

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

6 PRESENT: Mayor J. White, J. Brown, P. Cameron, C. Connors, D. Davilla, B. Leff,
7 D. Zimmerman
8

9 STAFF: City Recorder P. Murray
10
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 7:00 PM.
17

18 III. APPROVE MINUTES: November 16, 2010 Regular Meeting

19 Motion 1: Cameron moved to approve the minutes from the November 16, 2010 Regular Meeting
20 as written. Connors 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 Abstain: Davilla, Leff, Zimmerman
27

28 IV. ACCOUNTS PAYABLE

29 Motion 2: Zimmerman moved to accept the Accounts Payable as presented. 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, White, Leff, Brown, Zimmerman
36

37 V. SPECIAL ORDERS

38 There were no special orders.
39

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

41 There were no reports.
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43 VII. PUBLIC COMMENTS

44 There were no public comments.
45

46 VIII. UNFINISHED BUSINESS

47 There was no unfinished business.
48

49 IX. NEW BUSINESS

50 A. Safety Bonus

51 Murray reviewed the City's Safety Bonus Policy, and said this fiscal year's savings of \$991.32 was
52 within the \$1,000 budgeted amount, and requested authorization to disburse to employees (copy
53 of memo dated 12/6/10 attached to original of these minutes).
54

1 Motion 3: Connors moved to authorize the 2010-11 Safety Bonus of \$991.32 to employees. Leff
2 seconded the motion.

3
4 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion.

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6 Vote: Motion 3 passed.

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

8
9 B. Canvass of Votes – November 2, 2010 Election

10 Motion 4: Leff moved to accept the canvass of votes from the November 2, 2010 election.

11 Zimmerman seconded the motion. (Copy of canvass attached to original of these minutes.)

12
13 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion.

14
15 Vote: Motion 4 passed.

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

17
18 C. Authorize Accounts Payable for End-of-Year

19 Murray said this item would address paying bills for the next meeting date, as that regularly-
20 scheduled meeting is not likely to be held.

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22 Motion 5: Zimmerman moved to approve Accounts Payable through the end of the year. Cameron
23 seconded the motion.

24
25 Mayor White said it was moved and seconded, and called for discussion. There was none.

26
27 Vote: Motion 5 passed.

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

29
30 D. Downtown Restroom Lease Proposal – Woodmark

31 Murray said at the November 16 meeting, the Council moved to enter into negotiations with Mr.
32 Woodmark, who has since provided a lease proposal (copy attached to original of these minutes,
33 with Murray's cover memo dated 12/6/10). She said the full Council can meet in regular or
34 executive session to negotiate, or the Council can appoint a subcommittee to negotiate and return
35 to the Council with a recommendation.

36
37 Motion 6: Leff moved that the Council appoint a committee of two to negotiate with Mr. Woodmark
38 and come back to the full Council with a recommendation. Davilla seconded the motion.

39
40 Mayor White said it was moved and seconded, and called for discussion. There was none.

41
42 Vote: Motion 6 passed.

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

44
45 Mayor White asked Councilors Connors and Leff to serve as the subcommittee; they agreed.

46
47 E. City Council Position #6 Qualification Review – Write-In Candidate Seth "Zeke" Olsen

48 Murray reviewed the status of Council Position #6 (copy of memo dated 12/6/10 attached to
49 original of these minutes), which was a write-in position on the November 2 ballot. Mr. Olsen
50 received the highest number of write-in votes, and it was later discovered that he could not meet
51 the City Charter's residency requirement. If the person with the highest number of votes cannot
52 meet the qualifications, the seat becomes vacant. A Council motion is necessary to designate the
53 vacancy.

54

1 Motion 7: Leff moved to declare Council Position #6 vacant. Cameron seconded the motion.

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3 Mayor White said it was moved and seconded, and called for discussion. There was brief discussion.

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5 Vote: Motion 7 passed.

