

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, September 6, 2011 - 7:00 PM  
4 Depoe Bay City Hall  
5

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

8 ABSENT: P. Cameron  
9

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

### 13 I. PLEDGE OF ALLEGIANCE

14 Mayor Connors called for all to stand for the Pledge of Allegiance.  
15

### 16 II. CALL TO ORDER

17 Mayor Connors called the meeting to order and established a quorum at 7:02 PM.  
18

### 19 III. APPROVE MINUTES: August 16, 2011 Regular Meeting and August 17, 2011 Special Meeting 20 with Executive Session 21

22 Motion 1: Leff moved to approve the minutes from the August 16, 2011 Regular Meeting and the  
23 August 17, 2011 Special Meeting with Executive Session as written. Goddard seconded the motion.  
24

25 Mayor Connors said it was moved and seconded, and called for discussion. Goddard said she  
26 couldn't second on the August 17 meeting since she wasn't at the meeting. Lewis seconded.  
27

28 Vote: Motion 1 passed.

29 Ayes: Hoitink, Leff, Connors, Goddard (August 16 only), Lewis, Zimmerman (August 16  
30 only),

31 Abstain: Goddard (August 17 only), Zimmerman (August 17 only)  
32

### 33 IV. ACCOUNTS PAYABLE

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

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

39 Vote: Motion 2 passed.

40 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman  
41

### 42 V. SPECIAL ORDERS

43 A. Presentation: Gloria – Pastega House

44 This presentation was cancelled.  
45

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

47 Mr. Davis distributed a flyer advertising Destination Depoe Bay (copy attached to original of these  
48 minutes), and said the first issue (6,000 copies) was a big success. The second issue (15,000  
49 copies) is scheduled for printing in October. The News Times offered the City the same agreement  
50 as the first printing, if the City would buy another full page ad: a free full page for a letter from the  
51 Mayor. A Councilor noted that the free page in the first issue wasn't a full page – it had an ad at  
52 the bottom. Mr. Davis assured the Council that the page would be a full page this time. There will  
53 be no increase in price. A Councilor asked to have Stonebridge included in the map of Depoe Bay.

1 A Councilor questioned the City paying to be in a magazine; another Councilor responded that it  
2 brings more people to town and increases transient room tax revenues.

3  
4 Motion 3: Hoytink moved to pay for a full-page ad in the 2011-12 edition of Destination Depoe Bay,  
5 at a cost not to exceed \$600. Zimmerman seconded the motion.

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

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9 Vote: Motion 3 passed.

10 Ayes: Hoytink, Leff, Connors, Goddard, Lewis, Zimmerman

11  
12 VI. REPORTS OF OFFICERS

13 Loren Goddard, 15 SW Ellingson and liaison for the Harbor Commission, reported that the Harbor  
14 Commission continues to be plagued with poor attendance, and they welcome the Council's help to  
15 resolve the issue; they would like to see a rule like the Salmon Enhancement Commission has –  
16 that members cannot miss more than three meetings. The Harbor Commission also voted to have a  
17 rotating volunteer liaison attend Council meetings, and advised the Council to expect to see a  
18 Harbor Commissioner at the first Council meeting each month. There was brief discussion about  
19 quorums.

20  
21 VII. PUBLIC COMMENTS

22 There were no public comments.

23  
24 VIII. UNFINISHED BUSINESS

25 A. City Hall Parking Lot Paving Project – Construction Bids

26 Owings said after getting no bids on the project (as reported at the last meeting), he contacted  
27 some companies and got one bid for \$41,000, which is significantly over budget. He said that the  
28 recycle bins in the back present a problem because of their weight, and the weight of the trucks  
29 that come in to empty them. He said a new location would have to be found for the recycle bins  
30 before the parking lot can be paved.

31  
32 B. Rules for City Commissions, Committees, and Teams

33 Murray said any changes to existing rules would happen through amending existing ordinances.  
34 (Reference document distributed at 8/16/11 meeting.)

35  
36 Motion 4: Zimmerman moved to direct Staff to integrate the Salmon Enhancement Commission  
37 rule that "no member shall miss more than three consecutive meetings" into all Commission  
38 ordinances. Goddard seconded the motion.

