

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, June 16, 2009 - 7:00 PM
4 Depoe Bay City Hall
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7 PRESENT: Mayor J. White, P. Cameron, C. Connors, D. Davilla, B. Leff, J. Brown, D. Zimmerman
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9 STAFF: City Field Superintendent T. Owings, City Recorder P. Murray, Recording Secretary
10 F. Dreamingtime
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13 I. CALL TO ORDER

14 Mayor White called the meeting to order and established a quorum at 7:00 PM.
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16 II. PLEDGE OF ALLEGIANCE

17 Mayor White called for all to stand for the Pledge of Allegiance.
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19 III. APPROVE MINUTES: June 2, 2009 Executive Session and Regular Meeting 20

21 Motion 1: Davilla moved to accept the minutes of the June 2, 2009 Executive Session and Regular
22 Meeting as written. Leff seconded the motion.
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24 Mayor White said it was moved and seconded, and called for discussion. There was none.
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26 Vote: Motion 1 passed.

27 Ayes: Davilla, White, Leff, Brown

28 Abstain: Cameron, Connors, Zimmerman
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30 IV. ACCOUNTS PAYABLE

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

37 Ayes: Cameron, Connors, Davilla, White, Leff, Brown. Zimmerman
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39 V. SPECIAL ORDERS

40 A. Traffic Safety Commission: Pedestrian Crosswalk Safety Poster Contest Aware Prizes

41 Terry Wideman addressed the Council about people not using the crosswalks, and noted that rules for
42 the crosswalk by the post office are different than rules for the other crosswalks. Lou Trapani presented
43 awards to contest participants. There were three first place winners (\$10) and the remainder of the
44 participants all received honorable mentions (\$5).
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B. Lincoln County Sheriff Dotson

Sheriff Dennis Dotson and Lieutenant Dave Carey were present to discuss using the money in the public safety fund toward a dedicated officer in Depoe Bay. It was noted that there is currently \$274,000 in the fund, with \$324 anticipated by the end of June 2010. Dotson said current staffing does not allow for dedicated scheduling. The department is hoping to receive stimulus funding in September, and availability might change at that time. There was brief discussion regarding a court, and Dotson suggested contacting Newport or Waldport with questions. He said that some municipal court money stays with the jurisdiction, but if there is no contract between the Sheriff's Office and the City, the money goes to the State. The County Commissioners have the authority to create a Justice Court; much of this money stays within the county. There was also brief discussion about the reverse 9-1-1 system, which was recently implemented for the first time after last week's bank robbery in Depoe Bay.

C. Budget Hearing Fiscal Year 2009-10

Murray called for questions or comments on the approved budget for FY 2009-10; there were none. She reviewed her and Owings' memo to the Council dated 6/15/09 (copy attached to original of these minutes) regarding three reductions in anticipated revenue, with staff recommendations. There was brief discussion about the Council's authority to increase a fund's budget by up to 10% and it was clarified that there is no limit on how much a fund's budget can be decreased. Murray called for questions or comments once again. Claudia Crum asked about Phase II of the South Point project. Murray responded that the project is not included in this budget but an application is planned for submission to ODOT for funding in next year's budget.

Motion 3: Cameron moved to approve the budget for FY 2009-10 with changes suggested by staff. Connors seconded the motion.

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

Vote: Motion 3 passed.

Ayes: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman

VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

A. Audit Review Committee Report

Leff reported that the ending cash balance as of May 31, 2009 was \$4,147,924.44.

VII. PUBLIC COMMENTS

Claudia Crum asked about South Point Street funding being used for fixing pot holes instead of curbs. Owings responded that revenues for street improvements come only from System Development Charges and grant funding. The South Point Street project will be widening the street and putting in curbs for channeling storm water. Proper channeling of storm water requires engineering services. He said that grants don't fund filling pot holes and that the money cannot be transferred.

VIII. UNFINISHED BUSINESS

There was no unfinished business.

