

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

6
7 PRESENT: Mayor J. White, C. Connors, D. Davilla, B. Leff, J. Brown, D. Zimmerman
8

9 ABSENT: P. Cameron
10

11 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary
12 F. Dreamingtime
13

14
15 I. CALL TO ORDER

16 Mayor White called the meeting to order and established a quorum at 7:00 PM.
17

18 II. PLEDGE OF ALLEGIANCE

19 Mayor White called for all to stand for the Pledge of Allegiance.
20

21 III. APPROVE MINUTES: August 18, 2009 Regular Meeting
22

23 Motion 1: Leff moved to accept the minutes of the August 18, 2009 Regular Meeting as written. Davilla
24 seconded 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: Connors, Davilla, White, Leff, Brown, Zimmerman
30

31 IV. ACCOUNTS PAYABLE

32 Motion 2: Zimmerman moved to approve the accounts payable as submitted. Davilla seconded the
33 motion.
34

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

37 Vote: Motion 2 passed.

38 Ayes: Connors, Davilla, White, Leff, Brown, Zimmerman
39

40 V. SPECIAL ORDERS

41 There were no special orders.
42

43 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

44 There were no reports.
45

1 VII. PUBLIC COMMENTS

2 There were no public comments.

3

4 VIII. UNFINISHED BUSINESS

5 There was no unfinished business.

6

7 IX. NEW BUSINESS

8 A. Proposed Res. #396 – A Resolution Accepting and Adopting the Depoe Bay Natural Hazards
9 Mitigation Plan

10 Murray said the proposed resolution was to adopt the Depoe Bay addendum of the Lincoln County
11 Natural Hazard Mitigation Plan. Typographical errors have been corrected. She called for questions;
12 there were none.

13

14 Motion 3: Connors moved to adopt proposed Resolution #396 – A Resolution Accepting and Adopting
15 the Depoe Bay Natural Hazards Mitigation Plan as written, and authorize the mayor to sign. Zimmerman
16 seconded the motion.

17

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

19

20 Vote: Motion 3 passed.

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

22

23 B. Public Hearing: Local Fuel Tax

24 Mayor White opened the public hearing and asked audience members to hold their testimony to three
25 minutes, and to state their name and address for the record.

26

27 Monty DeMaris 125 Whale Song, questioned what kind of research has been done on this issue. He also
28 asked if the community would be able to vote on it. Mayor White responded that the city of Newport did
29 the research, and it will only go to a vote of the people if there is a referendum. Mr. DeMaris stated that
30 he is opposed to the proposed tax.

31

32 Roy Hageman 325 Coast Avenue, spoke in favor of the proposed tax. He said that Depoe Bay does not
33 have a lot of options for raising money for street repairs and this way seems most fair.

34

35 John O'Brien 270 Bensell Avenue, spoke in favor of the proposed tax, but had questions such as the
36 expected annual amount of tax to be collected, how much gas is sold in Depoe Bay, and whether the gas
37 station owners have been consulted. He also suggested a plan for maintenance of city streets be
38 developed, and that any fuel tax collected be used solely for street maintenance.

39

40 Rick Davilla 35 South Point, said he was in favor of the proposed tax for the same reasons already
41 expressed by Mr. Hageman and Mr. O'Brien.

42

43 Jerome Grant 65 Conway Street, was opposed to the proposed tax. He said the City should look into
44 getting a tax base.

45

1 Larry Steidle 35 Cook Street, was opposed to the proposed tax. He said it would hurt people living on a
2 fixed income, and the tax would not fix the potholes.

3
4 Allen Clifford 76 station owner, was opposed to the proposed tax. He said that Depoe Bay has
5 historically had cheaper gas than Newport and Lincoln City. He suggesting taxing real estate or charter
6 boats, or increasing the launch fee. He also questioned how the tax would be administered and collected.

7
8 Peter Robertson 954 River Bend Road in Otis, was representing Carson Oil, and took a neutral position,
9 providing information about the status of the proposed fuel tax in Newport and Lincoln City.

