

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, November 16, 2010 - 7:00 PM
4 Depoe Bay City Hall

5
6 PRESENT: Mayor J. White, J. Brown, P. Cameron, C. Connors

7
8 ABSENT: D. Davilla, B. Leff, D. Zimmerman

9
10 STAFF: City Field Superintendent T. Owings, City Recorder P. Murray

11
12 I. PLEDGE OF ALLEGIANCE

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

14
15 II. CALL TO ORDER

16 Mayor White called the meeting to order and established a quorum at 7:03 PM.

17
18 III. APPROVE MINUTES: November 2, 2010 Executive Session and Regular Meeting

19 Motion 1: Connors moved to approve the minutes from the November 2, 2010 Executive Session
20 and Regular Meeting as written. Cameron seconded the motion.

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

23
24 Vote: Motion passed.

25 Ayes: Cameron, Connors, White Brown

26
27 IV. ACCOUNTS PAYABLE

28 Motion 2: Connors moved to accept the Accounts Payable as presented. Cameron seconded the
29 motion.

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

32
33 Vote: Motion 2 passed.

34 Ayes: Cameron, Connors, White, Brown

35
36 V. SPECIAL ORDERS

37 There were no special orders.

38
39 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

40 Loren Goddard 15 Ellingson Street and Near Shore Action Team (NSAT) Chair, addressed the
41 Council about the final recommendation made to the Ocean Policy Advisory Council (OPAC) by the
42 Cascade Head Community Team (CHCT). OPAC will be reviewing this recommendation at their
43 December 6-7 meeting. There was discussion about the recommendation. (Copy of
44 recommendation chart attached to original of these minutes.)

45
46 Motion 3: Brown moved that the City of Depoe Bay disagrees with CHCT recommendation, and that
47 Depoe Bay's strong recommendation is to not restrict fishing in any way, south of the 45 degrees 2
48 minutes parallel. Connors seconded the motion.

49
50 Mayor White said it was moved and seconded, and called for discussion. There was brief
51 discussion.

52
53 Vote: Motion 3 passed.

54 Ayes: Cameron, Connors, White, Brown

1
2 Amendment Brown amended his motion to include authorizing the Mayor to sign the letter of
3 disagreement, to be drafted by NSAT, and to be sent to OPAC before their December 6 meeting. It
4 was the consensus of the Council to allow the amendment.

5
6 Dorinda Goddard 15 SW Ellingson, observed that Lincoln County is ending up with three marine
7 reserves. There was discussion.

8
9 VII. PUBLIC COMMENTS

10 Maggie Brown 15 SE Ainslee, requested the Council exempt Operation Care Package from fees for
11 using the Community Hall or tables. There was discussion about rental fees.

12
13 Motion 4: Brown moved to exempt Operation Care Package from Community Hall fees. Connors
14 seconded the motion.

15
16 Mayor White said it was moved and seconded, and called for discussion. A Councilor asked the
17 Council to look at the fees.

18
19 Vote: Motion 4 passed.
20 Ayes: Cameron, Connors, White, Brown

21
22 Rick Beasley 140 Ocean View, said he personally feels a debt of gratitude to Mr. Goddard. He
23 addressed the Council regarding the City leasing privately-owned restrooms for public use,
24 encouraging the City to stop the practice.

25
26 VIII. UNFINISHED BUSINESS

27 There was no unfinished business.

28
29 IX. NEW BUSINESS

30 A. Bid Award – Dock Flotation Project

31 Owings reported that two proposals were received, and recommended accepting the low bid of
32 \$11,350.00 from Oregon Marine Construction. There was brief discussion about the large
33 discrepancy in proposals.

34
35 Motion 5: Connors moved to award the contract to Oregon Marine Construction for \$11,350.00 for
36 Docks 1 & 2 flotation repairs. Cameron seconded the motion.

37
38 Mayor White said it was moved and seconded, and called for discussion. There was none.

39
40 Vote: Motion 5 passed.
41 Ayes: Cameron, Connors, White, Brown

42
43 B. Restroom Lease

44 Murray referred to her memo dated 11/15/10 (copy attached to original of these minutes)
45 regarding the two restroom lease agreements the City has, one of which is for downtown
46 restrooms, and the other for dockside restrooms.