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40 Mayor Connors said it was moved and seconded, and called for discussion. Murray explained that  
41 an "excused absence" usually means the person calls ahead to say they can't be there, but there is  
42 no explicit policy.

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44 Vote: Motion 4 passed.

45 Ayes: Hoytink, Leff, Connors, Goddard, Lewis, Zimmerman

46  
47 Staff was directed to draft an amending ordinance and bring back to the Council at the next  
48 meeting. A Councilor noted the Traffic Safety Commission has only five members, and asked about  
49 the feasibility of other Commissions, esp. the Harbor Commission, being reduced to five members.  
50 The Harbor Commission liaison was asked to take the matter to the next regular meeting of the  
51 Harbor Commission for recommendation to the Council.

52  
53 C. Cable Franchise Agreement Renewal – Broadstripe

1 Murray said the franchise agreement expires on November 6. Broadstripe has provided a draft  
2 agreement, but there are a few things that need to be changed that don't apply to Depoe Bay.  
3 They also left out the fee amount. There was brief discussion about a privilege tax, and  
4 establishing a "master" ordinance to enact a privilege tax to cover a wider range of services.  
5 Murray referred to the section of the existing ordinance covering Broadstripe that addresses  
6 termination of the agreement, pointing out that the City has the right to extend the expiration  
7 date.

8  
9 Motion 5: Leff moved to empower Staff to request a six-month extension of the franchise  
10 agreement in accordance with Section 32.4 of Ord. #230, and that the Council make every effort to  
11 have research of a privilege tax finished prior to that date. Goddard seconded the motion.

12  
13 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

14  
15 Vote: Motion 5 passed.

16 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

17  
18 IX. NEW BUSINESS

19 A. Request for City's Consent to Assign Cable Franchise from Broadstripe to Wave  
20 Murray referred to a letter dated August 17, 2011 (copy attached to original of these minutes),  
21 which announces the sale of Summit CableVision, a subsidiary of Millennium Digital Media Systems  
22 dba Broadstripe, and WaveDivision VII dba Wave Broadband. The letter requests the City consent  
23 to assignment of the franchise to Wave, in compliance with the franchise agreement. They included  
24 a form for the City to complete. This must be addressed no later than December 17, 2011.

25  
26 Motion 6: Leff moved that Staff be empowered to complete the form assigning Broadstripe to  
27 Wave, and authorize the Mayor to sign. Lewis seconded the motion.

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

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31 Vote: Motion 6 passed.

32 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

33  
34 B. Authorize Expenses – City Hosting League of Oregon Cities (LOC) Small Cities Region 1  
35 November 2011 Meeting

36 Mayor Connors said she offered to host the November 2011 LOC Small Cities Region 1 meeting in  
37 Depoe Bay. She said the hosting city normally provides lunch for the group, and asked the Council  
38 to allocate funds for lunch.

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40 Motion 7: Leff moved to allocate not more than \$250 for the LOC regional meeting. Goddard  
41 seconded the motion.

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

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45 Vote: Motion 7 passed.

46 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmermna

47  
48 C. Award Construction Contract

49 • Bay Street Improvement Project (Hwy 101 to Conway Avenue)

50 Owings said two bids were received, and the engineer recommended accepting the low bid of  
51 \$59,923.50 from Devils Lake Rock. (Copy of engineer's letter dated 9/2/11 attached to original of  
52 these minutes.)

53

1 Motion 8: Zimmerman moved to accept the bid from Devils Lake Rock in the amount of \$59,923.50  
2 for Bay Street Improvement Project. Leff seconded the motion.

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

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6 Vote: Motion 7 passed.

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

- 8  
9 • Community Hall Heating System

10 Owings said four bids were received, but asked to delay awarding this project until the next  
11 meeting because he has a meeting with the energy trust people tomorrow. There was no objection.

