

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

5  
6 PRESENT: Mayor J. White, P. Cameron, C. Connors, B. Leff, D. Zimmerman

7  
8 ABSENT: J. Brown, D. Davilla

9  
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.

15  
16 II. CALL TO ORDER

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

18  
19 III. APPROVE MINUTES: June 15, 2010 Regular Meeting

20 Motion 1: Leff moved to approve the minutes from the June 15, 2010 Regular meeting. Connors  
21 seconded the motion.

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

24  
25 Vote: Motion passed.

26 Ayes: Connors, White, Leff, Zimmerman

27 Abstain: Cameron

28  
29 IV. ACCOUNTS PAYABLE

30 Motion 2: Zimmerman moved to accept the Accounts Payable as presented. Cameron seconded the  
31 motion.

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

34  
35 Vote: Motion 2 passed.

36 Aye: Cameron, Connors, White, Leff, Zimmerman

37  
38 V. SPECIAL ORDERS

39 A. Interview Applicants/Appointments to Fill Vacancies on City Commissions and Committees  
40 Harbor Commission applicant Noilie Achen and Traffic Safety Commission applicant Dennis  
41 Bachman were present and came forward to tell about themselves and why they were interested in  
42 participating, and answered questions from Councilors regarding their qualifications and  
43 applications.

44  
45 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of applications and  
46 ballot attached to original of these minutes) and announced the results. The vote to appoint each of  
47 the applicants was unanimous.

48  
49 Motion 3: Leff moved to accept the canvass of votes and appoint Noilie Achen to Harbor  
50 Commission Position #4 and Dennis Bachman to Traffic Safety Commission Position #5.  
51 Zimmerman seconded the motion.

52  
53 Mayor White said it was moved and seconded, and called for discussion. There was none.

54  
55 Vote: Motion 3 passed.

56 Ayes: Cameron, Connors, White, Leff, Zimmerman

57

1 B. Tina French, North Lincoln Sanitary Service – Rate Review Report 2010  
2 Tina French of North Lincoln Sanitary Service (NLSS) reviewed her handout (copy attached to  
3 original of these minutes) which highlighted many aspects of NLSS services and community  
4 involvement, before she reviewed the Rate Review Report (copy attached to original of these  
5 minutes), which proposed a minimal rate increase. Murray will prepare a draft Resolution to bring  
6 to the next Council meeting for adoption.

7  
8 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

9 There were no reports.

10  
11 VII. PUBLIC COMMENTS

12 There were no public comments.

13  
14 VIII. UNFINISHED BUSINESS

15 A. Water and Sewer Services – Rate Increase

16 Beverly Gruntorad 247 NE Williams, requested clarification of the information presented in the rate  
17 increase notice that was mailed out recently. She asked that the Council consider including a  
18 minimal allowed use for water and for sewer, instead of removing the current allowed use for  
19 sewer. Written comments were also received from Ms. Gruntorad on June 21 (copy attached to  
20 original of these minutes).

21  
22 Lou Trapani 1475 Tintinnabulary, was surprised there were only two people providing testimony on  
23 this issue. He said it wasn't his fault the City is behind on rates. He suggested that the mailing  
24 should have gone out before the public hearing rather than with the annual water quality report,  
25 and that additional information explaining why the rate increase is necessary should have been  
26 included.

27  
28 B. League of Oregon Cities (LOC) – Legislative Priorities

29 Murray said she and Owings reviewed the list of legislative issues, and suggested the Council might  
30 choose from the following Items: under the category of Finance & Taxation, Item G.: Maintain and  
31 strengthen the state's historic commitment to the State Shared Revenue funding formula. Any  
32 additional taxes or surcharges on these items must be incorporated into the current formula so  
33 cities may continue to provide services related to these revenues; and Item H.: Allow local  
34 governments a more flexible use of transient lodging tax to meet the increased demands placed on  
35 essential services and infrastructure created by tourism activities. Under the category of  
36 Telecommunications, Item R.: Address tax equity issues in the context of state telecommunications  
37 laws including removing existing preemptions that have led to declining revenues. Work towards an  
38 alternative revenue system for telecommunications providers. Oppose preemption of city  
39 franchising, rights-of-way and taxing authority. Under the category of Transportation, Item U.:  
40 Advocate for sustainable alternatives to fuel taxes to address decreasing State Highway Fund  
41 revenues as a result of an increase in automobile efficiency and the development of new  
42 technologies; and Item X.: Increase the funding allocation to Oregon's small cities for road and  
43 street development and maintenance from \$1 million to \$5 million without unfairly impacting larger  
44 cities' share of the State Highway Fund. And from the category of Water/Wastewater, Item BB.:  
45 Protect existing and future water rights from conditions that would prevent municipalities from  
46 meeting current or future demands. A Councilor suggested an Item from the category of General  
47 Government, Item J.: Restore the Department of Public Safety Standards and Training (DPSST)  
48 Regional Training program and protect DPSST from further cuts. There was brief discussion.

