting.

31  
32 A. Concerned Citizens for Clean Air: Herbicide Use on Oregon Highway Shoulders

33 Maxine Centala, of Concerned Citizens for Clean Air, asked the council to authorize the mayor to sign a  
34 consensus statement to the ODOT Director and the Governor's Natural Resource Policy Director. (Copy  
35 of consensus statement and supporting documentation attached to original of these minutes.)

36  
37 Motion 5: Alice Brown moved to authorize the mayor to sign the consensus statement on herbicide use  
38 on Oregon highways. Davilla seconded the motion.

39  
40 Mayor White said it was moved and seconded, and called for discussion. There was none.

41  
42 Vote: Motion 5 passed.

43 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla

44  
45 Mayor White signed a copy of the consensus statement, which was then given to Ms. Centala.

1  
2 B. Appointments to Fill Vacancies/Expiring Terms on City Commissions and Committees  
3 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to  
4 original of these minutes) and announced the results. Councilors Alice Brown and Romans voted to  
5 appoint Pat Wamacks to the Harbor Commission. Mayor White and Councilors Cameron, Taunton, Jack  
6 Brown, and Davilla voted to appoint Dan Zimmerman to the Harbor Commission. The vote to appoint  
7 John Vogel to the Salmon Enhancement Commission was unanimous.

8  
9 Motion 6: Taunton moved to accept the canvass of votes and appoint Dan Zimmerman to Harbor  
10 Commission Position #7 and John Vogel to Salmon Enhancement Commission Position #5. Alice  
11 Brown seconded the motion.

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

14  
15 Vote: Motion 6 passed.

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

18 C. OLCC Liquor License Applications: Clifford/Depoe Bay North Market 76; Depoe Bay Seafood  
19 Co., Inc.

20 Murray noted that the application from Clifford North Market 76 is a change of ownership with a  
21 previous OLCC license, and Depoe Bay Seafood Company is a new application for full service and off-  
22 premises sales. (Copy of applications attached to original of these minutes.)  
23

24 Motion 7: Alice Brown moved to recommend to OLCC that both applications be approved. Taunton  
25 seconded the motion.

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

28  
29 Vote: Motion 7 passed.

30 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla  
31

32 D. OLCC License Renewals

33 Murray noted that these are annual renewals (copy of OLCC notice attached to original of these  
34 minutes). She reviewed recommendation options. A councilor asked if any complaints had been  
35 received; there have been no written complaints, but comments about noise at one of the locations have  
36 been received.

37  
38 Motion 8: Alice Brown moved to recommend approval of the renewals, with the exception of those  
39 businesses which are no longer in business. Jack Brown seconded the motion.

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

42  
43 Vote: Motion 8 passed.

44 Ayes: Cameron, Alice Brown, White, Romans, Jack Brown, Davilla

45 Abstain: Taunton

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E. Proposed Agreement State of Oregon Emergency Management Infrastructure Contract DR-1683-OR

Murray said that funding for last year’s storm damage cannot be released until the agreement has been signed by the mayor. (Copy of letter from Stanley Prihar of Oregon Emergency Management attached to original of these minutes.)

Motion 9: Davilla moved to authorize the mayor to sign the proposed agreement for State of Oregon Emergency Management Infrastructure Contract DR-1683-OR. Taunton seconded the motion.

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

Vote: Motion 9 passed.  
Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla

F. Proposed Adjustment to Employee Vehicle Allowance

Mayor White read Owings’ memo dated 3/6/07 into the record (copy attached to original of these minutes). There was brief discussion regarding the cost of gas and vehicle maintenance.

Motion 10: Alice Brown moved to adjust Owings’ monthly auto allowance from \$100 to \$300. Cameron seconded the motion.

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

Vote: Motion 10 passed.  
Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla

G. Portland Rose Festival – Oregon Mayors Walking Unit

Murray noted that the estimated expenses for the mayor to participate in the Oregon Mayors Walking Unit at the Portland Rose Festival would be \$400. (Copy of letter from Portland Mayor Tom Potter attached to original of these minutes.)

Motion 11: Cameron moved to authorize \$400 for Mayor White to walk in the Portland Rose Festival. Taunton seconded the motion.

