

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

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

8 ABSENT: P. Cameron, B. Leff  
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10 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary  
11 E. LuMaye  
12

### 13 I. PLEDGE OF ALLEGIANCE

14 Mayor White called for all to stand for the Pledge of Allegiance.  
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### 16 II. CALL TO ORDER

17 Mayor White called the meeting to order and established a quorum at 7:00 PM.  
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### 19 III. APPROVE MINUTES: November 17, 2009 Workshop Meeting and Regular Meeting 20

21 Motion 1: Davilla moved to accept the minutes of the November 17, 2009 Workshop Meeting and  
22 Regular Meeting. Zimmerman seconded the motion.  
23

24 Mayor White said it was moved and seconded, and called for discussion. There was none.  
25

26 Vote: Motion 1 passed.

27 Ayes: Connors, Davilla, White, Brown, Zimmerman  
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### 29 IV. ACCOUNTS PAYABLE

30 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Brown seconded the  
31 motion.  
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33 Mayor White said it was moved and seconded, and called for discussion. There was none.  
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35 Vote: Motion 2 passed.

36 Ayes: Connors, Davilla, White, Brown, Zimmerman  
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### 38 V. SPECIAL ORDERS

39 There were no special orders.  
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### 41 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

42 A. Harbor Commission Recommendation Regarding Providing an Exception to Non-Transferability  
43 of Moorage for Commercial Vessels

44 Murray reviewed her memo dated 11/25/09 (copy attached to original of these minutes.)  
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46 Motion 3: Brown moved to accept the recommendation of the Harbor Commission. Connors seconded  
47 the motion.

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

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4 Vote: Motion 3 passed.

5 Ayes: Connors, Davilla, White, Brown, Zimmerman

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7 VII. PUBLIC COMMENTS

8 There were no public comments.

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10 VIII. UNFINISHED BUSINESS

11 A. Donation of City Land/Real Property – Neighbors for Kids Draft Deed with Reversionary Clause  
12 Murray reviewed the draft Bargain and Sale Deed, and called for questions or changes. A Councilor  
13 expressed concern over: "...or should Neighbors For Kids discontinue its programs for a period of more  
14 than twelve (12) consecutive months, this conveyance shall thereupon become void...", pointing out  
15 that in the case of a fire, the building may be unavailable for occupation for a period exceeding 12  
16 months. It was the consensus of the Council to direct Staff to contact the City Attorney for addition of  
17 language to address this issue, and bring the draft deed back to the Council.

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19 IX. NEW BUSINESS

20 A. Proposed Res. #399 – A Resolution Amending the "Depoe Bay Employee Handbook"  
21 Section XI. Holidays

22 Mayor White said he brought this item to the last Council meeting, and clarified that the proposed  
23 resolution (copy attached to original of these minutes) is for an additional holiday, not a change of date.  
24 Murray said the proposed change would result in both Veteran's Day and Black Friday being City  
25 holidays.

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27 Motion 4: Connors moved to adopt proposed Res. #399, a resolution amending the "Depoe Bay  
28 Employee Handbook" Section XI. Holidays. Brown 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 4 passed.

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

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35 B. Employee Safety Bonus 2009-10

36 Murray said it is the City's policy to refund the difference in savings between the actual percentage paid  
37 and 100%; this year the percentage paid was 97%. She requested authorization to disburse the cost  
38 savings of \$597.08, noting that \$653 was budgeted. (Copy of memo dated 11/25/09 attached to original  
39 of these minutes.)

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41 Motion 5: Connors moved to approve the disbursement of the safety bonus. Davilla seconded the  
42 motion.

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

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46 Vote: Motion 5 passed.

47 Ayes: Connors, Davilla, White, Brown, Zimmerman

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C. Confederated Tribes of Siletz Indians Charitable Contribution Fund  
Mayor White said the City is eligible to apply for a grant from the Siletz Tribes, and would like to see the City apply for funding for emergency preparedness equipment. (Copy of website information attached to original of these minutes.)

Motion 6: Brown moved that the City apply to the Confederated Tribes of Siletz Indians for emergency preparedness equipment funding. Connors seconded the motion.

Mayor White said it was moved and seconded, and called for discussion. There was brief discussion. Murray noted the application is due by December 18. There was indecision about what equipment funding should be requested for. Mayor White noted an application can be submitted every quarter, and that the Administrator, Kelly Ellis, is willing to help the City prepare the application.

Vote: Motion 6 passed.  
Ayes: Connors, Davilla, White, Brown, Zimmerman

X. CORRESPONDENCE

There were three items of correspondence (copies of first two attached to original of these minutes): 1) A letter from the Lupus Foundation thanking the City for its donation of \$1,000. 2) A letter from Ronald Dupas appealing the City’s determination to grant Halvorson Properties a business license. The appeal will go to the Planning Commission for their consideration on whether the application is an allowed use. The application may come before the Council after that. 3) Harbor Commissioner Dustin Couch verbally informed Murray that he was resigning because he is moving. She requested he submit a written notice, but felt it was not likely one would be received.

Motion 7: Davilla moved to accept the verbal resignation of Dustin Couch from the Harbor Commission. Connors seconded the motion.

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

Vote: Motion 7 passed.  
Ayes: Connors, Davilla, White, Brown, Zimmerman

XI. CITY STAFF REPORT

There was no report.

XII. COUNCIL COMMENTS

Davilla welcomed Owings back and complimented Staff on Christmas lighting around the building.

Zimmerman hopes everyone had a good Thanksgiving and that Cameron gets better.

Brown complimented Staff on saving electricity.

Connors wondered if the square footage of the Community Hall could be increased by enclosing the area of the new roof extension.

1 Mayor White 1) Said the next regular Council meeting will be cancelled unless there is urgent business.  
2 With the Council's permission, Zimmerman will review the Accounts Payable and the bills will be paid  
3 on time, and officially approved at the first meeting in January. There was no objection. 2) Will give  
4 Cameron everyone's regards. 3) Hopes everyone has a wonderful holiday.

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6 XIII. ADJOURN

7 There being no further business, the meeting was adjourned at 7:30 PM.

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Emma LuMaye, Recording Secretary

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James White, Mayor