

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

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

8 ABSENT: S. Hoitink
9

10 STAFF: City Field Superintendent T. Owings, City Recorder P. Murray
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: July 19, 2011 Workshop and Regular Meeting
19

20 Motion 1: Leff moved to approve the minutes from the July 19, 2011 Workshop and Regular
21 Meeting as written. 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 1 passed.

26 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman
27

28 IV. ACCOUNTS PAYABLE

29 Motion 2: Zimmerman moved to approve the Accounts Payable as submitted. Cameron seconded
30 the motion.
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32 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
33

34 Vote: Motion 2 passed.

35 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman
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37 V. SPECIAL ORDERS

38 There were no special orders.
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40 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

41 A. Harbor Commission Recommendation – Initiate Legal Action

42 Murray referred to a memo from the Harbor Commission dated 7/27/11 (copy attached to original
43 of these minutes), in which it was recommended to the Council to proceed with legal action on the
44 *Jim-Bob*, owned by Steve Pearl. Moorage and electric had not been paid. The enforcement process
45 began on July 28, 2011, with 15 days to pay in full. If Mr. Pearl does not come into compliance
46 within that 15-day period, the City will begin to incur legal fees as the enforcement process
47 proceeds. She explained that fees are due by July 1, and become delinquent if not paid by July 10.
48 If not paid by July 20, they lose their slip. The *Jim-Bob* is currently unauthorized to be in the
49 harbor.
50

51 Motion 3: Leff moved to direct Staff to proceed with legal action on the *Jim-Bob* owned by Steve
52 Pearl if fees are not paid and insurance brought into compliance by August 12, 2011. Lewis
53 seconded the motion.
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1 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

2

3 Vote: Motion 3 passed.

4 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman

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6 VII. PUBLIC COMMENTS

7 There were no public comments.

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9 VIII. UNFINISHED BUSINESS

10 There was no unfinished business.

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12 IX. NEW BUSINESS

13 A. Authorize Expenses – League of Oregon Cities (LOC) 86th Annual Conference September 29-
14 October 1, 2011, Bend

15 Murray said Mayor Connors and Councilor Leff had expressed interest in attending the LOC
16 conference in Bend September 29-October 1, 2011 (copy of brochure attached to original of these
17 minutes). Registration for two first-time attendees would be \$710, one-way mileage would be
18 around 200 miles, and four nights' lodging would be approximately \$800.

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20 Motion 4: Goddard moved to approve expenses not to exceed \$1,800 for Mayor Connors and
21 Councilor Leff to attend the 86th LOC conference September 29-October 1, 2011. Lewis seconded
22 the motion.

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24 Vote: Motion passed.

25 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman

26

27 B. Contract – Oregon Infrastructure Finance Authority (IFA) Depoe Bay Marina Emergency
28 Project Docks and Pilings

29 Murray said a letter was received from the IFA in early July (copy attached to original of these
30 minutes) notifying the City of a grant award for funding Dock 1 replacement from tsunami damage.
31 The contract (copy attached to original of these minutes) has been reviewed, and other than a
32 minor correction to Page 2, Section 4.a.i., which says "Recipient is a Municipality (county)" and it
33 should say **(city)**, the remainder of the contract is a standard State of Oregon agreement for grant
34 funding. In addition to the contract was a Deposit Option Notification Form. Murray recommended
35 using Method #1, which was to use an electronic funds transfer (EFT) to send the funds directly
36 into the City's checking account. This agreement requires the City to pay costs up front and then
37 be reimbursed. A signature card would also need to be completed; every reimbursement request
38 must be signed by two people of the four signers on the card. The Mayor cannot be a signer, and
39 Murray cannot be a signer because she's the preparer. Councilors Cameron, Goddard, Leff, and
40 Lewis agreed to be signers.

41

42 Motion 5: Leff moved to approve the IFA contract and authorize the Mayor to sign and Staff to
43 proceed; the four Councilors previously identified will become signature card signers; and payment
44 Method #1 (EFT) be used. Goddard seconded the motion.