10
11 There was no further oral testimony. Murray reviewed three items of written testimony (copies attached
12 to original of these minutes): 1) Phil Taunton, who was opposed, 2) Peter Robertson, who was neutral,
13 and a note from Mel and Cathy Neylon, who were opposed. Mayor White closed the public hearing, and
14 deliberations began. Discussion included a statement about the importance of public input, a statement
15 about Depoe Bay not having a tax base and having to depend on grants, whether or not people will drive
16 to a neighboring town to save a few cents on a gallon of gas, the amount of damage tourists cause to City
17 streets, whether or not it is fair to single out people who drive to pay a road tax, the amount of tax
18 proposed by Newport being one cent in winter months and three cents in summer months, the state of the
19 economy not being conducive to any increased taxing, and the administrative costs of implementing the
20 proposed tax including putting it on the November ballot.

21
22 There not being any further discussion, Murray said that if the Council wished to proceed with enacting
23 a fuel tax, that Staff would need direction. It was the consensus of the Council to take no action on this
24 matter.

25
26 C. Designate Beach Street as One Way

27 Owings said the improvements being done to the South Point Street intersection affect Beach Street,
28 which also intersects Hwy 101 at South Point Street, and that while there have not been any accidents at
29 that intersection to date, he feels that it's just a matter of time because it's a dangerous intersection. He
30 asked the Council's opinion on making Beach Street a one way street.

31
32 Motion 4: Leff moved to make SW Beach Street one way going west. Zimmerman seconded the motion.

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

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36 Vote: Motion 4 passed.

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

38
39 Mayor White said there was a non-published item for the Council:

40
41 D. Requests for Events in the Park

42 Murray said two requests for events in the park (copies attached to original of these minutes) were
43 received after the agenda had been published: 1) The Chamber of Commerce requested use of the park
44 the weekend of September 18, 19, 20 for a fire department-hosted barbeque on Friday, the Salmon Bake

1 on Saturday, and “Sunday in the Park”. 2) ProNet requested to share use of the park with the Chamber of
2 Commerce on 9/20/09 for a silent auction fund-raising event for Tyler Turner.

3
4 Motion 5: Leff moved to approve the requests for the Chamber of Commerce and ProNet. Zimmerman
5 seconded the motion.

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

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9 Vote: Motion 5 passed.

10 Ayes: Connors, White, Leff, Brown, Zimmerman

11 Abstain: Davilla

12
13 Murray noted the Chamber of Commerce might need a liquor license for their “Sunday in the Park”
14 event, and asked the Council if they wanted to approve this in advance.

15
16 Amendment: Leff amended Motion 5 to include a liquor license for the Chamber of Commerce. Connors
17 seconded the amendment.

18
19 Mayor White said it was moved and seconded, and called for discussion. There was none.

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21 Vote: Amendment to Motion 5 passed.

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

23
24 X. CORRESPONDENCE

25 There was one item of correspondence (copy attached to original of these minutes): An invitation from
26 Lincoln County Department of Health and Human Services to attend an Emergency Preparedness
27 meeting regarding H1N1 on September 3. Mayor White asked if anyone wanted to go. Davilla said she
28 would attend if she had no prior commitments.

29
30 XI. CITY STAFF REPORT

31 Owings reported that 120 feet of water line has been replaced on South Point Street, after the line was
32 broken last week during street improvements. The section had to be replaced because it is very old. He
33 apologized for the inconvenience to residents, but said it was necessary.

34
35 XII. COUNCIL COMMENTS

36 Davilla 1) Thanked everyone for attending and said she appreciated the public comments. 2) Reminded
37 everyone there is a workshop scheduled on September 15 at 5:30 on emergency preparedness. 3)
38 Thanked Owings and City Crew for their hard work on South Point Street, and suggested people turn
39 their hose bibs on to keep brown water out of their systems when work is being done on water lines.

40
41 Zimmerman thanked everyone for coming and noted that the issues discussed were complex and
42 difficult.

43
44 Brown agreed with Zimmerman.

45

1 Leff agreed with Zimmerman also, and encouraged the audience to come back again.

2

3 Mayor White 1) Invited the audience to return again when there is something controversial on the
4 agenda. He appreciated everyone's comments and said that you can't please everybody, but the Council
5 tries to make decisions based on what's best for the majority. He hoped nobody left with hard feelings.

6 2) Thanked the Council and Staff for their hard work.

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8 XIII. ADJOURN

9 There being no further business, the meeting was adjourned at 7:49 PM.

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Fox Dreamingtime, Recording Secretary

James White, Mayor