

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, January 19, 2010 - 7:00 PM  
4 Depoe Bay City Hall  
5

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

8 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary  
9 E. LuMaye  
10

11 I. PLEDGE OF ALLEGIANCE

12 Mayor White called for all to stand for the Pledge of Allegiance.  
13

14 II. CALL TO ORDER

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

17 III. APPROVE MINUTES: January 5, 2010 Workshop and Regular Meeting  
18

19 Motion 1: Leff moved to accept the minutes of the January 5, 2010 Workshop and Regular Meeting as  
20 written. Zimmerman seconded the motion.  
21

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

24 Vote: Motion 1 passed.

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

26 Abstain: Cameron, Davilla  
27

28 IV. ACCOUNTS PAYABLE

29 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Davilla seconded the  
30 motion.  
31

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

34 Vote: Motion 2 passed.

35 Ayes: Cameron, Connors, Davilla, Leff, White, Brown, Zimmerman  
36

37 V. SPECIAL ORDERS

38 A. Presentation: Signe Grimstad, Grimstad and Associates – Audit Fiscal Year 2008-09

39 Ms. Grimstad reviewed the audit with the Council. She noted that the City's cash supply is dwindling,  
40 and suggested water and sewer rates be increased. She also suggested the City develop an investment  
41 policy. There was discussion.  
42

43 Motion 3: Leff moved the Fiscal Year 2008-09 audit presentation be accepted. Connors seconded the  
44 motion.  
45

46 Mayor White said it was moved and seconded, and called for discussion. There was none.  
47

1 Vote: Motion 3 passed.

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

3  
4 Murray will call Ms. Grimstad to get information on other cities' investment policies. A workshop was  
5 scheduled for March 16 at 6 PM.

6  
7 B. Interview Applicants for City Commissions and Committees

8 Planning Commission applicant Betty Taunton was present and came forward to tell about herself and  
9 why she was interested in participating. She initiated lively discussion regarding the state of the City's  
10 disaster planning. No other applicants were present for interview. (Copy of applications attached to  
11 original of these minutes.)

12  
13 The Mayor skipped to Agenda Item IX. A.:

14 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to  
15 original of these minutes) and announced the results. The vote to appoint Bill Spores to Parks  
16 Commission Position #5, Betty Taunton to Planning Commission Position #4, and Eric Messersmith to  
17 Salmon Enhancement Position #3 was unanimous.

18  
19 Motion 4: Leff moved to accept the canvass of votes and appoint the applicants to their respective  
20 positions. Davilla seconded the motion.

21  
22 Mayor White said it was moved and seconded, and called for discussion. There was none.

23  
24 Vote: Motion 4 passed.

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

26  
27 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

28 A. Planning Commission Recommendation – Amendments to Zoning Code

29 Murray reviewed the 1/13/10 memo from the Planning Commission (copy attached to original of these  
30 minutes) regarding their recommended amendments to the zoning code. A public hearing to discuss the  
31 amendments was scheduled for the March 2 meeting.

32  
33 VII. PUBLIC COMMENTS

34 Terry Wideman 325 Cliff Street, reported that representatives from the sheriff's office and Oregon State  
35 Police attended the Traffic Safety Commission meeting last week. They are considering re-establishing  
36 a safety corridor over Cape Foulweather, and that if it's re-established, Depoe Bay would be included in  
37 the corridor. The Commission is also working on getting the two empty positions filled.

38  
39 Rick Beasley 140 Bayview, acknowledged and thanked the Council for the good work they do, Staff for  
40 being transparent and fair, and then addressed the Council about chronic Commission vacancies because  
41 people are afraid of being "beat up" by the press, as recorded in the minutes of the 1/5/10 meeting. He  
42 said it's important that the City support its Commissioners, especially since there was a major increase  
43 to State reporting requirements last year, and one Commissioner was faced with a \$2,500 fine for  
44 missing the reporting deadline. He also spoke about downsizing the number of Commissions and  
45 Commission positions. He provided examples of incidents that had been written about in the press,  
46 saying that it's the press's job to report on such things. It was not his opinion that news stories keep

1 people from applying for Commission positions, and that people can still be friendly toward each other  
2 even while having a difference of opinion.