12  
13 D. Authorize Expenses – Mandatory State Marine Board Training/MAP Grant Program

14 Murray said the Maintenance Assistance Program (MAP) is applied for and received every year. The  
15 grant helps harbors fund things like boat launches, fish cleaning stations, restrooms, and parking  
16 lots, in support of recreational fisheries. The City has been receiving around \$6,000 a year through  
17 this grant. This year there is a mandatory training session in Salem on October 19 that Owings will  
18 attend. There is a \$52 fee to register; grant money can be used for the registration. The total cost  
19 to attend the session will be around \$150.

20  
21 Motion 8: Zimmerman moved to authorize expenses not to exceed \$150 for State Marine  
22 Board/MAP training. Leff seconded the motion.

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

25  
26 Vote: Motion 8 passed.

27 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

28  
29 X. CORRESPONDENCE

30 Murray said there were two items of correspondence (copies attached to original of these minutes):

31 1) A letter from Oregon Parks and Recreation Dept regarding the Whale Watch Center building  
32 being nominated to the National Register of Historic Places. A review will take place October 13-14  
33 in Weston, Oregon, if anyone is interested in attending. 2) A request from the Chamber of  
34 Commerce to rent the gazebo and schedule Sunday in the Park on September 18, the day after the  
35 Salmon Bake. An OLCC application accompanied the park use application.

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37 Motion 9: Zimmerman moved to recommend granting the OLCC application and to approve the  
38 Chamber's event in the park on Sunday, September 18. Lewis seconded the motion.

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

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42 Vote: Motion 9 passed.

43 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

44  
45 XI. CITY STAFF REPORT

46 Owings reviewed his written report (copy attached to original of these minutes), providing updates  
47 on putting an asphalt lift on Pine Street, harbor dock projects, wastewater treatment plant flow  
48 issues, and a request to purchase an instrument for running tests.

49  
50 Motion 10: Goddard moved to direct Staff to purchase equipment for enterococci testing, not to  
51 exceed \$4,800. Leff seconded the motion.

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

1 Vote: Motion 10 passed.

2 Ayes: Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

3  
4 Owings continued with his report, with an update on a budgeted replacement of two vehicles, and  
5 the warning siren system, which has now been advertised in the Daily Journal of Commerce.

6  
7 Murray reported 1) Lincoln County's grant program for emergency preparedness and disaster  
8 recovery has no deadline, but the project must be completed and a report filed by June 30, 2012.  
9 2) There have recently been check scams targeting local cities, and Depoe Bay is monitoring its  
10 bank accounts. 3) Fox has been working on the census challenge. Public outreach is complete, and  
11 this item should appear on the next agenda for the Council's review and approval for submission.  
12 4) CIS is offering a free review of our employee handbook; the review would be done by the Local  
13 Government Personnel Institute. Having the review performed would result in a 1% reduction in  
14 next year's premium. Murray will proceed with this, with the Council's approval; there was no  
15 objection. 5) A list of budget-related questions has been received from Gleneden Beach Sanitary  
16 District's attorney. They would like answers before their next meeting on Tuesday, September 13.  
17 Mayor Connors set an agenda item for the next meeting: whether the City should continue to use  
18 Isham & Sprague insurance services, or begin communicating directly with CIS.

19  
20 XII. COUNCIL COMMENTS

21 Leff 1) The Depoe Bay Community Emergency Response Team and the Fire District have contacted  
22 the American Red Cross regarding training people in Depoe Bay to run an emergency center. The  
23 Fire District would like to have at least six people attend, and she said the City should also send  
24 people. She will have training dates in 4-6 weeks. 2) Apologized to the Council and citizens for  
25 personal issues getting in the way of getting the first issue of the newsletter out.

26  
27 Mayor Connors: 1) Attended a LOC Small Cities Region 1 meeting in Rockaway Beach. The focus  
28 was on emergency preparedness, and she got a lot of good information. 2) She will attend a FEMA  
29 meeting in Newport on September 8. The meeting will focus on mapping. 3) She will meet with  
30 Owings and Murray tomorrow to discuss emergency preparedness at length.

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32 XIII. ADJOURN

33 There being no further business, the meeting was adjourned at 8:23 PM.

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41 Carol Connors, Mayor

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45 Emma LuMaye, Recording Secretary