

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, October 2, 2007 - 7:00 PM
4 Depoe Bay City Hall
5

6 PRESENT: Mayor J. White, P. Cameron, P. Taunton, A. Brown, G. Romans, J. Brown, D. Davilla
7
8 STAFF: City Recorder P. Murray, City Planner L. Lewis, Recording Secretary
9 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 7:02 PM.
16

17 III. APPROVE MINUTES: September 4, 2007 Executive Session and Regular Meeting
18

19 Motion 1: Alice Brown moved to accept the minutes of the September 4, 2007 Executive Session and
20 Regular Meeting as written. 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 1 passed.

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

27 IV. ACCOUNTS PAYABLE

28 Motion 2: Davilla moved to approve the accounts payable reports for September 18, 2007 and October
29 2, 2007, as submitted. Jack Brown 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, Davilla
35

36 V. SPECIAL ORDERS

37 There were no special orders.
38

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

40 There were no reports.
41

42 VII. PUBLIC COMMENTS

43 Peggy Leoni, 355 SW Hwy 101, reported that BOOM (Brotherhood of Oceanic Mutiny) will be
44 participating in Treasure Depoe Bay this weekend.
45

1 VIII. NEW BUSINESS

2 A. Urban Renewal Feasibility Report

3 Charles Kupper, of Portland, presented the urban renewal feasibility study report from Spencer and
4 Kupper to the council (copy attached to original of these minutes). He noted that should the city decide
5 to move forward with an urban renewal plan, there are many steps which must be taken.
6

7 B. Proposed Ordinance #279, Amending Ord. #24 as Amended, Retail Commercial Zone Sections
8 3.110(3)(e) and 3.110(4); Off-Street Parking and Off-Street Loading Requirements Section
9 4.030; and Declaring an Emergency

10 City Planner Lewis provided background information on the proposed ordinance (copy attached to
11 original of these minutes).
12

13 Motion 3: Alice Brown moved to have the first and second readings of proposed Ord. 279 by title only.
14 Taunton seconded the motion.
15

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

18 Vote: Motion 3 passed.

19 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla
20

21 Murray performed the first reading of proposed Ord. 279 by title only. She noted that written comment
22 was received from Dick Johnson (copy attached to original of these minutes), who strongly
23 recommended the council take more time to carefully review the proposed ordinance. She called for
24 questions or comments; there were none.
25

26 Motion 4: Taunton moved to adopt proposed Ord. 279 at the first reading. Jack Brown seconded the
27 motion.
28

29 Mayor White said it was moved and seconded, and called for discussion. A councilor expressed his
30 opinion that the Planning Commission did a good job on the proposed ordinance, but the council should
31 not adopt ordinances that can't be enforced. Specific items of concern discussed by the council were on
32 Page 2, Items 7.c., 7.d., and 7.e. It was noted that the proposed ordinance had been reviewed by the city
33 attorney.
34

35 Amendment: Alice Brown amended Motion 4 to eliminate sections c., d., and e. from Item 7 on Page 2.
36 Davilla seconded the amendment.
37

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

40 Vote: Amendment to Motion 4 passed.

41 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla
42

43 Vote: Original Motion 4 passed.

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

45 Noes: Cameron

1
2 Murray noted that since the vote to adopt at first reading was not unanimous, the second reading will
3 occur at the next regular council meeting. Lewis left the meeting.

4
5 C. Authorization of Expenses: Heceta Head Coastal Conference

6 Murray said there are four or five Near Shore Action Team members who wish to attend the Heceta
7 Head Coastal Conference in October; Jack Brown may also be attending. There is a \$5 reduction in
8 registration per person (\$35) if received by October 15. (Copy of conference flyer attached to original of
9 these minutes.)

10
11 Motion 5: Cameron moved to authorize \$150 for Heceta Head Coastal Conference registration fees.
12 Taunton 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, Taunton, Alice Brown, White, Romans, Davilla

18 Abstain: Jack Brown
19

20 D. Painter Park Building/Property

21 John Allen and Claude Crocker, of Oregon Parks and Recreation Department, were present to discuss
22 the possible transfer of the Painter Park Building deed back to the state. Allen reviewed the list of
23 conditions the city wanted. He said most of the items would be no problem, but three of the proposed
24 conditions were specifically mentioned as of concern:

25 Condition #1. Assist city in mitigating parking issues (e.g. purchase land for parking)

26 Condition #5. ADA restrooms

27 Condition #10. Public restrooms be open to accommodate tourism (longer hours during high
28 tourist season)

29 Allen discussed the history of the building, as well as its architectural importance. He said there
30 will be a meeting in Salem this Thursday to discuss ADA access with engineers, ADA representatives,
31 and historical preservation representatives; Mayor White indicated he would like to attend that meeting.
32 Allen also suggested that the conditions be a separate document from the deed; a councilor supported
33 this suggestion.

34
35 Motion 6: Jack Brown moved to proceed with transfer of the Painter Park Building, with the city's
36 proposed conditions as a separate document. Alice Brown seconded the motion.

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

39
40 Vote: Motion 6 passed.