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

Vote: Motion 11 passed.  
Ayes: Cameron, Taunton, Alice Brown, Romans, Jack Brown, Davilla  
Abstain: White

H. Proposed Addendum to Engineering Services Agreement: PacWest Engineering, P.C. – Downtown Crosswalk Improvement Project

1 Owings said the proposed addendum for additional services totalling \$13,415 (copy attached to original  
2 of these minutes) was for the second phase of the crosswalk program that is being done with ODOT  
3 “Quick Fix” funding, and recommended accepting the addendum.  
4

5 Motion 12: Taunton moved to accept the proposed addendum to the Engineering Services Agreement  
6 with PacWest Engineering. Davilla seconded the motion.  
7

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

10 Vote: Motion 12 passed.

11 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla  
12

13 I. Proposals for Engineering Services; Bayview Avenue Improvement Project

14 Owings said only one bid was received (copy attached to original of these minutes). It was from  
15 Hightower Engineering, in the amount of \$6,305. He recommended awarding the project to Hightower.  
16

17 Motion 13: Jack Brown moved to award the contract for engineering services for the Bayview Avenue  
18 Improvement Project to Hightower Engineering. Taunton seconded the motion.  
19

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

22 Vote: Motion 13 passed.

23 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla  
24

25 J. Equipment Purchase: Sewer Line Jetter/Cleaner

26 Owings said the current budget allows for purchase of a jetter, which would give the city the ability to  
27 clean lines rather than contracting out this procedure. Three companies were contacted, and two  
28 provided quotes. He recommended accepting the low quote of \$13,754.  
29

30 Motion 14: Taunton moved to authorize Owings to purchase a jetter for \$13,754. Jack Brown seconded  
31 the motion.  
32

33 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion  
34 about the equipment.  
35

36 Vote: Motion 14 passed.

37 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla  
38

39 K. Measure 37 claim (see Page 3)  
40

41 L. Discussion: Proposed Change to City Charter

42 Murray noted that the mayor had asked the council to discuss changing the mayor’s term from two years  
43 to four years. Mayor White outlined his reasons for requesting the change. There was brief discussion  
44 regarding pros and cons of a two-year appointment vs. a four-year appointment, and the cost of putting  
45 the question on the ballot.

1  
2 Motion 15: Cameron moved to leave the charter as it is. Alice Brown seconded the motion.

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

5  
6 Vote: Motion 15 passed.

7 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla

8  
9 X. CORRESPONDENCE

10 There was one item of correspondence (copy attached to original of these minutes): a letter from the  
11 Department of Land Conservation and Development notifying the city that the 306A grant application  
12 was denied due to suspended funding.

13  
14 XI. CITY STAFF REPORT

15 Owings reviewed his written report (copy attached to original of these minutes), providing updates on  
16 the harbor fuel project, a new manhole on Hwy 101, the water storage project, the crosswalk by the post  
17 office, and engineering services for Little Whale Cove lift station. He requested approval to RFP  
18 engineering services for a new pumping system.

19  
20 Motion 16: Taunton moved to authorize Owings to RFP for engineering services for a new pumping  
21 system for the Little Whale Cove lift station. Davilla seconded the motion.

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

24  
25 Vote: Motion 16 passed.

26 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla

27  
28 Murray reported: 1) The Budget Committee meets Monday, April 23, at 7:00 PM. 2) The Parks  
29 Commission is planning a park cleanup day on May 12. No special authorization is needed for  
30 volunteers' worker's comp, as the event is included in our policy.

31  
32 XII. COUNCIL COMMENTS

33 Alice Brown: The League of Oregon Cities is asking cities to oppose proposed SB437, which would  
34 pre-empt existing local ordinances that prohibit individuals from entering garbage containers. She would  
35 like to send a letter opposing the bill. Murray asked for clarification whether the council wanted to send  
36 a letter from the city, or whether individuals would be sending letters. This item will appear for  
37 discussion on the next agenda.

38  
39 Jack Brown: 1) Is attending the Ocean Policy Advisory Council meeting in Reedsport tomorrow. 2)  
40 Said the Corps of Engineers needs to know what the city's plans for the north end of the harbor are  
41 before they can proceed with harbor work. After brief discussion, it was the consensus of the council to  
42 move forward with obtaining property owner information. Davilla offered to assist Murray with this  
43 task.

1 Romans noted the lot across from the community hall is for sale, and wondered if the city is interested in  
2 obtaining it for community hall event parking. Murray will contact Davilla for further information.

3  
4 Cameron thanked the community for looking after his welfare since his recent injury.

5  
6 Taunton: 1) Asked the council to hold a workshop to discuss the city's water system and what possible  
7 growth is coming. This item will appear on the next agenda. 2) There will be a celebration of life for  
8 Bev Poling at the community hall on April 24. 3) The Fleet of Flowers fish fry fundraiser is scheduled  
9 for May 1 at the Spouting Horn restaurant.

10  
11 Mayor White: 1) Has obtained additional information and a pre-application from the regional  
12 Department of Agriculture office in Eugene for funding a new city hall. A representative is prepared to  
13 address the Council on this subject. 2) He will be attending the Mayor's Conference in Salem in August.  
14 3) Has invited the Governor to the Crab Feed and the Fleet of Flowers.

15  
16 XIII. ADJOURN

17 There being no further business, the meeting was adjourned at 8:51 PM.

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19  
20  
21 \_\_\_\_\_  
22 James White, Mayor

23  
24 \_\_\_\_\_  
Fox Dreamingtime, Recording Secretary