

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, May 17, 2011 - 7:00 PM
4 Depoe Bay City Hall

5
6
7 PRESENT: Mayor C. Connors, P. Cameron, S. Hoitink, B. Leff, T. Lewis, D. Zimmerman

8
9 ABSENT: D. Goddard

10
11 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording
12 Secretary E. LuMaye
13

14
15 I. PLEDGE OF ALLEGIANCE

16 Mayor Connors called for all to stand for the Pledge of Allegiance.
17

18 II. CALL TO ORDER

19 Mayor Connors called the meeting to order and established a quorum at 7:00 PM.
20

21 III. APPROVE MINUTES: April 27, 2011 Harbor Commission/City Council Joint Meeting, May 2, 2011
22 Budget Committee Meeting, May 3, 2011 Executive Session and Regular Meeting
23

24 Motion 1: Cameron moved to approve the minutes from the April 27, 2011 Harbor Commission/City
25 Council Joint Meeting, May 2, 2011 Budget Committee Meeting, and the May 3, 2011 Executive
26 session and Regular Meeting. Hoitink seconded the motion.
27

28 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
29

30 Vote: Motion 1 passed.

31 Ayes: Cameron, Hoitink, Leff (April 27 and May 2), Connors, Zimmerman

32 Abstain: Leff (May 3), Lewis
33

34 IV. ACCOUNTS PAYABLE

35 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Lewis seconded the
36 motion.
37

38 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
39

40 Vote: Motion 2 passed.

41 Ayes: Cameron, Hoitink, Leff, Connors, Lewis, Zimmerman
42

43 V. SPECIAL ORDERS

44 A. Sammy Cho, Koson Enterprises, Inc.

45 Sammy Cho of Koson Enterprises and his manager Jeffrey addressed the Council regarding his
46 successful and expanding slime eel business. He expressed interest in leasing the fish plant and
47 asked whether modifications he would need to make to the property would be feasible, and
48 answered Councilors' questions about his business. Murray explained that should the City decide to
49 lease or sell the property it would be subject to the public bid process and open to all comers.
50

51 B. Proclamation – Emergency Medical Services Week, May 16-22, 2011

52 Murray read the proclamation (copy attached to original of these minutes) into the record.
53

1 Motion 3: Leff moved to proclaim Emergency Medical Services Week May 16-22, 2011. Cameron
2 seconded the motion.

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

5
6 Vote: Motion 3 passed.

7 Ayes: Cameron, Hoitink, Leff, Connors, Lewis, Zimmerman

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

10 There were no reports.

11
12 VII. PUBLIC COMMENT

13 Jerome Grant 356 E. Logsdan Road in Siletz and Depoe Bay business owner, said he was present
14 because he saw the City had received two letters about the fish plant, and wanted to affirm the
15 public bid process. He stated he wanted to be part of any discussion involving leasing or selling the
16 fish plant.

17
18 Zeke Olsen 40 Conway Street, addressed the Council regarding a newspaper article that appeared
19 on the front page of the NewsTimes last Friday. He was advised by Mayor Connors that the matter
20 can only be discussed in executive session.

21
22 Kay Wyatt 1760 SW Walking Wood, distributed handouts (copy attached to original of these
23 minutes) from a recent "disaster fair" in Nehalem where participants and booths included the Red
24 Cross, DOGAMI, CERT & Teen CERT, animals in disasters, and local police, fire, and ambulance.
25 She described what happens at these fairs, saying many of the booths are interactive and there is
26 a lot of information available, so people can learn about all kinds of disaster-related things; plus,
27 the events are kid-friendly. She said the fairs draw families and help them learn what they can do
28 to prepare for, and assist themselves and others during disasters. She asked for the Council's
29 blessing and thoughts on holding a similar event in Depoe Bay; she did not request any funding
30 from the City, saying the fairs are organized and staffed by volunteers.

31
32 VIII. UNFINISHED BUSINESS

33 A. City Newsletter

34 Leff commended Staff on compilation of survey results. Murray asked Fox to review the packet
35 distributed to the Council prior to the last meeting. Leff expressed her desire to move forward with
36 creating a City newsletter and publishing it on the website, emailing it to interested parties, and
37 placing a few copies in public places like the chamber or the post office. She suggested a quarterly
38 publication schedule, and offered to recruit volunteers to help with putting the newsletters
39 together.

