

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, November 18, 2008 - 7:00 PM  
4 Depoe Bay City Hall

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7 PRESENT: Mayor J. White, P. Taunton, B. Leff, J. Brown, D. Zimmerman

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9 ABSENT: P. Cameron, D. Davilla

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

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#### 15 I. PLEDGE OF ALLEGIANCE

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

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#### 18 II. CALL TO ORDER

19 Mayor White called the meeting to order and established a quorum at 7:02 PM.

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#### 21 III. APPROVE MINUTES: October 21, 2008 Regular Meeting

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23 Motion 1: Taunton moved to accept the minutes of the October 21, 2008 Regular Meeting as written.

24 Leff 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 1 passed.

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

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#### 31 IV. ACCOUNTS PAYABLE

32 Motion 2: Zimmerman moved to approve accounts payable as submitted, with three additions: 1) \$60 to  
33 Department of Health Services for operator certificate renewal, 2) \$175 to Mayor White to reimburse  
34 travel and meals for 11/7 Oregon Mayor's Association meeting and 11/14 League of Oregon Cities  
35 Telecomm Advisory Committee meeting, and 3) \$19,866.62 for the 11/4 Accounts Payable. Taunton  
36 seconded the motion.

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

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40 Vote: Motion 2 passed.

41 Ayes: Taunton, White, Brown, Zimmerman

42 Abstain: Leff

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#### 44 V. SPECIAL ORDERS

45 A. Interview Applicants for City Commissions and Committees

1 Salmon Enhancement Commission applicant Eric Messersmith was present and came forward to tell  
2 about himself and why he is interested in participating, and answered questions from councilors  
3 regarding his qualifications and application.  
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#### 5 VI. REPORTS OF OFFICERS

6 John O'Brien 270 Bensell Avenue, Near Shore Action Team (NSAT) representative, addressed the  
7 council regarding the Ocean Policy Advisory Council (OPAC) meetings held today and yesterday in  
8 Lincoln City for the purpose of deciding which of the 20 proposals for marine reserves would be  
9 forwarded on to the governor. Depoe Bay's proposal was one of the two selected.  
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#### 11 VII. PUBLIC COMMENTS

12 Brenda Martin 145 SE Ainslee, addressed the council regarding the proposed animal control ordinance.  
13 She said there are other ways to deal with feral cats, and described what has been done in Newport. She  
14 advised against using the word "exotic" as it is a broad category that covers many indoor pets. She was  
15 certain local veterinarians would be willing to provide care to feral cats on a reduced cost basis. She  
16 wanted to help the council develop a good, enforceable ordinance.  
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#### 18 VIII. UNFINISHED BUSINESS

##### 19 A. Review Draft Animal Control Ordinance

20 Murray reviewed her memo dated 11/17/08, and said that minor revisions were made to the draft  
21 ordinance, in accordance with discussion at the October 21 meeting. The document was reviewed by the  
22 city attorney, who said it would be difficult to enforce. Written testimony in opposition was received  
23 from Walter and Sandra Graham. Mayor White said this item would be tabled until the next meeting,  
24 when the full council is present, and directed staff to bring the draft ordinance back with the suggested  
25 changes from Deputy Kerri Tyler. (Copies of supporting documentation attached to original of these  
26 minutes.)  
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##### 28 B. Proposed Res. #389 – A Resolution Setting Solid Waste Removal Fees Pursuant to Ord. #277, as 29 Amended; Superseding Res. #364

30 Murray said pickup of recycle bins is scheduled to begin in December. She noted there has been an  
31 increase in the garbage service rate, but there is not a separate fee for the recycling service. (Copy of  
32 proposed resolution attached to original of these minutes.)  
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34 Motion 3: Leff moved to approve Res. #389. Zimmerman seconded the motion.  
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36 Mayor White said it was moved and seconded, and called for discussion. There was none.  
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38 Vote: Motion 3 passed.

39 Ayes: Taunton, White, Leff, Brown, Zimmerman  
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#### 41 IX. NEW BUSINESS

42 A. Appointments to Fill Vacancies/Expiring Terms on City Commissions and Committees  
43 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to  
44 original of these minutes) and announced the results. The vote to appoint Eric Messersmith was  
45 unanimous.

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Motion 4: Leff moved to accept the canvass of votes and appoint Eric Messersmith to Salmon Enhancement Commission Position #3. Taunton seconded the motion.

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

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

B. Proposed Oregon Public Works Emergency Response Mutual Aid Agreement  
Owings said this agreement is between ODOT and municipalities, and its purpose is to share resources. (Copy of agreement attached to original of these minutes.)

Motion 5: Leff moved to authorize the mayor to sign the Oregon Public Works Emergency Response Mutual Aid Agreement. Taunton seconded the motion.

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

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

C. City Meeting Times  
Tabled to the next meeting.

X. CORRESPONDENCE  
There were two items of correspondence (copies attached to original of these minutes): 1) A letter from ODOT regarding a TEA grant application the city submitted for crosswalks and sidewalks south of the bridge. The application was denied. Re-application can be made in late 2009 or early 2010. 2) A letter from the Lincoln County Department of Emergency Services regarding a tabletop exercise on winter storms at the Newport fire station, scheduled for December 4. Elected officials and public works personnel are invited to attend.

XI. CITY STAFF REPORT  
Owings reviewed his written report (copy attached to original of these minutes), providing updates on Cardinal Street water line upgrade, the new crosswalk project, and the water, sewer, and storm drain master plans.

Murray was not asked for a report.

XII. COUNCIL COMMENTS  
Zimmerman – 1) Thanked NSAT and said their work is very much appreciated. 2) Congratulations to everyone who was elected and re-elected. 3) Happy Thanksgiving to everyone.

Brown – Agreed with Zimmerman, and added that out of the 20 proposals for marine reserves along the Oregon coast, Depoe Bay was one of only two proposals that followed the directions.

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Leff – 1) Thanked NSAT. 2) Thinks Taunton should make all the motions from now until the end of the year; mock motion passed.

Taunton – 1) Said the 20 proposed reserves blanketed the coast from Southern Washington to Northern California. 2) Said Ms. Martin provided a lot of information related to the proposed animal control ordinance, and wanted her to be involved with modifying the proposed ordinance, if she and the council were willing. It was the consensus of the council to allow this. 3) Expressed concern over the possibility of someone running into the new crosswalk curbs before they are painted. He also noted that the white striping is slippery in the rain. Owings said the city can put grit on it. 4) Reminded everyone there is a community potluck at the community hall on December 15. 5) Would like to see people putting up Christmas lights. 6) Received a complaint from Debby Metz that somebody at 644 Hwy 101 put up their Christmas lights too early. 7) Happy Thanksgiving to everyone.

White – 1) Thanks to everyone for their support during the election, and congratulations to those who were elected. He will continue doing the best job he can for the next two years. 2) Pointed out a drawing on the back wall that was presented to him for Veterans’ Day by the Kids Zone. 3) Happy Thanksgiving and happy holidays to everyone. 4) Thanks to the council and staff for their work, to the audience for coming out, and to Ms. Martin and Mr. Messersmith for helping. Can’t say enough about NSAT’s work.

XIII. ADJOURN

There being no further business, the meeting was adjourned at 7:53 PM.

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James White, Mayor

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Fox Dreamingtime, Recording Secretary