

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

5
6 PRESENT: President B. Leff, P. Cameron, S. Hoitink, D. Goddard, T. Lewis, D. Zimmerman

7
8 ABSENT: Mayor C. Connors

9
10 STAFF: City Recorder P. Murray, Recording Secretary E. LuMaye

11
12 I. PLEDGE OF ALLEGIANCE

13 President Leff called for all to stand for the Pledge of Allegiance.

14
15 II. CALL TO ORDER

16 President Leff called the meeting to order and established a quorum at 7:00 PM.

17
18 III. APPROVE MINUTES: May 17, 2011 Regular Meeting, May 24, 2011 Special Meeting with
19 Executive Session

20
21 Motion 1: Cameron moved to approve the minutes from the May 17, 2011 Regular Meeting and the
22 May 24, 2011 Special Meeting with Executive Session. Goddard seconded the motion.

23
24 President Leff said it was moved and seconded, and called for discussion. There was none.

25
26 Vote: Motion 1 passed.

27 Ayes: Cameron, Hoitink, Leff, Goddard (May 24), Zimmerman

28 Abstain: Goddard (May 17), Lewis

29
30 IV. ACCOUNTS PAYABLE

31 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Lewis seconded the
32 motion.

33
34 President Leff said it was moved and seconded, and called for discussion. There was none.

35
36 Vote: Motion 2 passed.

37 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman

38
39 V. SPECIAL ORDERS

40 A. Interview/Appoint Applicants for City Commissions and Committees

41 Planning Commission applicant Jerome Grant was present and came forward to tell about himself
42 and why he was interested in participating, and answered questions from Councilors regarding his
43 qualifications and application. There was brief discussion as to eligibility requirements. President
44 Leff read aloud portions of Planning Commission applicant Thomas Chavez's application.

45
46 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot and
47 applications attached to original of these minutes) and announced the results. Councilors Cameron,
48 Goddard, and Leff voted to appoint Thomas Chavez, and Councilors Hoitink, Lewis, and
49 Zimmerman voted to appoint Jerome Grant. Because the vote was split, a second round of voting
50 took place. In the second round, Councilors Cameron, Goddard, Hoitink, and Leff voted to appoint
51 Chavez, and Councilors Lewis and Zimmerman voted to appoint Grant.

52
53 Motion 3: Goddard moved to accept the canvass of votes and appoint Thomas Chavez to Planning
54 Commission Position #3. Cameron seconded the motion.

1
2 President Leff said it was moved and seconded, and called for discussion. There was none.

3
4 Vote: Motion 3 passed.

5 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman

6
7 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

8 A. Mike Laverty, Cascades West Area Commission on Transportation (CWACT)

9 Mike Laverty reported on the recent CWACT meeting he attended, noting that the bridge north of
10 Salishan is scheduled to be open later this year, and that Newport and Lincoln City were local
11 recipient cities of electric car charging stations; the charging stations are free to use.

12
13 B. Parks Commission Recommendation – Dog Park

14 Bill Spores Parks Commission Chair, provided a cursory update on Parks Commission activities,
15 noting the Parks Master Plan should be finished in about three months and the Commission wants
16 to hold public hearings before the Master Plan is brought before the Council. Regarding dog parks,
17 he said the Parks Commission wants to move forward with a dog park project. Potential locations
18 were discussed, with none being decided on. It was the consensus of the Council that everyone
19 watch for a potential piece of property that could be used as a dog park.

20
21 VII. PUBLIC COMMENT

22 Lars Robison Harbor Commissioner and Depoe Bay citizen, addressed the Council as a citizen who
23 would feel the same if acting as a Commissioner, regarding a moorage situation involving AJ
24 Matilla, who can't retain his moorage space because the boat that's moored isn't the boat that's
25 registered with the City for use in that slip. Several years ago, a previous Harbormaster [who is
26 now deceased] had told him he could swap boats while the boat that is registered is under repair.
27 Robison supports the Council providing an exception to the ordinance for Mr. Matilla, saying he
28 supports this as a citizen, and would also support it as a Harbor Commissioner.

29
30 Loren Goddard Harbor Commissioner, NSAT Chair, and Depoe Bay citizen, addressed the Council as
31 a citizen who would feel the same if acting as a Commissioner, hoped Staff could provide insight on
32 the problem. He felt that Mr. Matilla should be able to continue to hold his moorage spot. Murray
33 advised that the Harbor Ordinance (#252) doesn't allow switching of boats unless they are of a like
34 size [the registered boat is Category B; the boat in the slip is Category A]. She was fairly certain
35 the ordinance doesn't include a provision for the Council to make exceptions, but will review the
36 ordinance to confirm this. Mr. Goddard said the big boat is getting close to being done and will
37 need a place in the water. Goddard supports the Council providing an exception to the ordinance
38 for Mr. Matilla, saying he supports this as a citizen, and would also support it as a Harbor
39 Commissioner. President Leff said that 10-12 years of use creates an expectation on Mr. Matilla's
40 part, and the City needs to find an ethical way to resolve the issue.

41
42 AJ Matilla said he didn't know how soon the boat will be ready to go back in the water, but that
43 he's been working on it as diligently as he can while continuing to work as a fisherman and handle
44 his personal life. He mentioned the "spirit of the law" vs. the "letter of the law", saying that without
45 intent to deceive, the spirit of the law isn't being broken. President Leff carried this item over to the
46 next meeting to allow Staff time to research the ordinance and to allow Councilors time to consider
47 the situation.

