

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, November 15, 2011 - 7:00 PM
4 Depoe Bay City Hall
5
6

7 PRESENT: Mayor C. Connors, P. Cameron, S. Hoitink, B. Leff, D. Goddard, T. Lewis,
8 D. Zimmerman
9

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

14 I. PLEDGE OF ALLEGIANCE

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

17 II. CALL TO ORDER

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

20 III. APPROVE MINUTES: October 18, 2011 Regular Meeting
21

22 Motion 1: Leff moved to approve the minutes from the October 18, 2011 Regular Meeting as
23 written. Goddard seconded the motion.
24

25 Mayor Connors said it was moved and seconded, and called for discussion.
26

27 Vote: Motion 1 passed.

28 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman
29

30 IV. ACCOUNTS PAYABLE

31 Motion 2: Zimmerman moved to approve the November 1, 2011 Accounts Payable as submitted,
32 and to approve the November 15, 2011 Accounts Payable, with the addition of a \$420 payment for
33 a bed liner in one of the new City trucks. Leff seconded the motion.
34

35 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
36

37 Vote: Motion 2 passed.

38 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman
39

40 V. SPECIAL ORDERS

41 There were no special orders.
42

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

44 Loren Goddard, 15 SW Ellingson and Near Shore Action Team (NSAT) Chair reported on the Heceta
45 Head Conference in Florence. Oregon Department of Fish & Wildlife (ODFW) employee Alix
46 LaFerriere gave a presentation at the conference that Goddard would like to have the Council see.
47 He offered to contact Ms. LaFerriere to make arrangements for her to make the 20-minute
48 presentation at a future Council meeting. The Council took no action. Goddard also reported NSAT
49 has given its regular meeting time to ODFW, who will hold an informational meeting on Otter Rock
50 Marine Reserve regulations on Thursday, November 17 at 6 PM at the Community Hall; law
51 enforcement will also be present.
52

53 Roy Hageman, 325 SW Coast and representing the Emergency Warning System Evaluation
54 Committee reported that the window for accepting proposals closed today. Submittals were

1 received from five companies, and the committee has a lot of work to do before making a
2 recommendation. The next evaluation committee meeting will be on Thursday, November 17 at 9
3 AM. It was noted that a sixth company phoned City Hall about 15 minutes before the deadline and
4 requested to submit their proposal via email, due to having car trouble; they were advised they
5 could make the submission but there was no guarantee the committee would consider it.

6
7 VII. PUBLIC COMMENTS

8 There were no public comments.

9
10 VIII. UNFINISHED BUSINESS

11 Relocate Recycling Drop Site From City Hall to Harbor Area

12 Owings reported he met with North Lincoln Sanitary Service (NLSS), and the only location on City
13 property identified as potentially acceptable was next to the harbor lift station north of the fish
14 cleaning station. A Councilor said that would be a bad idea because garbage and fish carcasses
15 would end up in the recycle containers. It was generally agreed that that could be a big problem.
16 There was brief discussion about other possibilities and why they wouldn't work. Owings was
17 directed to ask NLSS about a smaller bottle container and a smaller recycle truck, to hopefully
18 eliminate the need to move the containers to avoid damaging the parking lot after it has been
19 paved, and to report at the next meeting.

20
21 IX. NEW BUSINESS

22 A. "Depoe Bay View" – City Newsletter #1

23 Murray presented the draft of the premier issue of the new City newsletter (copy attached to
24 original of these minutes), and asked for comments and questions before its publication. There was
25 brief discussion. It was the consensus of the Council to publish the newsletter as submitted.

26
27 B. Insurance Proceeds – Dock Damage/Tsunami

28 Murray summarized an email received from the City's insurance agent Paulette Isham (copy
29 attached to original of these minutes) regarding asking City County Insurance Services (CIS) for
30 the actual cash value of tsunami-damaged Dock 1 repair and replacement. There was brief
31 discussion.