47 • Woodmark

48 John Woodmark, the property owner for the downtown restrooms, was present. The lease expires
49 2/6/11 and does not contain a renewal option. The City could choose to let the lease expire or
50 enter into dialog with Mr. Woodmark regarding a new lease.

51 • Robison Brothers

52 The dockside restrooms lease expires 4/5/11. This lease is renewable at the same terms.
53

1 John Woodmark P.O. Box 89 addressed the Council regarding the downtown restrooms lease, the
2 cost of maintaining the restrooms and recent usage figures. He felt it unfair to customers to not
3 renew the lease. He said he wasn't trying to get rich off leasing the restrooms, but he'd like to get
4 the electricity covered [in the lease].
5
6 Murray noted that if the City wants to exercise its option to renew the lease for the dockside
7 restrooms, the City is required to provide notice within 120 days of expiration, and December 5
8 would be 120 days; the deadline is two days before the next Council meeting. The City can either
9 let the downtown restroom lease expire and do nothing, or the City can enter into negotiations with
10 Mr. Woodmark for a new lease.
11
12 Lars Robison 635 Collins Street, addressed the Council regarding the dockside restrooms, which he
13 and his brothers Fred and Jan own and lease to the City. He noted that Dockside Charters leases
14 the building from the Robisons, and Dockside Charters receives no money from the restroom lease.
15 Dockside Charters pays for electricity for the public restrooms.
16
17 Loren Goddard said he felt Mr. Woodmark's estimates of the number of people who utilize the
18 downtown restrooms was conservative, as the fixtures only use one gallon per flush. He also noted
19 the public restrooms provided at the south end of the harbor are quite a walk from the docks.
20
21 Motion 6: Brown moved to enter into negotiations with Mr. Woodmark on a lease agreement for
22 the downtown restrooms. Cameron seconded the motion.
23
24 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion
25 about the need for having public restrooms downtown and at the harbor.
26
27 Vote: Motion 6 passed.
28 Ayes: Cameron, Connors, White, Brown
29
30 Motion 7: Connors moved to exercise the renewal option for the dockside restrooms with the
31 Robison brothers. Brown seconded the motion.
32
33 Mayor White said it was moved and seconded, and called for discussion. There was none.
34
35 Vote: Motion 7 passed.
36 Ayes: Cameron, Connors, White, Brown
37
38 X. CORRESPONDENCE
39 There were two items of correspondence (copies attached to original of these minutes): 1) A letter
40 from Lamar Threet encouraging the Council to consider revising the sewer rate structure to allow
41 for averaging sewer usage in the dry months, as was done before the rate change. 2) A letter of
42 congratulations from City County Insurance for winning an Annual Safety and Wellness Award.
43
44 XI. CITY STAFF REPORT
45 Owings reviewed his written report (copy attached to original of these minutes), providing updates
46 on the south water tank project, the pole building at the wastewater plant, and the Parks Nature
47 Trail and Oregon Coast Trail projects.
48
49 Murray was not asked for a report.
50
51 XII. COUNCIL COMMENTS
52 Cameron thanked Mr. Goddard for all his work.
53

1 Connors also thanked Mr. Goddard, Lars Robison, Jack O'Brien, and the rest of the NSAT team for
2 their work. She thanked Mr. Beasley for his comments regarding the public restrooms and said she
3 hoped that over the next few years the City would be able to figure out an alternate way to provide
4 public restrooms.

5
6 Mayor White thanked everyone for coming and for their comments. He thanked Mr. Goddard, Mr.
7 Robison, and the NSAT team for their hard work.

8
9 Brown confirmed with Mr. Goddard that NSAT would get a draft letter to Mayor White for his
10 signature before the OPAC meeting.

11
12 Mayor White thanked the Council and Staff. He spoke to the incoming Council, saying he felt
13 they've got the best Staff to work with.

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15 XIII. ADJOURN

16 There being no further business, the meeting was adjourned at 8:08 PM.

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Jim White, Mayor

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Emma LuMaye, Recording Secretary