

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, June 2, 2009 - 7:00 PM
4 Depoe Bay City Hall
5

6 PRESENT: Mayor J. White, D. Davilla, B. Leff, J. Brown
7

8 ABSENT: P. Cameron, C. Connors, D. Zimmerman
9

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

13 I. CALL TO ORDER

14 Mayor White called the meeting to order and established a quorum at 7:00 PM.
15

16 II. PLEDGE OF ALLEGIANCE

17 Mayor White called for all to stand for the Pledge of Allegiance.
18

19 III. APPROVE MINUTES: May 19, 2009 Regular Meeting, May 11, 2009 Budget Committee Meeting,
20 and May 18, 2009 Budget Committee Meeting
21

22 Motion 1: Leff moved to accept the minutes of the May 19, 2009 Regular Meeting, May 11, 2009
23 Budget Committee Meeting, and May 18, 2009 Budget Committee Meeting as written. Davilla seconded
24 the motion.
25

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

28 Vote: Motion 1 passed.

29 Ayes: Davilla, White, Leff, Brown
30

31 IV. ACCOUNTS PAYABLE

32 Motion 2: Davilla moved to approve the accounts payable as submitted. Brown 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: Davilla, White, Leff, Brown
38

39 V. SPECIAL ORDERS

40 Leff said the financial report for April had been completed and reviewed, with the ending balance at
41 \$2,043,781.60.
42

43 VI. REPORTS OF OFFICERS

44 Lou Trapani representing the Traffic Safety Commission (TSC), reported 1) The radar trailer has been
45 getting put out. 2) The TSC sponsored a poster contest (copy of flyer attached to original of these

1 minutes) to bring attention to crosswalks. The contest is over. There were 10 entries submitted. He
2 requested the Council schedule an agenda item at the next meeting to present the awards.

3
4 Loren Goddard, Near Shore Action Team (NSAT), reported 1) The NSAT prepared a letter of support
5 for a community-wide marine reserve action team headed by Terry Thompson. The letter is to be signed
6 by the mayor and Mr. Goddard. 2) House Bill 3013 has passed the house unanimously. The bill
7 authorizes leftover insurance monies from the New Carissa settlement to be channeled into the
8 Department of State Lands and the Department of Fish and Wildlife for short-term financing of marine
9 reserve pilot projects and getting started with new offshore geographic mapping. 3) A private boat out of
10 Newport caught two tuna 62 miles out today.

11
12 Motion 3: Leff moved to authorize the mayor to sign the letter to a county community action team in
13 support of Commissioner Thompson. Brown seconded the motion.

14
15 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion.

16
17 Vote: Motion 3 passed.

18 Ayes: Davilla, White, Leff, Brown

19
20 VII. PUBLIC COMMENT

21 Larry Steidle said *The Beacon* was making a change to its distribution policy, effective immediately: all
22 proceeds from sales at the Chamber of Commerce will go to the Kids Zone, and all proceeds from sales
23 at the liquor store will go to the Tradewinds/Tyler Turner Recovery Fund.

24
25 VIII. UNFINISHED BUSINESS

26 There was no unfinished business.

27
28 IX. NEW BUSINESS

- 29 A. Proposed Res. #390 – A Resolution Extending Workers’ Compensation Coverage to Volunteers
30 – 2009-10; Superseding Res. #384

31 Murray said the proposed resolution (copy attached to original of these minutes), which is presented to
32 the Council on an annual basis, has no changes other than the dates.

33
34 Motion 4: Davilla moved to approve proposed Res. #390 as written. Leff seconded the motion.

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

37
38 Vote: Motion 4 passed.

39 Ayes: Davilla, White, Leff, Brown

- 40
41 B. Proposed Ord. #284 – An Ordinance Amending Ord. #252 – The Harbor Ordinance, Adding an
42 Exception to Non Transferability of Moorage Use Permit for Charter Boats, and Declaring an
43 Emergency

44 Murray reviewed Mr. Tate’s request for the proposed amendment to the Harbor Ordinance regarding
45 transfer of moorage upon sale of working charter boats (copy attached to original of these minutes), and

1 said that the Harbor Commission recommended the amendment. She requested a motion be made to read
2 by title only. There was brief discussion about the proposed amendment, including a partial reading of
3 the language.

4
5 Motion 5: Leff moved to perform the first and second readings of proposed Ord. #284 by title only.
6 Davilla seconded the motion.

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

9
10 Vote: Motion 5 passed.

11 Ayes: Davilla, White, Leff, Brown

12
13 Murray performed the first reading of proposed Ord. #284 by title only, and called for questions or
14 comments. Allen Clifford, 450 NW Yaquina Avenue, addressed the council regarding the possibility of
15 allowing the exception provided to charter boat owners by this amendment to apply to commercial boat
16 owners. He asked for “justice for all”. Murray said the Harbor Commission had discussed commercial
17 boats, and it had been decided to postpone that discussion to a later date, and that additional research
18 into the matter was needed. There were no further questions or comments.

