

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, January 18, 2011 - 7:00 PM  
4 Depoe Bay City Hall  
5

6 PRESENT: Mayor C. Connors, D. Goddard, B. Leff, D. Zimmerman  
7

8 ABSENT: P. Cameron  
9

10 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings  
11

12 I. PLEDGE OF ALLEGIANCE

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

15 II. CALL TO ORDER

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

18 III. APPROVE MINUTES: January 4, 2011 Regular Meeting

19 Motion 1: Leff moved to approve the minutes from the January 4, 2011 Regular Meeting as written.  
20

21 Goddard seconded the motion.  
22

23 Mayor Connors said it was moved and seconded, and called for discussion. There was none.  
24

25 Vote: Motion passed.

26 Ayes: Goddard, Leff, Connors, Zimmerman  
27

28 IV. ACCOUNTS PAYABLE

29 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Goddard seconded  
30 the motion.

31 Mayor Connors said it was moved and seconded, and called for discussion. There was none.  
32

33 Vote: Motion 2 passed.

34 Ayes: Goddard, Leff, Connors, Zimmerman  
35

36 V. SPECIAL ORDERS

37 A. Presentation: Signe Grimstad, Grimstad and Associates – Audit Fiscal Year 2009-10

38 Signe Grimstad reviewed the Fiscal Year 2009-10 Audit with the Council. There was brief discussion  
39 about the 2010 water/sewer rate increase. She was pleased that the City reduced the number of  
40 funds. She said there will be a change in disclosures effective June 2011; Murray was given a  
41 summary of the new disclosures.  
42

43 Motion 3: Leff moved to accept the 6/30/10 Audit Report from Grimstad and Associates. Goddard  
44 seconded the motion.  
45

46 Mayor Connors said it was moved and seconded, and called for discussion. There was none.  
47

48 Vote: Motion 3 passed.

49 Ayes: Goddard, Leff, Connors, Zimmerman  
50

51 B. Presentation: Jack Davis, News Times – Destination Depoe Bay

52 Jack Davis of the News Times addressed the Council regarding a new publication by the News  
53 Times called "Destination Depoe Bay" (handout with advertising prices attached to original of these  
54 minutes), and is being published in connection with the Depoe Bay Chamber of Commerce. He

1 asked for the City to support the project by committing to advertising in the annual publication.  
2 There was brief discussion on distribution and whether other local cities are participating in similar  
3 projects. He said 35 Depoe Bay businesses will be advertising in the publication. This item will be  
4 carried over for discussion at the next meeting.  
5

6 C. Interview/Appoint Applicants for City Commissions and Committees

7 Parks Commission applicant Gerry Engleman was present and came forward to tell about himself  
8 and why he was interested in participating, and answered questions from Councilors regarding his  
9 qualifications and application (copy of application attached to original of these minutes).

10  
11 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to  
12 original of these minutes) and announced the results. The vote to appoint Mr. Engleman to the  
13 Parks Commission was unanimous.

14  
15 Motion 4: Leff moved to accept the canvass of votes and appoint Gerry Engleman to Parks  
16 Commission Position #4. Zimmerman seconded the motion.

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

19  
20 Vote: Motion 4 passed.

21 Ayes: Goddard, Leff, Connors, Zimmerman  
22

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

24 Leff apologized for being behind on finance reports.  
25

26 VII. PUBLIC COMMENTS

27 Rick Beasley addressed the Council regarding the closure of the 2003 Scenic Lands Acquisition  
28 Project. He was concerned about the City having to refund grant monies and wanted to know how  
29 the money was spent, and when there was the first indication that there might be trouble with  
30 successfully acquiring the land. He said by closing this project out, that this Council has spent more  
31 money than any other Council, and requested a narrative of the project. A Councilor provided a  
32 summary of the project's timeline, noting that no current Councilor was on the Council when the  
33 grant agreement was signed, and if Mr. Beasley wanted a written narrative he'd be asking the City  
34 to spend more money on the closed project.  
35

36 VIII. UNFINISHED BUSINESS

37 A. City Newsletter

38 Councilor Leff reviewed her memo dated 1/12/11 and reported that a draft survey to send to  
39 Depoe Bay registered voters and property owners had been prepared, and asked for the Council's  
40 approval to proceed with mailing the survey (copy of her memo dated 1/12/11 and draft survey  
41 attached to original of these minutes).  
42

43 Motion 5: Leff moved that the Council accept the recommendation to mail out a four-page survey  
44 as described at a cost not to exceed \$834. Goddard seconded the motion.  
45

46 Mayor Connors said it was moved and seconded, and called for discussion. There was none.  
47

48 Vote: Motion 5 passed.

49 Ayes: Goddard, Leff, Connors, Zimmerman  
50

51 B. Councilor Assignments

- 52 ● Oregon Cascades West Council of Governments (COG) – Mayor (alt. Pery Murray)
- 53 ● Cascades West Commission on Transportation (CWACT) – Mayor (alt. Mike Laverty)
- 54 ● Lincoln County Solid Waste Consortium - Mayor

- 1 • Oregon Coastal Zone Management Association (OCZMA) – Goddard (alt. Jack Brown)
- 2 • Wastewater Advisory – Goddard and Cameron
- 3 • Audit Review Committee – Leff and Goddard
- 4 • Safety Committee - Cameron
- 5 • Accounts Payable - Zimmerman

6  
7 Motion 6: Leff moved that Councilor assignments be approved as reviewed. Goddard seconded the  
8 motion.

