

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, April 6, 2010 - 7:00 PM  
4 Depoe Bay City Hall

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

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

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12  
13 I. PLEDGE OF ALLEGIANCE

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

15  
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: March 16, 2010 Workshop and Regular Meeting

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21 Motion 1: Zimmerman moved to accept the minutes of the March 16, 2010 Workshop and Regular  
22 Meetings as written. Connors 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: Cameron, Connors, White, Leff, Brown, Zimmerman

28 Abstain: Davilla

29  
30 IV. ACCOUNTS PAYABLE

31 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Cameron seconded  
32 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: Cameron, Connors, Davilla, White, Leff, Brown, Zimmerman

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39 V. SPECIAL ORDERS

40 A. Presentation – Rob Bovett, Lincoln County District Attorney

41 Mr. Bovett reviewed the Lincoln County District Attorney’s Office 2009 Annual Report (copy  
42 attached to original of these minutes). The report is available for viewing online at  
43 [www.co.lincoln.or.us/da/LCDA-2009-AnnualReport.pdf](http://www.co.lincoln.or.us/da/LCDA-2009-AnnualReport.pdf).

44  
45 Mayor White called a three-minute recess at 7:30 PM; the meeting reconvened at 7:33 PM.

46  
47 B. Continued Public Hearing (Deliberations): Proposed Amendments to Depoe Bay Zoning  
48 Code – Ord. #24, as Amended

49 The proposed changes were reviewed as follows. Council consensus was to approve the following  
50 Items: Item A (Various Sections Referencing ORS), Item C (Manufactured Homes and Residential  
51 Zones R1-R5), Item D (Coastal Shoreland Overlay Zone C-S Procedure), Item F (Notice of Quasi-  
52 Judicial Hearings), Item G (Conduct of Quasi-Judicial Public Hearings), Item H (Time Limits on  
53 Geologic Hazard Permits), Item M (Performance Agreements for Subdivisions and Planned  
54 Developments), Item N (Procedure for Review of Tentative Subdivision and Partition Plans), and  
55 Item O (Certification Required for Final Approval of Subdivisions, Partitions, and Replats).  
56 Deliberations on Items requiring further discussion was postponed to later in the meeting.

57

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

2 Leff, reporting for the Audit Review Committee, said the City was solvent.

3

4 VII. PUBLIC COMMENTS

5 New owners of Fitness 101 in Lincoln City, Richard & Silky, introduced themselves, handed out  
6 brochures (copy attached to original of these minutes), and spoke about their facility.

7

8 VIII. UNFINISHED BUSINESS

9 A. Lincoln County Economic Alliance Enterprise Zone Renewal

10 Mayor White noted that Ms. Bauman informed the City that the Urban Renewal Zone funding would  
11 be restricted if the City were to renew the enterprise zone (copy of Ms. Bauman's email dated  
12 3/17/10 attached to original of these minutes).

13

14 Motion 3: Connors moved to not rejoin the Economic Alliance Enterprise Zone. Leff seconded the  
15 motion.

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

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19 Vote: Motion 3 passed.

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

21

22 IX. NEW BUSINESS

23 A. Franchise Agreement Renewal – Broadstripe

24 Murray said there are many things to be considered when renewing franchises in today's modern  
25 world. Because of this, she wanted the Council to have sufficient time to prepare for discussion of  
26 the franchise renewal; for example, the Council might want to consider forming an ad hoc  
27 committee, scheduling workshops, or enacting a privilege tax.

28

29 B. Proclamation – April 2010 as Sexual Assault Awareness Month

30 Motion 4: Leff moved to adopt April 2010 as Sexual Assault Awareness Month (copy of  
31 proclamation attached to original of these minutes). Connors seconded the motion.

32

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

34

35 Vote: Motion 4 passed.

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

37

38 C. Energy Efficient Lighting Program

39 Murray said Don Brown conducted an audit of City facilities, which were divided into three projects.  
40 She reviewed the total cost of the projects, including PUD grant estimates, State rebates, and  
41 estimated annual savings (copy of worksheet attached to original of these minutes). A Councilor  
42 asked for references from other locations where this work has been done, before authorizing the  
43 projects to be done; Staff was directed to obtain references and bring back to the next meeting.

44

45 Return to Deliberations on Proposed Amendments to the Zoning Code:

46 Item E (Survey Requirements) was approved. Item L (Property Line Adjustments) was not  
47 approved. Item I (General Requirements and Minimum Standards of Development Design for Public  
48 Streets) was approved. There followed much discussion on Item J (General Requirements and  
49 Minimum Standards of Development Design for Flag Lots vs Easements).

50

51 Motion 5: Connors moved to not approve the proposed amendment to Item J. Leff seconded the  
52 motion.

53

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

55

56 Vote: Motion 5 passed.

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

1           Noes: Cameron, Davilla

2  
3 Item B (Definition of Fractional Ownership) was approved with the following change: "Real property  
4 where multiple (two or more) people or entities share the ownership **and** ~~Fractional ownership~~  
5 typically gives the owners certain privileges, such as a number of days or weeks when they can use  
6 the property." There was much discussion about Item K (Definition of Building Height).

7  
8 Motion 6: Connors moved to not approve the proposed amendments to Item K. Brown seconded  
9 the motion.

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

12           Vote: Motion 6 passed.

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

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16 Motion 7: Leff moved that the proposed 2009-10 Zoning Amendments be brought back to the  
17 Council in Ordinance form, as discussed and voted on at this meeting. Connors seconded the  
18 motion.

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

21           Vote: Motion 7 passed.

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

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25 X. CORRESPONDENCE

26 There was one item of correspondence (copy attached to original of these minutes): a letter from  
27 the City of Lincoln City regarding local ethics training.

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29 XI. CITY STAFF REPORT

30 Owings asked if there were questions on his written report (copy attached to original of these  
31 minutes); there were none. He read into the record the letter of thanks being sent to the Siletz  
32 Tribal Council (copy attached to original of these minutes) for the generous grant funding they  
33 approved for emergency equipment.

34  
35 Murray asked for Council input on scheduling the first Budget Committee meeting; a meeting time  
36 and date of 6:00 PM on April 26 was set.

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38 XII. COUNCIL COMMENTS

39 Davilla thanked everyone and said it was a great meeting. Gave kudos to the Kids Zone.

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41 Zimmerman couldn't have said it better.

42  
43 Brown agreed, and thanked Murray and Fox.

44  
45 Leff thanked Staff for their hard work, and said it was a great meeting where a lot was  
46 accomplished.

47  
48 Cameron thanked City Hall Staff.

49  
50 Connors announced she is running for Mayor.

51  
52 Mayor White 1) Met with Senator Merkley last week after the Neighbors For Kids building grand  
53 opening. One of Merkley's staff members accompanied Mayor White down to the docks, where she  
54 took pictures to see what's needed. 2) Congratulations to Kids Zone. It was a beautiful ceremony.  
55 3) He went to a Siletz Tribal Council Board meeting yesterday; many more grant dollars were  
56 requested than were available. 4) Thanked the Council and Staff.

1 XIII. ADJOURN

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

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James White, Mayor

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Emma LuMaye, Recording Secretary