

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, July 20, 2010 - 7:00 PM
4 Depoe Bay City Hall

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

7
8 ABSENT: J. Brown, P. Cameron

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: July 6, 2010 Executive Session and Regular Meeting

20 Motion 1: Leff moved to approve the minutes from the July 6, 2010 Executive Session and Regular
21 meeting as written. Zimmerman 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: Davilla

28
29 IV. ACCOUNTS PAYABLE

30 Motion 2: Zimmerman moved to accept the Accounts Payable as presented. Leff 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: Connors, Davilla (abstained from check for Rick Davilla), White, Leff, Zimmerman

37
38 V. SPECIAL ORDERS

39 There were no special orders.

40
41 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

42 There were no reports.

43
44 VII. PUBLIC COMMENTS

45 There were no public comments.

46
47 VIII. UNFINISHED BUSINESS

48 There was no unfinished business.

49
50 IX. NEW BUSINESS

51 A. City County Insurance Services (CIS) – GASB 45 Actuarial Services Agreement
52 Murray, referring to email dated 6/7/10 from CIS (copy distributed to Council and attached to
53 original of these minutes), explained that Rule 45 requires cities to track and report retiree
54 benefits, and CIS has offered to provide the analysis and letter of stated liability at no cost to the
55 City. The Services Agreement is required by Milliman, Inc. in order to receive the letter stating the
56 City has no liability.

1 Motion 3: Connors moved to enter into the Actuarial Services Agreement for GASB 45 and to
2 authorize the Mayor to sign the agreement. Davilla seconded the motion.

3
4 Mayor White said it was moved and seconded, and called for discussion. There was none.

5
6 Vote: Motion 3 passed.

7 Ayes: Connors, Davilla, White, Leff, Zimmerman

- 8
9 B. Proposed Ord. #288 – An Ordinance Relating to Water and Sewer Service and Use Charges;
10 Amending Ordinance #46 (Sewer), as Amended, and Ord. #149 (Water), as Amended;
11 Amending Section 2 and Repealing and Replacing Section 3 of Ord. #240 (Sewer);
12 Repealing and Replacing Section 3.c. and Table 1 of Ord. #251 (Water); and Declaring an
13 Emergency

14 Murray said the proposed ordinance (copy attached to original of these minutes) was presented to
15 begin the adoption process, and asked the Council to consider a motion to perform both readings
16 by title only.

17
18 Motion 4: Connors moved to perform both readings of the proposed ordinance by title only. Davilla
19 seconded the motion.

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

22
23 Vote: Motion 4 passed.

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

25
26 Murray read the proposed Ordinance by title only, and asked for questions or comments. There
27 were none; however Beverly Gruntorad, who provided testimony at the public hearing, sent a
28 follow up email (copy attached to original of these minutes) encouraging the Council to consider an
29 allowed amount of water/sewage use.

30
31 Motion 5: Connors moved to adopt proposed Ord. #288 at the first reading. Zimmerman 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 5 passed.

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

38
39 Murray explained that because the vote was unanimous, the Council could proceed with the second
40 reading at this meeting.

41
42 Motion 6: Connors moved to proceed with the second reading of proposed Ord. #288 by title only.
43 Zimmerman seconded the motion.

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

46
47 Vote: Motion 6 passed.

48 Ayes: Connors, Davilla, White, Leff, Zimmerman

49
50 Murray performed the second reading of proposed Ord. #288 by title only. There were no further
51 comments.

52
53 Motion 7: Leff moved to adopt proposed Ord. #288 at the second reading. Connors seconded the
54 motion.

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

57

1 Vote: Motion 7 passed.

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

3
4 C. Oregon Coastal Zone Management Association (OCZMA) – Appoint 2010/11 Representative
5 and Alternate

6 Murray said a letter was received from OCZMA (copy attached to original of these minutes)
7 requesting the City appoint an OCZMA representative and alternate. Councilor Brown is the current
8 representative. The designated representative must be an elected official, and Brown’s Council term
9 expires at the end of the year. Brown is the OCZMA Chair through June, 2011.