9  
10 Mayor Connors said it was moved and seconded and called for discussion. There was none.

11  
12 Vote: Motion 6 passed.

13 Ayes: Goddard, Leff, Connors, Zimmerman

#### 14 15 IX. NEW BUSINESS

##### 16 A. Depoe Bay STEP Renewal

17 Murray said the Salmon Enhancement Commission has been involved in STEP (Salmon and Trout  
18 Enhancement Program), which has a five-year renewal process. The information required for  
19 renewal has been collected (copy of Owings' draft letter for renewal attached to original of these  
20 minutes).

21  
22 Motion 7: Goddard moved to approve Owings' letter as drafted for STEP renewal and provide  
23 access to City property. Leff seconded the motion.

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

26  
27 Vote: Motion 7 passed.

28 Ayes: Goddard, Leff, Connors, Zimmerman

##### 29 30 B. 2011 ODOT SCA Grant Agreement 27167 – Bay Street Improvements Project

31 Murray said this agreement (copy attached to original of these minutes) needed to be signed  
32 before the project could proceed. Owings provided additional information on the project, noting  
33 that the water line and storm water system will be upgraded, and the project will be a disturbance  
34 because it will interfere with the intersection, but that it needs to be done. There was discussion  
35 about scheduling the project around heavy tourist activities e.g. Spring Break, and traffic patterns  
36 during construction.

37  
38 Motion 8: Leff moved to approve the ODOT 2011 SCA Agreement #27167 for Bay Street: Hwy 101  
39 to Conway Avenue. Goddard seconded the motion.

40  
41 Mayor Connors said it was moved and seconded, and called for discussion.

42  
43 Amendment: Leff amended the motion to include sending out Requests for Proposals for  
44 engineering services. Goddard accepted the amendment.

45  
46 Vote: Motion 8, as amended, passed.

47 Ayes: Goddard, Leff, Connors, Zimmerman

#### 48 49 X. CORRESPONDENCE

50 There were two items of correspondence (copies attached to original of these minutes): 1) A public  
51 notice from the Oregon Coastal Management Program of the Department of Land Conservation and  
52 Development. Public comment is being accepted until February 13, 2011 on the issue of the U.S.  
53 Coast Guard's proposal for nationwide use of high frequency and ultra-high frequency SONAR  
54 technology from mobile platforms up to 12 nautical miles from shore. Copies of the notice, which

1 was received today, will be distributed to the Planning Commission, City Planner, and Near Shore  
2 Action Team. 2) "Who Can Be An American" – an invitation to attend a meeting this Friday at 7 PM  
3 in Newport.

4  
5 XI. CITY STAFF REPORT

6 Owings reviewed his written report (copy attached to original of these minutes); he addressed this  
7 past weekend's storm, a boat sinking in the harbor, new flooring in the Community Hall, extension  
8 of the nature trail, and a mandatory DEQ mixing zone study with a three-month deadline. He found  
9 a company that will do the mixing zone study for only \$5,000 and asked the Council's authorization  
10 to engage the company (provided money is in the budget) to do the study.

11  
12 Murray reminded everyone that applications are still being accepted for City Council, until 5:00 PM  
13 on January 27, the public hearing on System Development Charges is scheduled for the next  
14 Council meeting, and Council applicant interviews will take place at the next Council meeting.

15  
16 XII. COUNCIL COMMENTS

17 Leff recommended that new Councilor Goddard and the as-yet-unappointed Councilors tour the  
18 wastewater plant. Councilor Goddard said she's been down there and it's impressive. Leff thanked  
19 City Crew Dan & Pogo for their assistance with sandbags during the rainstorm.

20  
21 Zimmerman thanked the Harbormaster for his work last weekend with the sunken boat, and  
22 thanked Mr. Beasley for the questions he raised.

23  
24 Goddard said her learning curve is steep, and asked to be made informed when she doesn't know  
25 something.

26  
27 Mayor Connors: 1) Commended Staff on their assistance with the storm-related emergencies last  
28 weekend. 2) She was surprised that the City doesn't require all moored boats to carry liability  
29 insurance with the City named as "additional insured", as there are many accident scenarios where  
30 the City could end up paying. This subject will be forwarded to the Harbor Commission for their  
31 recommendation, which is requested in time to be discussed at the second Council meeting in  
32 February. 3) She reported U.S. Fish & Wildlife, in response to a complaint, had informed Oregon  
33 Parks & Recreation Department (OPRD) that the State may be in violation of Federal law for  
34 permitting the Depoe Bay July 3<sup>rd</sup> Fireworks event at Boiler Bay State Park. OPRD had informed the  
35 Depoe Bay Chamber of Commerce and the City that the event will no longer be permitted. She also  
36 attended a meeting about fireworks where various things were discussed, including the potential of  
37 having a Depoe Bay study done to determine if the Depoe Bay Fireworks event is harming the bird-  
38 nesting colony at Pirate's Cove. A request was made to be permitted to hold fireworks this year  
39 only until a permanent decision is made; a response is expected by the end of the month. 4) She  
40 thanked everyone for attending.

41  
42 XIV. ADJOURN

43 There being no further business, the meeting was adjourned at 8:38 PM.

44  
45  
46  
47  
48  
49

\_\_\_\_\_  
Carol Connors, Mayor

\_\_\_\_\_  
50 Emma LuMaye, Recording Secretary