3  
4 VIII. UNFINISHED BUSINESS

5 A. Proposed Amendments to Lincoln County Communications Agency Intergovernmental  
6 Agreement (IGA)

7 Leff reported that she contacted Rich Glasgow, who told her that citizen input is critical for emergency  
8 services like LinCom. She said that there is a tax on your phone bill (whether a land line or mobile) that  
9 is for the 9-1-1 service, and that somebody needs to speak to how those dollars are used. Leff will be  
10 attending the January 26 meeting at which the IGA will be approved.

11  
12 IX. NEW BUSINESS

13 A. Appointments to Fill Vacancies/Expiring Terms on City Commissions and Committees  
14 See Agenda Item V.B.

15  
16 B. Water and Sewer System Rate Study

17 Owings said a quote was received from Oregon Association of Water Utilities for a water/sewer/storm  
18 water rate study, and it was significantly higher than the one previously received from HBH Engineers.  
19 He recommended accepting the lower quote. (Copy of HBH Engineers' 2009 Agreement for  
20 Engineering Services attached to original of these minutes)

21  
22 Motion 5: Leff moved to approve \$4,946 for HBH Engineering to do a rate study on water, sewer, and  
23 storm water rates. Zimmerman seconded the motion.

24  
25 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion  
26 about the breadth of the study.

27  
28 Vote: Motion 5 passed.

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

30  
31 C. Proposed Amendment to City Vehicle Policy (Appendix "E" to Employee Policy Handbook)

32 Murray reviewed the proposed revisions to the City Vehicle Policy (copy attached to original of these  
33 minutes). The proposed changes are a result of our insurance company's recommendation that the policy  
34 be updated, since the State law changed on use of mobile phones while driving. There was brief  
35 discussion about the revisions to the policy, and a suggestion to make a separate item of "Utilizing the  
36 vehicle to make personal trips or to support personal requirements is not authorized."

37  
38 Motion 6: Cameron moved to accept the proposed revisions to the City Vehicle Policy with changes as  
39 noted. Leff seconded the motion.

40  
41 Mayor White said it was moved and seconded, and called for discussion. There was none.

42  
43 Vote: Motion 6 passed.

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

1 D. Proposed Ord. #286 – Amending Ord. #252, the City of Depoe Bay Harbor Ordinance; Adding  
2 an Exception to Non-Transferability of Moorage Use Permits for Commercial Fishing Boats;  
3 Defining “Commercial Fishing Boat”; and Declaring an Emergency  
4 Murray asked for a motion to read the proposed ordinance (copy attached to original of these minutes)  
5 by title only.  
6

7 Motion 7: Leff moved to read the proposed ordinance by title only. Davilla seconded the motion.  
8

9 Mayor White said it was moved and seconded, and called for discussion. There was none.  
10

11 Vote: Motion 7 passed.

12 Ayes: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman  
13

14 Murray read proposed Ord. #286 Ord. by title only, and called for questions or comments. There were  
15 none.  
16

17 Motion 8: Leff moved to adopt proposed Ord. #286 at the first reading. Cameron seconded the motion.  
18

19 Mayor White said it was moved and seconded, and called for discussion. There was none.  
20

21 Vote: Motion 8 passed.

22 Ayes: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman  
23

24 Murray performed the second reading of proposed Ord. #286 by title only, and called for questions or  
25 comments. There were none.  
26

27 Motion 9: Cameron moved to adopt proposed Ord. #286 at the second reading, and authorize the mayor  
28 to sign. Davilla seconded the motion.  
29

