

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, August 19, 2008 - 7:00 PM
4 Depoe Bay City Hall
5

6 PRESENT: Mayor J. White, P. Cameron, P. Taunton, D. Davilla, B. Leff, J. Brown, D. Zimmerman
7
8 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary
9 F. Dreamingtime
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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 7:00 PM.
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17 III. APPROVE MINUTES: August 5, 2008 Regular Meeting
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19 Motion 1: Davilla moved to accept the minutes of the August 5, 2008 Regular Meeting as written.
20 Taunton seconded the motion.
21

22 Mayor White said it was moved and seconded, and called for discussion. There was none.
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24 Vote: Motion 1 passed.

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

26 Abstain: Leff
27

28 IV. ACCOUNTS PAYABLE

29 Motion 2: Zimmerman moved to approve accounts payable as submitted. Taunton seconded the motion.
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31 Mayor White said it was moved and seconded, and called for discussion. There was none.
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33 Vote: Motion 2 passed.

34 Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman
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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 Rick Beasley said he was present at the invitation of the mayor, who asked him to address an article in
44 the August 6 issue of *The Beacon*. Mr. Beasley indicated he stood behind the article, said he holds

1 tremendous respect for anyone in public office, and clarified that the article was not directed at elected
2 officials.

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4 VIII. UNFINISHED BUSINESS

5 A. Animal Control Issues

6 Murray reported that the information she was able to obtain from neighboring cities on animal control
7 regulations was mostly specific to dogs. She provided copies of code sections that are not dog-specific
8 from Lincoln City, Newport, Waldport, and Lincoln County (copy of her memo dated 8/18/08 and
9 Animal Control handout from Lincoln County attached to original of these minutes). She extended an
10 invitation to Lincoln County Animal Control officers to attend a council meeting, but has not yet heard
11 back from them. She said that unless animals are in danger, being neglected, or dangerous to public
12 health, no action is taken. It was council consensus to hold a workshop meeting to discuss this issue
13 further, and to invite an animal control officer to attend. The workshop will be held on Tuesday,
14 September 16 at 6:00 PM.

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16 IX. NEW BUSINESS

17 A. Proposals for Lease of Fish Plant Facility

18 Owings researched lease guidelines with Garibaldi, Newport, and Toledo ports. Garibaldi charges 10%
19 of the building's assessed value, per year. Newport does the same, but increases the lease annually with a
20 cost-of-living adjustment. Toledo charges 35¢ per square foot, which they indicated was a low price;
21 they will be raising the rate each year until it reaches a rate comparable with what other ports are
22 charging. (Copy of Owings' memo dated 8/15/08 attached to original of these minutes.) Owings said the
23 request for proposals closed on August 13, and that one bid was received, from Jerome Grant (copy
24 attached to original of these minutes). Jerome Grant, 65 Conway, in response to a councilor's question,
25 said he expected the cost of the freight elevator he requested in his proposal to be around \$5,000, and
26 that it would be an open elevator that could lift up to 1,000 pounds. He said he is prepared to pay for the
27 installation and take the cost as a rent credit. He indicated he was concerned about the safety of the dock,
28 but also said he could prohibit the public from accessing it. He discussed his needs as relates to the hoist,
29 ice machine, and interior remodeling, indicating he would not request any rent credit for these alterations
30 or improvements that he might make (with council approval).

31

32 Motion 3: Brown moved to accept Grant's proposal and to enter into negotiations for a lease agreement.
33 Cameron seconded the motion.

34

35 Mayor White said it was moved and seconded, and called for discussion. A councilor clarified that
36 accepting the proposal for negotiation does not mean the terms of the proposal have been agreed to.

37

38 Vote: Motion 3 passed.

39 Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman

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41 An executive session to discuss the terms of the agreement was scheduled for September 2 at 6 PM.

42

43 B. Proposals for Acquisition of Generator/Wastewater Lift

44 Owings reported that three proposals were received for a new generator at the Little Whale Cove (LWC)
45 lift station, and recommended accepting the low bid of \$14,210.

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Motion 4: Davilla moved to accept the proposal of \$14,210 from Rogers Machinery for a new generator. Taunton seconded the motion.