48
49 Rick Beasley asked if there is a waiting list for Category B boats, and was a complaint filed; Murray
50 responded that yes there is a waiting list and no there wasn't a complaint filed.

51
52 VIII. UNFINISHED BUSINESS

53 A. City Newsletter

1 Murray reported that she, President Leff, and Fox met after the last meeting to discuss the
2 newsletter; one of the things discussed was a contest to name the newsletter. President Leff put
3 together a flyer and a press release (copies attached to original of these minutes) for the Council's
4 review, and has prizes lined up. Upon Council authorization, the press release will be distributed,
5 the flyer will be put around town, and a notice will be posted on the City's website.

6
7 Motion 4: Goddard moved to go ahead with the press release and the flyer for the Name the
8 Newsletter contest as prepared by Leff. Lewis seconded the motion.

9
10 President Leff said it was moved and seconded, and called for discussion. There was none.

11
12 Vote: Motion 4 passed.

13 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman

14
15 B. Standardized Application form for Funding Requests

16 A draft form prepared by President Leff (copy attached to original of these minutes) was reviewed.

17
18 Motion 5: Goddard moved to approve the draft form. Lewis seconded the motion.

19
20 President Leff said it was moved and seconded, and called for discussion. There was none.

21
22 Vote: Motion 5 passed.

23 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman

24
25 IX. NEW BUSINESS

26 A. Proposed Res. #410 – A Resolution Setting Forth Rental Fees and Deposits for City-Owned
27 Facilities and Fee for Purchase of Memorial Bench; Amending Exceptions; Superseding Res.
28 #378

29 There was brief discussion to clarify that deposits will be required for excepted entities. (Copy of
30 proposed resolution attached to original of these minutes.)

31
32 Motion 6: Goddard moved to approve proposed Res. #410 as written. Hoitink seconded the motion.

33
34 President Leff said it was moved and seconded, and called for discussion. There was none.

35
36 Vote: Motion 6 passed.

37 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman

38
39 B. Oregon Parks and Recreation Department (OPRD) Recreational Trails Program (RTP) Grant
40 Agreement – Depoe Bay City Park Pedestrian and Bicycle Bridge Project

41 Murray said the City received notification of this grant award about a year ago, and with the recent
42 adoption of the Federal budget, the program has now been funded. She requested the Council
43 approve the agreement (copy attached to original of these minutes) and authorize the Council
44 President to sign it.

45
46 Motion 7: Goddard moved to approve the agreement and authorize the Mayor or sitting substitute
47 to sign the agreement. Cameron seconded the motion.

48
49 President Leff said it was moved and seconded, and called for discussion. There was none.

50
51 Vote: Motion 7 passed.

52 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman

53

1 C. Oregon IFA (Infrastructure Finance Authority) Special Public Works Fund – Application for
2 Grant Funding – Tsunami Damage Repair, Depoe Bay Harbor
3 Murray said the Project Notification & Intake Form (copy attached to original of these minutes) is
4 the first form that needs to be submitted to apply for funding for permanent repair of tsunami-
5 damaged Dock 1.

6
7 Motion 8: Zimmerman moved to authorize the Project Notification & Intake Form and authorize the
8 Mayor to sign the application. Cameron seconded the motion.

9
10 President Leff said it was moved and seconded, and called for discussion. There was none.

11
12 Vote: Motion 8 passed.

13 Ayes: Cameron, Hoitink, Leff, Goddard, Lewis, Zimmerman
14

15 X. CORRESPONDENCE

16 There was one item of correspondence: a letter from the U.S. Census Bureau detailing how to go
17 online and find Depoe Bay's census profile. There was discussion regarding the potential for a
18 substantial number of people to have not been counted – specifically the Stonebridge area, and
19 how the error could have consequences for future funding. Staff was directed to challenge the
20 findings. President Leff asked that the Council be kept informed.

21 22 XI. CITY STAFF REPORT

23 Murray reported 1) Call-Em-All has been activated with Lincoln County's Reverse 9-1-1 list, at a
24 cost of just under \$300 to buy 3500 credits for making emergency and "all clear" calls. A notice
25 has been posted on the City's website and one at the post office. President Leff wanted a news
26 release also. 2) Reminded Councilors that Mayor Connors had requested a Councilor attend an
27 OPRD meeting relative to the Parks Building being placed on the National Register of Historical
28 Places. The meeting is this Thursday, June 10 in Salem. No one has volunteered yet. 3) With the
29 Council's approval of the newsletter flyer and press release, Staff will begin collecting email
30 addresses for the newsletter – a notice will be posted on the website tomorrow.

31 32 XII. COUNCIL COMMENTS

33 Zimmerman thanked everyone for showing up, and advised Mr. Matilla the Council will try to figure
34 something out to ease his situation.

35
36 Lewis reported that Gleneden Beach Sanitary has agreed to pay \$17,500 per month starting July 1.
37 He wants the Wastewater Advisory Committee to meet with Owings to discuss flow vs. EDUs.
38 Hoitink added that the agreement needs to be reviewed closely.

39
40 Goddard thanked everyone for their special concerns. She urged Staff and the Council to make
41 "short work" of the business with Mr. Matilla and his boat.

42
43 Hoitink thinks Bay Street needs to be repaired before the scheduled repair date in September.

44
45 Leff: thanked everyone for coming, and thanked Staff for their good work. She agreed with
46 Goddard that Mr. Matilla's moorage issue needed to be resolved.

47 48 XIII. ADJOURN

49 There being no further business, the meeting was adjourned at 8:11 PM.
50

51
52 _____
Barbara Leff, Council President

53
54 _____
Emma LuMaye, Recording Secretary