

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, May 6, 2008 - 7:00 PM
4 Depoe Bay City Hall

5

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

8

9 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, City Planner L. Lewis,
10 Recording Secretary F. Dreamingtime

11

12 I. PLEDGE OF ALLEGIANCE

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

14

15 II. CALL TO ORDER

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

17

18 III. APPROVE MINUTES: City Council/Planning Commission April 9, 2008 Joint Workshop Meeting 19 and April 15, 2008 Regular Meeting

20

21 Motion 1: Davilla moved to accept the minutes of the April 9, 2008 City Council/Planning Commission
22 Joint Workshop Meeting and the April 15, 2008 Regular Meeting minutes as written. Taunton seconded
23 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, Taunton, Davilla, White, Romans, Brown, Zimmerman

29

30 IV. ACCOUNTS PAYABLE

31

32 Motion 2: Zimmerman moved to approve accounts payable as submitted. Davilla 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, Davilla, White, Romans, Brown, Zimmerman

38

39 V. SPECIAL ORDERS

40 A. Depoe Bay Emergency Preparedness Committee – Presentation of Draft Emergency Operations
41 Plan

42 Rick Davilla, Emergency Preparedness Committee member, asked the Council to review the
43 committee's draft plan and schedule a workshop to discuss it during the week of June 9. A workshop
44 meeting was scheduled for Monday, June 9 at 7 PM. (Copy of draft plan attached to original of these
45 minutes.)

46

1 B. Interview Applicants for City Commissions and Committees
2 Parks Commission applicant Robert Daniels, and Planning Commission applicants Steve Scopelleti and
3 Roy Hageman were present and came forward to tell about themselves and why they were interested in
4 participating, and answered questions from councilors regarding their qualifications and applications.
5

6 C. Public Hearing: Request to Vacate Myrtle Avenue – Big Whale Cove, LLC, Whale Cove
7 Planned Development

8 Mayor White read the Hearings Officer Opening Statement (copy attached to original of these minutes),
9 and asked for declarations of conflict of interest or bias. There were no declarations. There was no
10 opposition to any councilor hearing the case. Lewis summarized the Staff Report (copy attached to
11 original of these minutes). Mayor White opened public testimony. The applicant was not present, and
12 there was no testimony in support or in opposition of the request. Lewis responded to council questions,
13 including clarifying the location of the Deaver property in regard to comments in the letter to the
14 Planning Commission. Mayor White closed the hearing, and opened council deliberations; there was no
15 deliberating.
16

17 Motion 3: Davilla moved to approve Case File #1-PD-PC-08, together with the conditions identified as
18 Items 1. and 2. in the Staff Report Conclusion. Cameron seconded the motion.
19

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

22 Vote: Motion 3 passed.

23 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman
24

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

26 Loren Goddard, Near Shore Action Team Chairman, said he would report at the next meeting due to
27 tonight's long agenda.
28

29 VII. PUBLIC COMMENTS

30 Carl Palmer, 1113 NW Hwy 101, addressed the council regarding using the community center twice per
31 month for Just Wait Foundation meetings for Depoe Bay teens. (Copy of Just Wait Foundation handout
32 attached to original of these minutes.) Murray noted that in addition to the request to waive fees, there
33 would also need to be a waiver of the limitation on number of times a year an entity can use the hall (not
34 more than eight).
35

36 Motion 4: Davilla moved to waive fees and allow the Just Wait Foundation to use the community hall
37 twice a month, subject to scheduling flexibility. Cameron seconded the motion.
38

39 Mayor White said it was moved and seconded, and called for discussion. It was noted that Kids Zone
40 rejected the Just Wait program because their philosophies are different.
41

42 Vote: Motion 4 passed.

43 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman
44

45 Kay Skaggs, 416 NE Hwy 101, hand delivered invitations to the council (copy attached to original of
46 these minutes) for an open house at the Whale Inn.