40
41 B. Tsunami Response After Action Report, Review Emergency Operation Plan

42 Owings reviewed his written report (copy attached to original of these minutes), providing updates
43 on items identified for follow-up. Actions taken to date include 1) contacts made regarding a joint
44 staff meeting for full review, 2) updated City contact phone numbers with the sheriff's office, 3)
45 updated Emergency Operations Team contact phone numbers (with suggested review of
46 assignments), 4) updated information pertinent to the Neighbors For Kids building being used as an
47 evacuation center (not certified), 5) acquisition of a NOAA radio donated by a Councilor, review of
48 flood insurance (no action necessary), 6) and television cable/satellite service (not in place yet).
49 Also noted: 1) Dock 1 has been temporarily repaired, 2) FEMA has been met with and paperwork
50 filed, 3) insurance statement of loss is anticipated this week, 4) requirements to participate in Call-
51 Em-All have been reviewed and are under consideration, 5) Lt. Landers has reported on the
52 County's efforts to revise their mass notification system, 6) the draft RFP (request for proposal) for
53 a warning siren system is in progress, and 7) the emergency trailer is anticipated to be fully
54 operational by July 1, 2011 (still waiting for radios to be installed and programmed). Mayor

1 Connors directed Staff to get the cable/satellite service quickly. A Councilor suggested holding a
2 workshop meeting to update the Emergency Operations Plan assignment list; a workshop was
3 scheduled for June 21 at 6 PM.

4
5 IX. NEW BUSINESS

6 A. Bid Award – South Water Tank Exterior Painting Project

7 Owings said there were a lot of proposals received. Clearwater Engineering reviewed the proposals
8 and recommended accepting the lowest bid, which was from Shields Painting Corporation (copy of
9 proposals and Clearwater’s recommendation attached to original of these minutes).

10
11 Motion 4: Hoytink moved to accept the bid from Shields Painting Corporation in the amount of
12 \$24,340, for painting the south water tank, and authorize the mayor to sign the contract. Leff
13 seconded the motion.

14
15 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

16
17 Vote: Motion 4 passed.

18 Ayes: Cameron, Hoytink, Leff, Connors, Lewis, Zimmerman

19
20 B. Proposed Res. #409 – A Resolution Extending Workers’ Compensation Coverage to
21 Volunteers of the City of Depoe Bay for Policy Year 2011-12; Superseding Res. #404

22 Murray said this is an annual resolution that authorizes the City to provide Workers’ Comp for
23 volunteers. There was a minor format change: Traffic Safety Commission volunteers that put out
24 radar trailers are no longer classified as Public Safety Volunteers; they are now classified as Public
25 Officials Performing Manual Labor. She noted that Adopt-a-Planter volunteers and all Councilors
26 and Commissioners are covered when performing functions for the City. A Councilor asked about
27 Salmon Enhancement volunteers that “just show up” for fin clipping; Murray said that’s never been
28 looked into but she believes it’s covered by STEP (Salmon and Trout Enhancement Program).

29
30 Motion 5: Leff moved to adopt proposed Res. #409 – A Resolution Extending Workers’
31 Compensation Coverage to Volunteers of the City of Depoe Bay for Policy Year 2011-12;
32 Superseding Res. #404. Lewis seconded the motion.

33
34 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

35
36 Vote: Motion 5 passed.

37 Ayes: Cameron, Hoytink, Leff, Connors, Lewis, Zimmerman

38
39 C. Request to Schedule an Event in City Park – Depoe Bay Chamber of Commerce Annual
40 Salmon Bake, September 14-20, 2011

41 Murray reviewed the application (copy attached to original of these minutes) submitted by Jim
42 Hayes for the Salmon Bake Committee, for use of City Park September 14-20, 2011.

43
44 Motion 6: Leff moved to approve the request from the Chamber of Commerce Salmon Bake
45 Committee for use of City Park September 14-20, 2011. Zimmerman seconded the motion.

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

48
49 Vote: Motion 6 passed.

50 Ayes: Cameron, Hoytink, Leff, Connors, Lewis, Zimmerman

51
52 D. Review Res. #378 – Rental Fees for City Owned Facilities – Exceptions

53 Murray reviewed Res. #378 which sets rental fees and deposits and lists exceptions to rental fees;
54 she also reviewed Res. #251, predecessor to Res. #378 (copies attached to original of these

1 minutes). The list of exceptions was reviewed; there were a few organizations who haven't rented
2 in several years and removing them from the list was briefly discussed. When asked how many fee
3 waiver requests are received per year (not including those organizations on the exceptions list),
4 she responded there are usually only two or three requests. It was the consensus of the Council
5 that those organizations who remain on the exceptions list should be required to pay the
6 refundable deposit, and Staff was directed to prepare a resolution updating the list of exceptions
7 and including a modification to require all renters – whether or not they're on the exception list –
8 to provide a deposit.

9

10 E. Standardized Application Form for Funding Requests

11 Murray asked the Council to review one short and one long sample form (copies attached to
12 original of these minutes), and provide comments to Staff for any desired revisions to bring back to
13 the Council. Mayor Connors said she wanted it to be clearly stated so that organizations requesting
14 funding understand that the Council wants to know how many people within City limits benefit from
15 their service, vs. people having a Depoe Bay address (which includes the Lincoln Beach and Miroco
16 areas).

