

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, October 21, 2008 - 7:00 PM  
4 Depoe Bay City Hall

5  
6

7 PRESENT: Mayor J. White, P. Cameron, P. Taunton (arr 7:03 PM), D. Davilla, B. Leff, J. Brown,  
8 D. Zimmerman

9

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

12

13

#### 14 I. PLEDGE OF ALLEGIANCE

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

16

#### 17 II. CALL TO ORDER

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

19

#### 20 III. APPROVE MINUTES: October 7, 2008 Regular Meeting

21

22 Motion 1: Davilla moved to accept the minutes of the October 7, 2008 Regular Meeting as written.

23 Zimmerman 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: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman

29

#### 30 IV. ACCOUNTS PAYABLE

31 Motion 2: Zimmerman moved to approve accounts payable as submitted. Davilla seconded the motion.

32

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

34

35 Vote: Motion 2 passed.

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

37 Abstain: Leff

38

#### 39 V. SPECIAL ORDERS

40 A. Caroline Bauman – Economic Development Alliance of Lincoln County

41 Caroline Bauman addressed the council regarding the Economic Development Alliance's Long Range  
42 Plan (copy of plan and executive summary attached to original of these minutes).

43

44 B. Carl Palmer – Just Wait Foundation – Proclamation Complaint Free Wednesday

1 Carl Palmer was present and explained a little about the organization and the intent behind the  
2 proclamation (copy of proclamation, flyer, and cover letter attached to original of these minutes).

3  
4 Motion 3: Davilla moved to accept the proclamation for Complaint Free Wednesday. Cameron seconded  
5 the motion.

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

8  
9 Vote: Motion 3 passed.

10 Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman  
11

## 12 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

### 13 A. Parks Commission Recommendation: Community Hall Remodel

14 Owings reviewed the proposed remodel plans approved by the Parks Commission. He said the building's  
15 age requires the plans to be approved by SHPO (State Historic Preservation Office).

16  
17 Motion 4: Brown moved to approve the preliminary renovation plans and send to SHPO. Leff seconded  
18 the motion.

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

21  
22 Vote: Motion 4 passed.

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

### 25 B. Near Shore Action Team (NSAT) Letter

26 Loren Goddard, NSAT Chair, presented a draft letter to Don Mann, Manager of the Port of Newport, in  
27 support of the Newport Board of Commissioners' efforts in the International Terminal Renovation  
28 Project address (copy attached to original of these minutes), for the council's consideration.

29  
30 Motion 5: Brown moved to approve the draft letter and authorize the mayor to sign. Leff seconded the  
31 motion.

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

34  
35 Vote: Motion 5 passed.

36 Ayes: Cameron, Taunton, Davilla, White, Leff, Brown, Zimmerman  
37

## 38 VII. PUBLIC COMMENTS

39 Dr. Richard Fox of Seal Rock announced that the newly-expanded Depoe Bay clinic is now open, and  
40 invited everyone to an open house on November 5 from 4-6 PM.

## 41 42 VIII. UNFINISHED BUSINESS

### 43 A. Review Draft Animal Control Ordinance

44 Murray reviewed her memo dated 10/17/08 (copy attached to original of these minutes, along with a  
45 copy of the draft ordinance). Two questions were raised in subcommittee review: what is a reasonable

1 length of time to remove a carcass, and whether the council agreed with the proposed fine amount of \$50  
2 for violating the ordinance. It was the consensus of the council that 48 hours is a reasonable length of  
3 time to remove a carcass, and \$50 is a typical amount for a fine. Jackie Hickerson of 40 Hour Lane,  
4 pointed out that licensing homes with over four animals can result in the same kind of situation that the  
5 proposed ordinance is intended to resolve. Murray responded that licensing language was not included in  
6 the draft ordinance. It was the consensus of the council to accept the draft ordinance with the addition of  
7 the time limit for carcass removal, and to forward it to Lincoln County Animal Control and to the city  
8 attorney for legal review.

9  
10 IX. NEW BUSINESS

11 A. Bid Award – Boarding Float Replacement Project Construction

12 Owings reviewed the bid results for the Boarding Float Replacement Project (copy of memo dated  
13 10/21/08 attached to original of these minutes), and recommended accepting the low bid of \$57,490  
14 from Jeff Carter Construction.