1
2 Dorinda Goddard, Fleet of Flowers, said there has been a scheduling conflict for Fleet of Flowers use of
3 the community hall, and also that they are still looking for volunteers for May 20-25.
4

5 VIII. UNFINISHED BUSINESS

6 A. Request for Street Light at Bayview Avenue and Winchell Street Intersection

7 Owings said all surrounding property owners support the request for a new street light.
8

9 Motion 5: Cameron moved to proceed with installation of a street light at Bayview and Winchell.

10 Taunton seconded the motion.
11

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

14 Vote: Motion 5 passed.

15 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman
16

17 IX. NEW BUSINESS

18 A. Appointments to Fill Vacancies/Expiring Terms on City Commissions and Committees
19

20 Mayor White called a three-minute recess at 7:50 PM. The meeting reconvened at 7:53 PM.
21

22 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to
23 original of these minutes) and announced the results. The vote to appoint Robert Daniels to Parks
24 Commission Position #3, Roy Hageman to Planning Commission Position #1, and Steve Scopelleti to
25 Planning Commission Position #2 was unanimous.
26

27 Motion 6: Taunton moved to accept the canvass of votes and appoint the applicants to their respective
28 positions. Cameron seconded the motion.
29

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

32 Vote: Motion 6 passed.

33 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman
34

35 B. Proposed Adjustment to Harbor Fuel Rate

36 Owings referred to memo dated 5/6/08 (copy attached to original of these minutes), and recommended
37 the surcharge be increased from 15 cents per gallon to 20 cents per gallon because the city lost around
38 \$20,000 last year. He also said the rate will be figured using the “rack” method, which is more accurate.
39

40 Motion 7: Cameron moved to increase the fuel rate per Owings’ recommendation. Davilla seconded the
41 motion.
42

43 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion
44 from the audience about the proposed change, documentation of the time involved with fuel sales, and
45 rates charged by credit card companies.
46

1 Vote: Motion 7 passed.

2 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman

3
4 C. State Marine Board Facility Grant Agreement – Boat Launch Boarding Floats Project
5 Murray said the State Marine Board (SMB) approved \$71,000 for float replacement. (Copy of letter and
6 proposed grant agreement attached to original of these minutes.)

7
8 Motion 8: Davilla moved to approve the Cooperative Facility Grant Agreement and authorize the mayor
9 to sign. Zimmerman seconded the motion.

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

12
13 Vote: Motion 8 passed.

14 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman

15
16 D. Proposed Ord. #280 – An Ordinance Declaring that Blighted Areas Exist Within the City of
17 Depoe Bay, Recognizing the Need for an Urban Renewal Agency to Function in the City of
18 Depoe Bay and Providing for the Exercise of the Agency’s Powers by the Depoe Bay Renewal
19 Agency
20 Murray noted that this proposed ordinance (copy attached to original of these minutes) will establish the
21 urban renewal agency and the consultant advised this necessary step needs to be done now.

22
23 Motion 9: Brown moved to read the proposed ordinance by title only at the first and second readings.
24 Cameron seconded the motion.

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

27
28 Vote: Motion 9 passed.

29 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman

30
31 Murray read proposed Ord. #280 by title only, and called for comments or questions from the audience.
32 She explained that “blighted” simply refers to areas where the city can apply funding for improvement
33 projects including the water system, storm drains, streets, and sidewalks.

34
35 Motion 10: Cameron moved to adopt proposed Ord. #280 at the first reading. Taunton seconded the
36 motion.

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

39
40 Vote: Motion 10 passed.

41 Ayes: Cameron, Taunton, Davilla, White, Brown, Zimmerman

42 Abstain: Romans

43
44 Murray performed the second reading of proposed Ord. #280 in its entirety, to accommodate a councilor
45 who had not read the proposed ordinance. An audience member noted that a meeting of the Urban

1 Renewal Steering Committee discussed including citizens in the makeup of the committee. Murray said
2 the proposed ordinance had been drafted in accordance with a council motion from the April 1 meeting.

3
4 Motion 11: Cameron moved to adopt proposed Ord. #280 at the second reading. Taunton seconded the
5 motion.