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

Vote: Motion 4 passed.
Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman

C. Draft Explanatory Statements:

- Amend Depoe Bay City Charter – Section 9. Mayor
- Local Option Tax Levy Authorization for Law Enforcement

Murray reviewed the draft statements (copies attached to original of these minutes), and explained about the rigid language requirements of the statements and other information the city might prepare. Sally Cutter, Depoe Bay Chamber, asked why a letter couldn't be put with the ballot measure(s) in the pamphlet; Murray said it could, but the wording would still have to be legally reviewed. Murray explained the purpose of the statements before the council is only to explain what would happen if the measure were to pass, and may not contain any hint of bias. A councilor requested a slight change of wording in the first sentence of the law enforcement statement: "There is ~~not a~~ **no** City police department in the City of Depoe Bay..."

Motion 5: Davilla moved to accept the draft explanatory statements for county voter pamphlets, with the above change in the law enforcement statement. Taunton seconded the motion.

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

Vote: Motion 5 passed.
Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman

Murray said that any letters for inclusion in the voter pamphlets must be submitted by September 8. She will research submission guidelines and report at the next meeting.

There were two last minute items of New Business:

D. OLCC Application, Riptide BBQ

Murray said this application (copy attached to original of these minutes) was for limited on-premises sales.

Motion 6: Cameron moved to recommend approval of Riptide BBQ's application. Davilla seconded the motion.

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

Vote: Motion 6 passed.
Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman

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2 E. Chamber of Commerce Application for use of City Park Gazebo
3 Motion 7: Davilla moved to approve use of the gazebo by the Chamber of Commerce for the Salmon
4 Bake September 18-22. Zimmerman seconded the motion.

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

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8 Vote: Motion 7 passed.

9 Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman

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11 X. CORRESPONDENCE

12 There was one item of correspondence (copy attached to original of these minutes), a letter received
13 today from the Office of Lincoln County Legal Counsel, announcing that the city has been awarded a
14 grant of \$10,000 for replacing pilings near the fish plant. Murray noted that the amount requested in the
15 city's application was \$20,000. She asked for an agenda item to formalize acceptance of the grant.

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17 XI. STAFF REPORT

18 Owings reviewed his written report (copy attached to original of these minutes), which included an
19 update on the Hwy 101 Crosswalk Project and a suggestion of possible LWC land acquisition (an
20 exchange of virtually equal amounts of land between the city and LWC). There was brief discussion
21 about the land acquisition.

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23 Motion 8: Cameron moved to authorize Owings to send a letter to LWC Homeowners Association
24 proposing an exchange of land. Brown seconded the motion.

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

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28 Vote: Motion 8 passed.

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

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31 Murray advised that the deadline for candidates to file for council positions is a week from today.

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33 XII. COUNCIL COMMENTS

34 Davilla said she has received many complaints about the crosswalks; many business owners are upset.

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36 Zimmerman said he is glad Davilla is getting the complaints, and welcomed Leff.

37
38 Brown 1) Welcomed Leff to the council. 2) Had some beers with the man who pulled Grant Snyder
39 from the water. 3) Said there is a finite possibility we could get attacked by pirates and that Leff was
40 wearing a red shirt because she's an excellent fencer and the bloodletting wouldn't show, and he and
41 Zimmerman are ready in their brown pants.

42
43 Leff said Brown asked her to wear red tonight so the bloodletting wouldn't show.

44

1 Cameron said he was willing to contribute \$5 toward the cost of a law enforcement letter in the voter
2 pamphlet if others would contribute as well.

3
4 Mayor White: 1) Around \$64,000 was raised at the Relay for Life event this past weekend. 2) The State
5 Telecomm Advisory Council, of which he is a member, will be meeting at the Spouting Horn tomorrow
6 from 11 AM – 2 PM. 3) Thanked everyone. 4) Said he has noticed that town has been very busy the
7 past two weekends, but he had not heard any complaints from visitors, and everyone seemed to find a
8 place to park.

9
10 Davilla said there **are** going to be pirates in town this weekend for the Annual Treasure Hunt, and to
11 expect a lot of pedestrians.

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13 XIII. ADJOURN

14 There being no further business, the meeting was adjourned at 8:07 PM.

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James White, Mayor

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21 Fox Dreamingtime, Recording Secretary