17

18 F. Oregon Emergency Management Infrastructure Contract 1964-DR-OR

19 Murray reviewed the FEMA contract for disaster relief funding (copy attached to original of these
20 minutes) for Dock 1 tsunami damage repairs, noting that the project will consist of three sub-
21 projects.

22

23 Motion 7: Cameron moved to approve Infrastructure Contract 1964-DR-OR. Hoitink seconded the
24 motion.

25

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

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28 Vote: Motion 7 passed.

29 Ayes: Cameron, Hoitink, Connors, Lewis, Zimmerman

30

30 Abstain: Leff

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32 X. CORRESPONDENCE

33 There were three items of correspondence (copies attached to original of these minutes: 1) A letter
34 dated May 16 signed by Mayor Connors from the City of Depoe Bay to James Little at Oregon Parks
35 and Recreation District (OPRD) regarding a 2011 Scenic Byway Grant Application for the Whale
36 Watching Center. 2) A letter from Neighbors For Kids (NFK) requesting the Council revisit the
37 Planning Commission's rejection of the NFK conditional use application. 3) An email from Jennifer
38 Pena requesting the City ban all trash burning within City limits.

39

40 A Councilor stated she was offended by NFK making a formal request that the Council subvert the
41 City's system by requesting the Council revisit a Planning Commission decision. Mayor Connors
42 directed Staff to contact NFK and ensure they understand that the Council will not review or revisit
43 the decision unless a formal appeal is filed.

44

45 There was discussion about the request to ban burning within City limits. A Councilor said it was
46 unknown whether the City can supersede State laws and regulations. The fire department has a list
47 of what you can and can't burn, and will come out and speak to people who are burning when a
48 complaint is made. Usually people are cooperative when they understand neighbors are being
49 disturbed by their actions. Staff was directed to respond to Ms. Pena and advise her to contact the
50 fire department.

51

52 Mayor Connors said she signed the support letter to OPRD because the request came in at the last
53 minute, and the deadline was the day before, so there was no time to bring it before the Council.

1 She and Murray looked at past Council minutes and determined that the Council has supported the
2 Whale Watching Center in the past, so she decided to sign it.

3
4 XI. CITY STAFF REPORT

5 Murray asked Councilors if they'd like to provide a photo and brief bio for posting on the City's
6 website; there was no consensus. She also reported that the decoy police car is ready to be picked
7 up.

8
9 Owings reviewed his written report (copy attached to original of these minutes), providing updates
10 on the following items not already addressed during the meeting: 1) Warning Sirens: the City
11 Attorney has advised there is a law that permits a local contract review board (the Council) to
12 exempt contracts from traditional competitive bidding upon approval of findings of fact showing
13 that an alternative contracting process is unlikely to encourage favoritism or diminish competition,
14 and that the process will result in substantial cost savings to the public agency. 2) Bay Street
15 improvements: RFPs will go out in August, with groundbreaking expected the week of September
16 19, 2011. This time frame was chosen based on decreased foot traffic to businesses during mostly
17 good weather. 3) Bridges on nature trail: The City must obtain a building permit before the bridges
18 can be installed. He is working on getting information necessary for the building permit application.

19
20 XII. COUNCIL COMMENTS

21 Zimmerman: Congratulations and compliments to crew for getting Dock 1 temporarily fixed.

22
23 Lewis: Welcomed Leff back from vacation.

24
25 Cameron: Regarding pictures on website, said it's all or none. Thanked the audience for their
26 participation.

27
28 Leff: Said it's a pleasure to be back. She likes seeing people in the audience. Thanked Staff for a
29 great job.

30
31 Mayor Connors: 1) She, Murray, and Owings met with Lt. Landers and Lt. Carey regarding having
32 an officer in Depoe bay. Murray is putting together a contract which will come back to the Council.
33 There will be one contact person at the City to communicate with the sheriff's office in terms of
34 when an officer is needed to be here. Officers who patrol Depoe Bay will provide information on
35 when they feel a presence is most needed. 2) She has received complaints about the curb at the
36 corner of Collins Street and Hwy 101 – people are hitting the curb when they turn right, and if they
37 swerve wide to miss it, they get a ticket if an officer sees them. She wondered if anything can be
38 done. Owings said they need to practice going around the curb, and the curb can't be modified
39 because of the storm water drain. 3) Asked what the insurance company said about the dog park
40 the Parks Commission is investigating. Murray said there is no additional liability or premium for a
41 dog park. 4) Thanked everyone for coming out and giving their views on various subjects, saying
42 community involvement is important.

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44 XIII. ADJOURN

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

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50 _____
51 Carol Connors, Mayor

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53 _____
54 Emma LuMaye, Recording Secretary