6
7 Mayor White said it was moved and seconded, and called for discussion. There was discussion regarding
8 re-writing the proposed ordinance to allow citizen membership in the agency.

9
10 Vote: Motion 11 failed.

11 Ayes: Cameron, Taunton, Davilla

12 Noes: White, Brown, Zimmerman

13 Abstain: Romans

14
15 Murray asked for council direction. Two citizens are to be appointed to the agency membership by the
16 council. A revised proposed ordinance will be brought back to the next meeting.

- 17
18 E. Proposed Res. #382 – A Resolution Extending Workers’ Compensation Coverage to Volunteers
19 of the City of Depoe Bay for Policy Year 2008-09; Superseding Res. #371 (Copy attached to
20 original of these minutes)

21
22 Motion 12: Davilla moved to adopt proposed Res. #382. Taunton seconded the motion.

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

25
26 Vote: Motion 12 passed.

27 Ayes: Cameron, Taunton, Davilla, White, Romans, Brown, Zimmerman

- 28
29 F. Proposals for Appraiser Services – Lot #700

30 Murray reviewed a memo from herself and Fran Recht dated 5/5/08 (copy of supporting documents
31 attached to original of these minutes).

32
33 Motion 13: Davilla moved to accept staff recommendation to contract with Rick Walker of RWLS for
34 appraisal services for lot #700, at a cost not to exceed \$4,500. 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, Davilla, White, Romans, Brown, Zimmerman

- 40
41 G. Request for Removal of Trees – Elsie Street

42 Owings said the city doesn’t want to cut down old trees, but also doesn’t want an unsafe situation. He
43 advised hiring an arborist to examine the trees, get soil samples, and provide a report to the city before
44 the city makes a determination on this issue. Mary Arkoosh and Rick Beasley addressed the council
45 regarding their concerns about the trees. Mayor White directed staff to have a certified arborist evaluate
46 the trees. (Copies of correspondence related to this issue attached to original of these minutes.)

1
2 X. CORRESPONDENCE
3 There were two items of correspondence (copies attached to original of these minutes): 1) A news
4 release from Lincoln County Board of Commissioners regarding Economic Development Fund grant
5 applications. Murray noted that the city has received grants from this program in the past. This item was
6 scheduled for the June 3 regular meeting. 2) A cover letter from Lincoln County with attached
7 information about meeting schedules and the construction excise tax.

8
9 XI. STAFF REPORT

10 Murray 1) Transfer of the Painter Building back to the State of Oregon is complete. There is now a
11 handrail on the upstairs deck, which should be open by Memorial Day. 2) Parks Commission member
12 Ann Drazek has not submitted a resignation, but is now living in Alaska.

13
14 Motion 14: Cameron moved to declare the Drazek's Parks Commission position vacant. Brown
15 seconded the motion.

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

18
19 Vote: Motion 14 passed.

20 Ayes: Cameron, Taunton, Davilla, White, Brown, Zimmerman

21 Noes: Romans

22
23 Owings reviewed his written report (copy attached to original of these minutes), providing updates on
24 street patching, crosswalks, and city hall repairs.

25
26 XII. COUNCIL COMMENTS

27 Davilla thanked applicants for applying to commissions.

28
29 Brown 1) Thanked the new commissioners. 2) Thanked Fran Recht for the work she's done behind the
30 scenes. 3) Requested an agenda item to discuss changing the length of the Ainslee Building lease from
31 15 years to 50 years for grant funding purposes. 4) Congratulations to Owings for getting the SMB grant.

32
33 Romans requested the two items he brought up at the last meeting be scheduled on the agenda: 1) a
34 moratorium on how many commissions/committees a person can serve on, and 2) a moratorium on
35 parkland acquisition.

36
37 Taunton noted that Bruce Silver contributed a lot of effort to the new Painter Building railing.

38
39 XIII. ADJOURN

40 There being no further business, the meeting was adjourned at 8:57 PM.

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45 _____
Fox Dreamingtime, Recording Secretary

James White, Mayor