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IX. NEW BUSINESS

A. Proposed Res. #391 – Declaring the City’s Election to Receive State Revenues
Motion 4: Leff moved to adopt proposed Res. #391 Declaring the City’s Election to Receive State Revenues as written. Davilla seconded the motion.

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

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

B. Proposed Res. #392 – Adopting the Budget, Making the Appropriations, Imposing and Categorizing the Ad Valorem Tax Levy for the 2009-10 Fiscal Year
Murray reviewed the changes in the proposed resolution due to reductions in anticipated funding as a result of grant denials: 1) General Fund: Interfund Transfers increased from \$500,000 to \$600,000, Total Appropriations increased from \$2,294,064 to \$2,394,064, and Unappropriated EFB reduced from \$386,326 to \$286,326. 2) Parks & Buildings Fund: Capital Outlay reduced from \$376,610 to \$327,110, Total Appropriations reduced from \$529,859 to \$480,359, and Unappropriated EFB increased from \$4,561 to \$14,461. 3) Harbor Fund: Capital Outlay reduced from \$422,210 to \$178,810, Total Appropriations reduced from \$923,660 to \$680,260, and Unappropriated EFB increased from \$1,650 to \$30,650. 4) TOTALS: Total Appropriations All Funds reduced from \$10,192,814 to \$9,999,914, Total Unappropriated & Reserved Amounts All Funds reduced from \$755,848 to \$694,748, and Total Adopted Budget reduced from \$10,948,662 to \$10,694,662. (Copy of proposed resolution and memo dated 6/15/09 attached to original of these minutes.)

Motion 5: Davilla moved to adopt the budget for fiscal year 2009-10 with changes as outlined by staff in memo dated 6/15/09. Leff seconded the motion.

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

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

C. Proposed Res. #393 – Establishing an Annual Fee for the Reserved Moorage Waiting List of the Depoe Bay Harbor, Amending Res. #377
Murray said this proposed resolution (copy attached to original of these minutes) was drafted on recommendation from the Harbor Commission, and read the proposed wording of the new section. Discussion/concerns included 1) a suggestion to delete the word “calendar” and specify that the fee is due July 1, 2) whether people signing up for the moorage waiting list are informed of the exceptions (i.e., transferable moorage on sale of actively working charter boats), 3) how much of the proposed \$40/year waiting list fee would be applied to a new moorage holder; i.e., current year fee only, or every year’s fee applied to the current year’s moorage, and 4) whether people currently on the list would be grandfathered in on the fee; Murray responded the intent was they would not.

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2 Motion 6: Leff moved to approve proposed Res. #393 with wording changes as discussed. Connors
3 seconded the motion.

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5 Mayor White said it was moved and seconded, and called for discussion. A Councilor asked for the
6 wording to be re-read; Murray reviewed the changes:

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8 “4. WAITING LIST FEE:

- 9 a. At the time of application for placement on the waiting list for reserved
10 moorage, the applicant shall pay a non-refundable fee of \$40.00.
11 b. Thereafter, each ~~calendar~~ year *beginning July 1st* following placement on the
12 waiting list, in order to maintain the right to continue to be on the waiting list
13 for reserved moorage, applicants shall pay a non-refundable fee of \$40.00
14 due on ~~June~~ *July 1st*.
15 c. In the ~~calendar~~ year the applicant is assigned moorage, that year’s waiting list
16 fee will be applied towards the first year’s moorage.”

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18 Vote: Motion failed.

19 Ayes: Connors, Davilla, Leff

20 Noes: Cameron, White, Brown, Zimmerman

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22 The proposed resolution was referred back to the Harbor Commission with Council concerns as noted.

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24 D. Request to Schedule an Event in the City Park – Bayside Chapel, Church Day in the Park,
25 Sunday, August 9th

26 Murray said this has been an annual event for the past few years.

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28 Motion 7: Brown moved to accept Reverend Mark’s request. Zimmerman seconded the motion.

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

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32 Vote: Motion 7 passed.