19
20 Motion 6: Brown moved to adopt proposed Ord. #284 at the first reading, as worded. Davilla seconded
21 the motion.

22
23 Mayor White said it was moved and seconded, and called for discussion. There was none.

24
25 Vote: Motion 6 passed.

26 Ayes: Davilla, White, Leff, Brown

27
28 Because the motion passed unanimously, Murray proceeded with the second reading of the proposed
29 ordinance by title only, and then called for questions or comments. There were none.

30
31 Motion 7: Davilla moved to adopt proposed Ord. #284 at the second reading. Leff seconded the motion.

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

34
35 Vote: Motion 7 passed.

36 Ayes: Davilla, White, Leff, Brown

37
38 Direction was given to the Harbor Commission, through Mr. Goddard, to discuss and further investigate
39 a possible exception to non-transferrable moorage upon sale of commercial working boats doing
40 business in Depoe Bay, and to accomplish this in a timely manner.

41
42 C. DLCD Coastal Planning Grant Program

43 Murray referred to the current year Department of Land Conservation and Development (DLCD) Coastal
44 Zone Management grant agreement, which had been distributed (copy attached to original of these

1 minutes), explaining that this year's agreement has not yet been received, and asked if the Council had
2 any questions. There were none.

3
4 Motion 8: Davilla moved to direct staff to apply for the DLCDC Coastal Zone Management grant for
5 Fiscal Year 09-10, and authorize the mayor to sign the application. Leff seconded the motion.

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

8
9 Vote: Motion 8 passed.

10 Ayes: Davilla, White, Leff, Brown

11
12 D. Pirate's Booty Bar and Grill – OLCC Liquor License

13 Murray said there was no change to this existing license except change of business name from Pirate's
14 Booty LLC to Pirate's Booty Bar and Grill LLC (copy of application attached to original of these
15 minutes).

16
17 Motion 9: Leff moved to recommend granting the application. 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 9 passed.

22 Ayes: Davilla, White, Leff, Brown

23
24 E. Authorize Travel Expenses: City Presentation to Oregon Parks and Recreation Department Local
25 Government Grant Program – Scenic Land Acquisition Project – Tax Lot #700

26 Murray said this item was regarding a grant application the City submitted for acquisition of tax lot 700,
27 and that Oregon Parks and Recreation Department (OPRD) requires a member from the grant-requesting
28 entity to make a presentation. Fran Recht is willing to go to Sun River to make the presentation on
29 behalf of the City. The estimated cost of reimbursing her mileage, lodging, and meals is \$400. Murray
30 requested authorization for Recht to make the trip and do the presentation.

31
32 Motion 10: Brown moved to authorize \$400 for Fran Recht to make a presentation to OPRD regarding
33 the City's grant application for tax lot 700. Davilla seconded the motion.

34
35 Mayor White said it was moved and seconded, and called for discussion. There was none.

36
37 Vote: Motion 10 passed.

38 Ayes: Davilla, White, Leff, Brown

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40 X. CORRESPONDENCE

41 There was one item of correspondence (copy attached to original of these minutes): a letter from OPRD
42 informing the City that our grant application for a pedestrian and bicycle bridge in City Park was not
43 selected for funding.

44
45 XI. CITY STAFF REPORT

1 Owings reported 1) The Parks Commission requested permission to place a Bob and Mary Jackson
2 memorial bench in the scenic park, at a cost of \$1,200.

3
4 Motion 11: Leff moved to authorize the Parks Commission to expend \$1,200 for a Bob and Mary
5 Jackson memorial bench in the scenic park. Davilla seconded the motion.

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

8
9 Vote: Motion 11 passed.

10 Ayes: Davilla, White, Leff, Brown

11
12 Owings continued with his report: 2) Surplus equipment was advertised and sold. At a Councilor's
13 request, he listed off the surplus equipment and what it sold for. 3) There were three proposals submitted
14 in response to RFP for Cardinal Street patching. Road and Driveway had the lowest bid at \$6,966. The
15 work will be done on Thursday. 4) The Corps of Engineers will be dredging around September 1. He
16 discussed the check dam with them at some length. Dredging of the check dam costs \$100,000 and is
17 only done every 10 years, and isn't due for another five years yet. 5) South Point Street RFPs will go out
18 next week. 6) Appraisals for the Little Whale Cove land swap are due June 12.

19
20 XII. COUNCIL COMMENTS

21 Brown commented on the amount of work the Near Shore Action Team has done.

22
23 Leff thanked Dorinda Goddard and the Fleet of Flowers Committee for the fabulous job they did, as well
24 as City employees who went out of their way to help on Memorial Day.

25
26 Mayor White thanked the Fleet of Flowers Committee, volunteers, and City staff for the work they did
27 for the event. He also thanked the audience for their attendance at the meeting; and Councilors and staff
28 for their hard work.

29
30 XIII. ADJOURN

31 There being no further business, the meeting was adjourned at 7:43 PM.

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38 James White, Mayor

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41 _____
42 Fox Dreamingtime, Recording Secretary