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

47

48 Vote: Motion 5 passed.

49 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman

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51 X. CORRESPONDENCE

52 There were two items of correspondence (copies attached to original of these minutes): 1) A letter
53 dated August 1, 2011 from Rick Beasley regarding an article from the July 8, 2011 issue of the

1 *NewsTimes*. 2) An email from Governor Kitzhaber proclaiming July 31-August 7, 2011 as Oregon
2 Wave Week.

3
4 XI. CITY STAFF REPORT

5 Owings reviewed his written report (copy attached to original of these minutes), providing updates
6 on the south water tank project, and a review of projects that have been advertised.

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8 Murray had no report.

9
10 XII. COUNCIL COMMENTS

11 Leff noted the annual Chamber of Commerce picnic is Monday night. The Chamber is planning to
12 present a plaque in appreciation of Dr. Fox, who is retiring. Fred Robison asked Leff to ask the
13 Council to express appreciation in some way.

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15 Motion 6: Leff moved to direct Staff to prepare a certificate of appreciation for Dr. Fox, to be
16 presented to him by the Mayor at the Chamber of Commerce picnic on Monday evening. Goddard
17 seconded the motion.

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

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21 Vote: Motion 6 passed.

22 Ayes: Cameron, Leff, Connors, Goddard, Lewis, Zimmerman

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24 Zimmerman welcomed Murray back from vacation.

25
26 Lewis said neighbors suggested the City provide signage on Hwy 101 at Bay Street identifying
27 businesses south of that location. There was discussion about getting ODOT's approval to do this.
28 Lewis was asked to tell his neighbors that the Council thought this was a great idea. Owings will
29 contact permit specialists to find out what can be done.

30
31 Goddard 1) Said sidewalks and crosswalks would help bring people south of the bridge. She was
32 frustrated by ODOT telling the City what it can or can't do. Mayor Connors said she would be
33 attending a meeting on Thursday with State agencies and would speak with an ODOT
34 representative to see what can be done. 2) Attended the last Harbor Commission (HC) meeting.
35 They have an ongoing problem of getting enough members together to form a quorum. She
36 thought it would be a good idea to send a letter to members of all Commissions to remind them of
37 their responsibilities. Members who are not regularly able to attend meetings should step down. 3)
38 She said the HC now understands what the Council wants [in reference to the HC's request for a
39 joint meeting with the Council for clarification of the Council's directive that the HC review current
40 harbor activities and current moorage permits to ensure all ordinances and regulations are being
41 correctly administered and the harbor facilities properly managed and maintained, and to review
42 the moorage ordinance and bring recommendations to the Council, as discussed at the 6/21/11
43 Council meeting]. It was the general feeling of the Council that there should be a policy in place
44 regarding meeting attendance. Murray was asked to research rules and bring information back to
45 the Council.

46
47 Mayor Connors said tomorrow from 10-3 the Coast Guard station is having an open house. They
48 will have movies, a tour, and games. She will be leaving tomorrow for the mayors' meeting in
49 Madras.

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51 Return to Item VII. PUBLIC COMMENT

52 Mark & Christine Fay addressed the Council regarding cleaning up properties they own at the south
53 end of the bay. He said he received a letter from City Planner Larry Lewis regarding putting in a
54 pedestrian path to connect the loop; this path would run across the Fays' property. The Fays don't

1 want to put a path where Lewis suggested, but are willing to discuss the issue with the Council, to
2 allow public use of a circuit that might increase the use of the south end of the bay. The properties
3 he purchased previously belonged to Fred Wahl and Jim Wahl. He said the broken down pier is still
4 broken down, but now it's cleaned up. He's trying to beautify the area and hopes to develop plans
5 for use of the facility.

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7 XIII. ADJOURN

8 There being no further business, the meeting was adjourned at 7:43 PM.

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Carol Connors, Mayor

20 Emma LuMaye, Recording Secretary