33 Ayes: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman

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35 E. Authorization of Expenses: Oregon Mayors Association (OMA) Summer Conference
36 Murray said the conference is scheduled for July 30-August 1, and Mayor White is on the Board of
37 Directors. The OMA will cover lodging expenses, which would leave the registration fee, mileage, and
38 some meals. The cost estimate is \$500.

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40 Motion 8: Connors moved to approve expenditures for the mayor to attend the OMA conference for an
41 amount not to exceed \$500. Cameron seconded the motion.

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

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45 Vote: Motion 8 passed.

46 Ayes: Cameron, Connors, Davilla, Leff, Brown, Zimmerman

1 Abstain: White

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3 F. Proposed Res. #394 – 2010 Special City Allotment – South Point Street Phase 2
4 Murray reviewed the proposed resolution (copy attached to original of these minutes).

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6 Motion 9: Connors moved to adopt proposed Res. #394. Leff seconded the motion.

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

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10 Vote: Motion 9 passed.

11 Ayes: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman

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15 X. CORRESPONDENCE

16 There was one item of correspondence (copy attached to original of these minutes): a letter from Ed
17 Hough resigning from the Planning Commission.

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19 Motion 10: Cameron moved to accept Hough’s resignation and send him a letter of thanks for his
20 participation. Davilla seconded the motion.

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

23 Vote: Motion 10 passed.

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

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26 XI. CITY STAFF REPORT

27 Owings reported 1) The master plans have been completed and 20 copies are on their way. A workshop
28 date was set for July 7 at 5:30, before the regular Council meeting. 2) One proposal was received for the
29 Little Whale Cove land exchange; it is being evaluated and a recommendation will be made at the next
30 meeting. 3) Bids will be due on the South Point project July 10.

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32 Murray was not asked for a report.

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34 XII. COUNCIL COMMENTS

35 Davilla: Thanked everyone for coming, and said she wants to get emergency preparedness back on the
36 agenda. A workshop was scheduled for July 21 at 6 PM before the regular Council meeting.

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38 Zimmerman: Said he doesn’t want to make decisions that undermine the Commissions that bring
39 proposals to the Council.

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41 Brown: 1) Jim Hawley of Lincoln County Emergency Services is having a retirement party – it’s a
42 “quake”, and is scheduled for this Friday from 4-6 PM in the Lincoln County Conference Room. 2)
43 Thanked Mr. Trapani and the Traffic Safety Commission for a great job on the poster contest.

1 Leff: 1) Thanked Mr. Trapani and said it was great to have the kids at the meeting. She'd like to find
2 more ways to get them involved with city government, as they are our future leaders. 2) Speaking to
3 Zimmerman, she said that her concern was more with the Council's function than the Harbor
4 Commission's.

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6 Cameron: 1) Echoed Zimmerman's comments. 2) Thanked the Traffic Safety Commission. 3) Would
7 like to revisit expired harbor leases, as they are not getting paid.

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9 Connors: 1) Asked if her insurance suggestions had gone to the City Attorney; Murray responded that
10 they would have to go to the insurance company first. Connors expressed concern, since the South Point
11 project is coming up, and would like that taken care of before then. 2) Suggested putting a time limit on
12 the Harbor Commission's response to Ord. 252 review requested by the Council. 3) Agreed with Leff
13 that recommendations from Commissions should be decided by the Council rather than sending them
14 back and forth between the Commission and the Council.

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16 Mayor White: 1) Disagreed with Leff and Connors, saying that for the Council to change a Commission
17 recommendation overrides the Commission without giving them an opportunity to respond to what the
18 Council wants to change. 2) Attended a meeting today regarding Lincoln County Land Trust. There will
19 be a presentation to the Council on this matter in August. 3) There is a pot luck scheduled for staff, City
20 Commissioners, and the Council on June 26, starting around 5 PM. 4) Thanked the community, to Mr.
21 Trapani, staff and crew, and the Council.

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23 XIII. ADJOURN

24 There being no further business, the meeting was adjourned at 8:50 PM.

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James White, Mayor

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Fox Dreamingtime, Recording Secretary