30 Mayor White said it was moved and seconded, and called for discussion. There was none.  
31

32 Vote: Motion 9 passed.

33 Ayes: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman  
34

### 35 X. CORRESPONDENCE

36 There was one item of correspondence (copy attached to original of these minutes): a letter from  
37 Councilor Leff thanking City Crew for the facilities tour. She also encouraged other Councilors to take a  
38 facilities tour.  
39

### 40 XI. CITY STAFF REPORT

41 Owings reported that it will not be possible to turn the French doors around at the Community Hall and  
42 they will need to be replaced. The contractor offered to buy the replacement doors, but Owings didn't  
43 feel that was right, because the County approved the plans. Cost of new doors will be around \$800.  
44

45 Motion 10: Leff moved to authorize Owings to buy a new set of properly opening and closing French  
46 doors, at a cost not to exceed \$800. Cameron seconded the motion.  
47

1 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion  
2 about how the building permit got approved.

3

4 Vote: Motion 10 passed.

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

6

7 Murray reminded Councilors that there is a workshop meeting with HBH Engineering scheduled for  
8 Monday, February 8 at 1:00 PM to review the Master Plan.

9

## 10 XII. COUNCIL COMMENTS

11 Davilla expressed thanks for all the good wishes for her post-op recovery, thanked Connors for  
12 attending the Audit Review Committee meeting, and thanked the Harbor Commission for their diligence  
13 on the ordinance amendment.

14

15 Zimmerman thanked the new Commissioners, especially Mrs. Taunton for her many years of service.  
16 He apologized for forgetting the facilities tour and asked to be called if he forgets the next one.

17

18 Brown thanked Mrs. Taunton for her past work and that of her sons. He welcomed back Cameron and  
19 Davilla. He asked if the Council's approval was needed to apply for Federal funding to remove silt from  
20 behind the check dam; Murray said it should be an official request.

21

22 Motion 11: Brown moved to request a Federal appropriation for the Army Corps of Engineers to remove  
23 silt at the check dam. Leff seconded the motion.

24

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

26

27 Vote: Motion 11 passed.

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

29

30 Murray asked Brown if Neighbors For Kids (NFK) had the ability to be a requesting agency or if NFK  
31 could only request funding through the City or Port. Brown confirmed NFK is requesting Federal  
32 funding again this year, and that NFK can submit applications on their own and do not need to submit  
33 through the Port of Depoe Bay. There was brief discussion.

34

35 Motion 12: Zimmerman moved that the City write a letter of support for the current NFK application.  
36 Leff seconded the motion.

37

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

39

40 Vote: Motion 12 passed.

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

42

43 Leff welcomed back Cameron and Davilla. She thanked Mrs. Taunton for her service. Reported on the  
44 tax base research she did: The question was on the 2001 ballot and was defeated. Local option taxes are  
45 a possibility, as is creating one or more special districts. It was the Council's wish that she continue to  
46 research the issue.

47

1 Cameron was glad to be back. He was very appreciative of the people who helped him and his wife  
2 during his convalescence.

3  
4 Connors was glad to see a full Council. She enjoyed the facilities tour and recommended it to  
5 Councilors who hadn't gone.

6  
7 Mayor White welcomed Cameron and Davilla back. He thanked the audience, Mrs. Taunton and other  
8 Commissioners who were present. Speaking about Commission vacancies, he said that he thought  
9 people were referring to things that had happened years ago because there haven't been a lot of articles  
10 about Depoe Bay in the papers recently. He thanked the Council and Staff for all they do. He said the  
11 Siletz Tribal Board approved the City's request for \$14,000 for emergency equipment; it will go to the  
12 Tribal Council for final approval. Had his first meeting as Oregon Mayors Association President.

13  
14 XIII. ADJOURN

15 There being no further business, the meeting was adjourned at 8:39 PM.

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James White, Mayor

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24 Emma LuMaye, Recording Secretary