15  
16 Motion 6: Cameron moved to award the contract to Jeff Carter Construction, in the amount of \$57,490  
17 for the Boarding Float Replacement Project, and authorize Owings to negotiate a contract with them.  
18 Davilla seconded the motion.

19  
20 Mayor White said it was moved and seconded, and called for discussion. A councilor asked if the city is  
21 familiar with this company. Owings said no previous experience, but the references checked were good.

22  
23 Vote: Motion 6 passed.

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

25  
26 B. Proposed Policy – Identity Theft Prevention (Red Flag Rules)

27 Murray said the city needs a written policy in place prior to November 1 in order to be in compliance  
28 with the law. In the drafted resolution (copy attached to original of these minutes) she also included  
29 requirements for the Oregon ID Theft Act. She noted that the required practices are mostly already in  
30 place, as staff is cognizant of protecting sensitive information.

31  
32 Motion 7: Brown moved to adopt proposed Res. #388. 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 7 passed.

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

38  
39 C. Request to Restrict Parking on Coast Avenue

40 Murray said the city received a written request to disallow parking on the west side of Coast Avenue due  
41 to restricted space available for parking, along with a letter requesting that parking not be restricted, and  
42 an email expressing a hope that the matter can be resolved amicably (copies attached to original of these  
43 minutes). There was discussion regarding the rental property tenants who generated the concern, and a  
44 councilor said the fire department had agreed to let the renters park their large trailer in an unused  
45 portion of their nearby parking lot. The property owner of the rental property, Peggy Leoni of 355 SW

1 Hwy 101, said she is working on making garage space available to the renters and has informed them  
2 they need to keep clear space in the road but they have not complied with her direction. Mrs. Leoni was  
3 advised to send a letter to the tenant, with a copy to the city, clarifying the on-street parking  
4 requirements.

5

#### 6 X. CORRESPONDENCE

7 There was no correspondence.

8

#### 9 XI. STAFF REPORT

10 Owings reviewed his written report (copy attached to original of these minutes), providing updates on  
11 the crosswalk project and the Cardinal Street water line upgrade.

12

13 Murray reviewed her memo dated 10/17/08 (copy attached to original of these minutes), advising there is  
14 a grant funding opportunity through the Oregon Parks and Recreation District Recreation Trails Program  
15 that is suitable for the City Park Bridge Project, and asked if the council would like the city to apply for  
16 the grant.

17

18 Motion 8: Brown moved to authorize staff to apply for grant funding for the City Park Bridge Project.

19 Taunton seconded the motion.

20

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

22

23 Vote: Motion 8 passed.

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

25

#### 26 XII. COUNCIL COMMENTS

27 Davilla thanked the audience for coming.

28

29 Zimmerman echoed Davilla, and also said in response to a recent newspaper article, that the council and  
30 commissioners are all volunteers, and when there are opportunities for them to attend out-of-town  
31 conferences, they are entitled, and these are not frivolous expenditures.

32

33 Brown thanked the Parks Commission and Bill Spores for the beautiful trail that was recently dedicated  
34 in city park.

35

36 Leff was also glad to see a large audience in attendance.

37

38 Cameron 1) Thanked Owings and Jim Hayes for their work on the community hall presentation. 2) Said  
39 the mayor's debate last week was a "spirited" time. 3) Wanted the record to reflect his statement that the  
40 mayor spends a lot of his own time and gas money to attend events.

41

42 Taunton said NSAT has been working toward their goal for nearly three years, and was grateful that they  
43 are working so hard to protect Oregon oceans from being declared as reserves.

44

1 Mayor White: 1) Said NSAT has worked hard and done a good job, and said that it will be up to the  
2 council to decide when it is time for the committee to be disbanded. 2) Went to Salem and testified  
3 before a committee on last year's ethics legislation. He believes it will be looked at more closely next  
4 year. 3) Went to Florence on City Hall Day. Sixteen Oregon cities participated in the event. 4) Met  
5 State candidates at Chinook Winds Casino. 5) Felt the mayoral debate went well. 6) Thanked the  
6 audience for coming, the council for their support, and staff for their hard work.

7

8 XIII. ADJOURN

9 There being no further business, the meeting was adjourned at 8:23 PM.

10

11

12

13

14

15

16 \_\_\_\_\_  
Fox Dreamingtime, Recording Secretary

\_\_\_\_\_  
James White, Mayor