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

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8 X. CORRESPONDENCE

9
10 Loren Goddard Chair of Near Shore Action Team (NSAT) and member of the Cascade Head
11 Community Team (CHCT) apologized for his late arrival and offered to provide a report on Ocean
12 Policy Advisory Council (OPAC) meetings that have occurred during the past two days. He said
13 there was considerable deliberation, after which marine reserve proposals were approved to be
14 forwarded to the governor's office. He shared his thoughts and concerns. Councilor Brown said
15 Governor Kulongowski made a statement that there would be no marine reserves if they created an
16 economic impact, that this statement is supported in HB 3013, and testimony from Depoe Bay
17 fishermen has clearly shown that there would be such an impact in our community [if marine
18 reserves are established nearby]. It was Brown's opinion that when socio-economic studies are
19 done, it will be "all over", but that there is a need to stay engaged with the process. Councilor
20 Zimmerman added that the ODF&W person who presented the [proposed] Cascade Head Marine
21 Reserve stated it would impact Depoe Bay significantly, and this statement is also on the record.
22 Mr. Goddard said assurances had been made in writing that if these sites (Cape Arago, Cape
23 Perpetua, Cascade Head, Cape Falcon, and the two pilot sites at Red Fish Rocks and Otter Rock)
24 become marine reserves, there would be no more marine reserves north of Cape Blanco for a 15-
25 year window. NSAT is preparing a Powerpoint presentation for the Council on the current status of
26 community working groups at Otter Rock, which will be ready to present after the first of the year.
27 Mayor White said he will touch base with the new mayor in Lincoln City to discuss the proposed
28 Cascade Head Marine Reserve. Mr. Goddard said he's been approached to remain involved with the
29 CHCT, which he was willing to do if the Council wanted him to. Mayor White asked if a motion was
30 necessary for this; Murray replied that it is a State team and asked Mr. Goddard how he became
31 involved originally.

32
33 Motion 8: Brown moved that Loren Goddard remain involved with the Cascade Head Community
34 Team. Zimmerman seconded the motion.

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

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38 Vote: Motion 8 passed.

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

40
41 Murray said there were three items of correspondence (copies attached to original of these
42 minutes): 1) A letter from ODOT regarding the City's Pedestrian and Bicycle Grant application for a
43 project on Hwy 101 between the bridge and Evans Street, which was not awarded. 2) A letter from
44 ODOT regarding the City's Special City Allotment Grant application for a project on Bay Street,
45 which was awarded. 3) A letter from Larry Cox at the Coast Guard Auxiliary requesting permission
46 to conduct raffles at meetings they hold at the Community Hall. She said the City doesn't allow
47 social gaming, and offered to do research - if there are no legal issues, she will send a letter to Mr.
48 Cox letting him know if the activity is allowed; if there are legal issues, she will bring them back to
49 the Council.

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51 Motion 9: Leff moved to authorize Staff to research legal issues with the USCG raffle. If none,
52 notify the Auxiliary that they may hold raffles; if there are issues, bring back to the Council.
53 Connors seconded the motion.

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

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3 Vote: Motion 9 passed.

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

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6 XI. CITY STAFF REPORT

7 Murray provided an update on the termination of the contract with ODOT's Right Of Way Division
8 for the Scenic Byway Project – the City Attorney is reviewing the termination documents, which
9 should come back before the Council in January.

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11 XII. COUNCIL COMMENTS

12 Davilla thanked the audience for attending, and thanked Mr. Goddard for his work.

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14 Zimmerman echoed Davilla, and thanked Mayor White for the letter that was sent to OPAC. He
15 congratulated the newly-elected officials.

16
17 Brown echoed Zimmerman, with emphasis on Mr. Goddard. He noted this is his last meeting.

18
19 Leff echoed the previous comments, focusing on Goddard. Wished everyone a happy holiday
20 season.

21
22 Cameron thanked Davilla for four years of service, Brown for eight years of service, and Mayor
23 White for his six years as Mayor. Cameron will not be at the next meeting, as he's having surgery
24 that day. He wished Happy Hannukah and Merry Christmas to everyone.

25
26 Connors said there's a new wave energy office opening in Newport. She is concerned about the
27 impact of wave energy on the whales that come around all the time. She hoped NSAT could be
28 involved with this; Mr. Goddard said they already are, and that the wave energy devices can't be in
29 marine reserves but the rest of the ocean is open to wave energy. Connors said she was invited to
30 the office opening; the Council encouraged her to go. She wished everyone happy holidays.

31
32 Mayor White said this was his last regular meeting. He said his time on the Council and as Mayor
33 has been an eye-opening experience with a lot of ups and downs. He thanked the community,
34 Staff, and the Council for sticking by him, and he'll miss everybody.

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36 XIII. ADJOURN

37 There being no further business, the meeting was adjourned at 7:47 PM.

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Emma LuMaye, Recording Secretary

Jim White, Mayor