49  
50 Motion 4: Connors moved to submit Items H, J, R, and X to LOC as the City's legislative priorities.  
51 Cameron seconded the motion.

52  
53 Mayor White said it was moved and seconded, and called for discussion. There was none.

54  
55 Vote: Motion 4 passed.

56 Ayes: Cameron, Connors, White, Leff, Zimmerman  
57

1 Mayor White said he planned on attending the LOC conference in September, and he will address  
2 this issue there.

3  
4 C. Lincoln County Fair 2010 – Geocaching Coin and Information Booth

5 Murray reported that the seven other communities are not all contributing \$225 toward the  
6 geocaching; per the motion passed by the Council at the last meeting, the City cannot contribute to  
7 the effort unless all the other communities are participating. She also reported that she contacted  
8 Carol Barkhust at the Chamber, asking if the Chamber could put together and man the booth the  
9 Council approved. It is unknown whether they will be able to do that. There was brief discussion.

10  
11 Motion 5: Zimmerman moved to send the \$225 for geocaching regardless, and have the Mayor do  
12 the booth. Cameron seconded the motion.

13  
14 Mayor White said it was moved and seconded, and called for discussion. There was none.

15  
16 Vote: Motion 5 passed.

17 Ayes: Cameron, Connors, White, Leff, Zimmerman

18  
19 IX. NEW BUSINESS

20 A. Schedule Workshop Meeting – City Promotion and Advertising

21 The workshop was scheduled for August 17, 2010 at 6:00 PM.

22  
23 B. Intergovernmental Agreement/Personal Services – City of Depoe Bay and Depoe Bay Urban  
24 Renewal Agency (URA)

25 Murray said the agreement (copy attached to original of these minutes) was approved earlier at the  
26 Urban Renewal Agency meeting, with the following amendment to Item 2.: "...fiscal year basis **as**  
27 **presented in the current year Urban Renewal Agency budget**".

28  
29 Motion 6: Leff moved to approve the agreement as amended by the URA. Connors 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 6 passed.

35 Ayes: Cameron, Connors, White, Leff, Zimmerman

36  
37 C. Personal Services Contract – ODFW Liaison/Otter Rock Pilot Marine Reserve Management  
38 Plan

39 Murray said the draft contract (copy attached to original of these minutes) was for a local  
40 individual, Fred Robison, to act as liaison between ODFW and local fishermen & business owners, as  
41 the monitoring plan is developed. There was brief discussion.

42  
43 Motion 7: Zimmerman moved to accept the agreement and authorize the Mayor to sign. Connors  
44 seconded the motion.

45  
46 Mayor White said it was moved and seconded, and called for discussion. There was none.

47  
48 Vote: Motion 7 passed.

49 Ayes: Cameron, Connors, White, Leff, Zimmerman

50  
51 D. Department of Land Conservation and Development (DLCD) Coastal TA Grant Agreement

52 Murray said the grant application the Council authorized the City to submit at the last meeting for  
53 assistance in updating the Parks Master Plan had been submitted, and has already been awarded  
54 (copy attached to original of these minutes).

55  
56 Motion 8: Leff moved to approve the agreement with DLCD Coastal TA Grant Agreement and  
57 authorize the Mayor to sign. Connors seconded the motion.

1  
2 Mayor White said it was moved and seconded, and called for discussion. There was none.

3  
4 Vote: Motion 8 passed.

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

6  
7 E. OLCC Application

8 Murray said the application (copy attached to original of these minutes) was for change of name  
9 and ownership on an existing Depoe Bay business currently licensed for off-premises sales. There  
10 was brief discussion regarding the new business name and new (longer) hours of operation. A  
11 Councilor asked about multiple license cancellations and a fine at other locations owned by the  
12 corporation; there had been trouble with underage sales and a tobacco tax problem. The owner  
13 explained what measures were taken to ensure there were no future problems.