10
11 Motion 8: Connors moved to appoint Zimmerman as OCZMA representative, with Brown as
12 alternate. Zimmerman declined.

13
14 It was the consensus of the Council to keep Brown in place as the designated representative
15 through the end of the year.

16
17 D. Proposed Res. #408 – A Resolution Setting Solid Waste Removal Fees Pursuant to Ord.
18 #277, as Amended; Superseding Res. #389

19 Murray said the proposed Resolution (copy attached to original of these minutes) is to adopt the
20 new rates North Lincoln Sanitary Services will be charging Depoe Bay customers effective August 1.

21
22 Motion 9: Connors moved to adopt proposed Res. #408 – A Resolution Setting Solid Waste
23 Removal Fees Pursuant to Ord. #277, as Amended; Superseding Res. #389. Zimmerman seconded
24 the motion.

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

27
28 Vote: Motion 9 passed.

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

30
31 X. CORRESPONDENCE

32 There was one item of correspondence (copy attached to original of these minutes): a series of
33 complaints regarding the residential home on South Point Street. Murray, Owings, and Mayor White
34 talked with the City Attorney, who said that State law mandates residential homes as an outright
35 use in residential zones and the City cannot supersede State law. Murray said she spoke with the
36 residential home’s local contact person who expressed concern over the zoning issues that were
37 raised by the complainants, and will be contacting South Point resident Dennis Bachman to offer to
38 attend a community meeting to address residents’ concerns.

39
40 XI. CITY STAFF REPORT

41 Owings asked for questions on his written report (copy attached to original of these minutes). He
42 addressed the Council about negative issues associated with bottled water (copy of handout
43 attached to original of these minutes), noting that bottling companies do not have to meet
44 regulations as municipal water suppliers do. There are also health, environmental, and
45 sustainability issues. He said that while bottled water will remain available at City Hall for a time
46 (the current stock), the City would be installing a water cooler as its main source of drinking water.

47
48 Murray was not asked for a report.

49
50 XII. COUNCIL COMMENTS

51 Davilla announced she will not be running for re-election due to family obligations.

52
53 RETURN TO NEW BUSINESS

54 Mayor White said Bayside Chapel requested a change in their “church day in the park” event from
55 August 1 to September 12 (copy of revised application attached to original of these minutes).

1 Motion 10: Leff moved to approve the change of date for Bayside Chapel’s “church day in the park”.
2 Connors seconded the motion.

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

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6 Vote: Motion 10 passed.
7 Ayes: Connors, Davilla, White, Leff, Zimmerman

8
9 RETURN TO COUNCIL COMMENTS

10 Zimmerman said thanks for getting the meeting over early.

11
12 Leff said 1) She was approached by someone about Japanese knotweed, and turned the inquiry
13 over to the Parks Commission. 2) Depoe Bay CERT (Community Emergency Response Team) was
14 recently called into action to find a missing man, who was subsequently found on Fishing Rock. 3)
15 Toward the goal of better communication, she asked the Council and Staff to think about collecting
16 residents’ email addresses for the purpose of sending out a regular newsletter.

17
18 Mayor White said 1) He will be attending an Oregon Mayor’s Association conference in Cottage
19 Grove next week. 2) He commended Owings and Carla Duering for their fast work in finding a
20 company last Friday afternoon to create the banner now hanging at the back of the Council
21 chambers in time for the county fair. 3) He was disillusioned and upset that after all the time and
22 gas money he’s spent trying to promote Depoe Bay over the past six years that the Chamber of
23 Commerce had no volunteers to assist with manning the City’s booth at the fair. 4) Thanked the
24 Council and Staff for their work.

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26 XIII. ADJOURN

27 There being no further business, the meeting was adjourned at 7:33 PM.

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James White, Mayor

38 _____
Emma LuMaye, Recording Secretary