41 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla
42

43 E. OECDD – SDWRLF, Amendment #2, Project #S06005 Water System Improvements

44 Murray said the water storage project is near completion. The amendment extends the contract with
45 OECDD from September 30, 2007 to November 30, 2007.

1
2 Motion 7: Cameron moved to authorize the mayor to sign the OECDD contract amendment. Davilla
3 seconded the motion.

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

6
7 Vote: Motion 7 passed.

8 Ayes: Cameron, Taunton, Alice Brown, White, Romans, Jack Brown, Davilla
9

10 F. Proposed Resolution #377 – Fuel Surcharge

11 Murray said the proposed resolution (copy attached to original of these minutes) was drafted on
12 recommendation of the Harbor Commission, and that staff had consolidated existing resolutions having
13 harbor fees together with the proposed resolution. There was discussion regarding how the surcharge
14 would be implemented – specifically whether the charge would be split between multiple customers per
15 two-hour call-out vs. a single customer per two-hour call-out.

16
17 Motion 8: Davilla moved to read proposed Res. 377 by title only. Alice Brown seconded the motion.

18
19 Mayor White said it was moved and seconded, and called for discussion. There was none.

20
21 Vote: Motion 8 passed.

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

24 Murray read the proposed resolution title.

25
26 Motion 9: Cameron moved to adopt proposed Res. 377. Jack Brown seconded the motion.

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

29
30 Vote: Motion 9 passed.

31 Ayes: Cameron, White, Romans, Jack Brown, Davilla

32 Noes: Taunton, Alice Brown
33

34 G. Depoe Bay Winery – OLCC Special Event Applications

35 Murray said this item was carried over from the September 18 meeting. This request (copies attached to
36 original of these minutes) is for special events Depoe Bay Winery holds on Friday evenings at
37 WorldMark, through the end of the year. The council has recommended approval of these licenses in the
38 past.

39
40 Motion 10: Taunton moved to recommend approval of the special event OLCC applications. Cameron
41 seconded the motion.

42
43 Mayor White said it was moved and seconded, and called for discussion. There was none.

44
45 Vote: Motion 10 passed.

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

2
3 IX. UNFINISHED BUSINESS

4 A. Proposed Res. 376 – A Resolution Regarding the Establishment of Marine Reserves within
5 Oregon’s Territorial Sea

6 Murray said this was presented at the September 4 meeting, and the council had directed staff to amend
7 it. The change to the proposed resolution has been made (copy attached to original of these minutes).

8
9 Motion 11: Jack Brown moved to read proposed Res. 376 by title only. Taunton seconded the motion.

10
11 Mayor White said it was moved and seconded, and called for discussion. There was none.

12
13 Vote: Motion 11 passed.

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

15
16 Murray read the proposed resolution by title only.

17
18 Motion 12: Cameron moved to adopt proposed Res. 376. Jack Brown seconded the motion.

19
20 Mayor White said it was moved and seconded, and called for discussion. There was none.

21
22 Vote: Motion 12 passed.

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

24
25 B. Animal Control

26 Murray said the council requested that staff research state statues and county regulations on animal law,
27 as well as the cost of contracting with the county for animal control services. Murray provided copies of
28 relevant ORS index pages and the Lincoln County fee schedule for animal control services (copies
29 attached to original of these minutes) to the council prior to the meeting. She said she also spoke with
30 the sheriff’s office, who advised the council to petition the Board of Commissioners to fund a second
31 animal control officer as an alternative to entering into an agreement for enhanced services.

32
33 Motion 13: Cameron moved to direct staff to draft an intergovernmental agreement and bring it back to
34 the council at a future date. Taunton seconded the motion.

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

37
38 Vote: Motion 13 passed.

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

40
41 X. CORRESPONDENCE

42 There was one item of correspondence (copy attached to original of these minutes), a letter from
43 Broadstripe regarding Millenium Digital Media becoming Broadstripe.

44
45 XI. CITY STAFF REPORT

1 Murray reported that the budgeted contribution to Neighbors for Kids (NFK) had been appropriated, but
2 NFK plans to ask for additional funding for staff. A written request is expected before the supplemental
3 budget meeting is held. (Owings' written report dated 9/14/07 is attached to the original of these
4 minutes.)
5

6 XII. COUNCIL COMMENTS

7 Romans said that he has been approached every year after the salmon bake about getting water installed
8 at the gazebo in city park; it was noted that a spigot in a box was installed earlier this year.
9

10 Cameron said he met with the mayor of Sitka on his vacation to Alaska, and asked him about Sitka's
11 mayoral terms. The term is two years, with no limit on terms, and no mayor other than the current
12 mayor's father has served more than two terms. This reinforced his standing on proposed changes to the
13 current mayoral term and term limits in Depoe Bay.
14

15 Taunton commented on how well this year's salmon bake went.
16

17 Mayor White 1) The food at the salmon bake was outstanding. 2) Attended the League of Oregon Cities
18 conference in Bend, and brought back bags of goodies for councilors. He was impressed with a
19 motivational speaker at the conference.
20

21 XIII. ADJOURN

22 There being no further business, the meeting was adjourned at 9:10 PM.
23
24
25
26

27 _____
James White, Mayor
28

29 _____
30 Fox Dreamingtime, Recording Secretary