14  
15 Motion 9: Cameron moved to recommend to OLCC that the license be granted. Zimmerman  
16 seconded the motion.

17  
18 Mayor White said it was moved and seconded, and called for discussion. A Councilor expressed  
19 much concern about the possibility of alcohol being sold to minors. The concern was echoed by  
20 another Councilor, who was also concerned about alcohol being sold up to midnight to people who  
21 are driving; another Councilor noted that bars are open until 2 AM.

22  
23 Vote: Motion 9 passed.

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

25  
26 Return to Item VIII.A.: Water and Sewer Services – Rate Increase

27 Murray said written testimony was received via email from Jerry and Nancy Foster (copy attached  
28 to original of these minutes), who said the increases in the proposed Ordinance (copy attached to  
29 original of these minutes) are too steep and should be more gradual. Murray received verbal  
30 testimony earlier today from Mel and Kathy Neylon of 275 Anchor Avenue, who are not in favor of  
31 an increase at this time. A Councilor asked what the average usage is; Murray responded that  
32 usage habits are different for each person. It was noted that Newport customers are paying around  
33 \$80 per month now, and that the proposed rate increase would result in an “average” bill of around  
34 \$90 in 2020. Murray proposed the effective date of the Ordinance be September 1, 2010.  
35 Councilors agreed to review the draft Ordinance and provide any comments to Staff before the July  
36 20 meeting, where the proposed Ordinance will be presented for adoption.

37  
38 X. CORRESPONDENCE

39 There were two items of correspondence (copies attached to original of these minutes): 1) a letter  
40 from the Council of Governments regarding termination of Oregon Project Independence due to  
41 budgetary cuts, and 2) a letter from Patricia Hill, requesting the Council’s consideration to waive  
42 her high bill, which was the result of a leak. Murray noted there is no provision in the Ordinances  
43 for this action. A Councilor suggested Angels Anonymous might be able to assist; Mayor White  
44 directed Murray to call Roger Robertson to see if Angels Anonymous could help. Murray mentioned  
45 a program PUD has that allows people to contribute to a fund to relieve people in similar  
46 circumstances. Murray was asked to get additional information on this program and bring it to the  
47 first meeting in August.

48  
49 XI. CITY STAFF REPORT

50 Owings reviewed his written report (copy attached to original of these minutes), providing an  
51 update on water plant projects.

52  
53 Motion 10: Leff moved to authorize Owings to more forward with Phase 3 of the Water Plant  
54 Project. Connors seconded the motion.

55  
56 Mayor White said it was moved and seconded, and called for discussion. There was none.

1 Vote: Motion 10 passed.  
2 Ayes: Cameron, Connors, White, Leff, Zimmerman  
3  
4 Owings continued with his report, providing updates on south water tank improvements, the  
5 crosswalk project, and street repairs. Mayor White asked about the status of the emergency trailer;  
6 Owings said diagrams and drawings have been completed.

7  
8 Murray was not asked for a report.  
9

10 XII. COUNCIL COMMENTS

11 Zimmerman welcomed the new Commissioners, and felt the pain of those who provided input on  
12 the water/sewer rate increase.

13  
14 Leff echoed Zimmerman and hopes the new Commissioners have fun. She appreciates the  
15 comments from the people who provided testimony and said the key is better communication. She  
16 thanked everyone, and said the reason for Newport Fire coming through town this afternoon was to  
17 rescue someone who had an RV fall on them at Fogarty Creek; the victim is OK.

18  
19 Cameron thanked the new Commissioners, and said he will miss the next meeting because he will  
20 be at a family reunion.

21  
22 Connors thanked everyone for coming out and sharing their views. She was sorry the proposed rate  
23 structure wasn't sent out before the public hearing.

24  
25 Mayor White welcomed the new Commissioners. Welcomed the new business owner. Said the City  
26 isn't trying to punish anybody by raising water/sewer rates; everyone has to pay their bill, and the  
27 Council is doing the best it can. He thanked everyone for coming out, and thanked the Council and  
28 Staff. He said the City has the best Staff in the state, and maybe in the country, because the City  
29 doesn't have a tax base, and nobody's been fired or laid off.

30  
31 XIII. ADJOURN

32 There being no further business, the meeting was adjourned at 8:38 PM.  
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James White, Mayor

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42 \_\_\_\_\_  
43 Emma LuMaye, Recording Secretary