32
33 Motion 3: Leff moved to authorize Staff to request payment of the actual cash value of
34 \$159,155.74, which includes temporary repairs, from CIS. Zimmerman seconded the motion.

35
36 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

37
38 Vote: Motion 3 passed.

39 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

40
41 C. Proposed Ord. #291 – An Ordinance Providing Consent and Approval of the Assignment of
42 Cable Television Franchise from Broadstripe, LLC to Wave Division VII, LLC; and Declaring
43 an Emergency

44 Murray reported Staff has been working with Wave's legal department and with the City Attorney.
45 The proposed Ordinance provides the City's consent for the transfer. She asked the Council to
46 consider reading the proposed Ordinance by title only. Karen Danihur of Woodburn and
47 representing WAVE was present to answer questions.

48
49 Motion 4: Leff moved to perform the first and second readings of proposed Ord. #291 by title only.
50 Zimmerman seconded the motion.

51
52 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

53
54 Vote: Motion 4 passed.

1 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

2
3 Murray performed the first reading of proposed Ord. #291 by title only, and asked for questions or
4 comments. A Councilor asked about "declaring an emergency" and Murray explained this enables
5 the ordinance to go into effect immediately upon adoption and signing by the Mayor, rather than
6 30 days later. Audience members, including Rick Beasley and Zeke Olsen, asked Ms. Danihur to
7 talk about WAVE. There was a brief exchange of questions and answers.

8
9 Motion 5: Leff moved to adopt proposed Ord. #291 at the first reading. Goddard seconded the
10 motion.

11
12 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

13
14 Vote: Motion 5 passed.

15 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

16
17 Murray said that because the motion was passed unanimously, the Council could choose to proceed
18 with the second reading tonight.

19
20 Motion 6: Goddard moved to proceed with the second reading of proposed Ord. #291. Leff
21 seconded the motion.

22
23 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

24
25 Vote: Motion 6 passed.

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

27
28 Murray performed the second reading of proposed Ord. #291 by title only, and called for questions
29 or comments. There were none.

30
31 Motion 7: Goddard moved to adopt proposed Ord. #291 at the second reading. Leff seconded the
32 motion.

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

35
36 Vote: Motion 7 passed.

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

38
39 X. CORRESPONDENCE

40 There were six items of correspondence (copies attached to original of these minutes):

41 1) A letter from Oregon Department of Transportation (ODOT) thanking the City for its letter of
42 support for Phase 1 of the Newberg-Dundee Bypass project. 2) A letter to the Council from Bill and
43 Dorothy Kucha expressing their dismay over the Council refusing to endorse the proclamation
44 affirming "the innate dignity of all people in Lincoln County". 3) An email to Mayor Connors from
45 Beth Gerl on the same subject as the Kuchas' letter. 4) A letter from CIS, accompanied by the
46 League of Oregon Cities Gold Award for Safety. 5) A letter from Brent Berry, resigning his position
47 on the Traffic Safety Commission.

48
49 Motion 8: Cameron moved to accept Mr. Berry's resignation and send him a letter of thanks.
50 Goddard seconded the motion.

51
52 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

53
54 Vote: Motion 8 passed.

1 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman

2
3 6) A letter from City of Newport Mayor Mark McConnell requesting a letter of support for a grant
4 application to repave the Newport Airport main runway. A sample letter was supplied. Although the
5 deadline for submitting the letter of support was November 15, Murray spoke with Staff who said
6 that the morning of November 16 would be acceptable.

7
8 Motion 9: Hoitink moved to provide a letter of support for improvements to the Newport Airport
9 main runway. Leff seconded the motion.

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

12
13 Vote: Motion 9 passed.

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

15
16 Councilor Leff volunteered to draft a letter in reply to the Kuchas and bring back to the Council for
17 approval at the next meeting. Mayor Connors said she would respond to the email from Ms. Gerl.

18
19 XI. STAFF REPORT

20 Owings reviewed his written report (copy attached to original of these minutes), providing updates
21 on the Bay Street project, Pine Street project, and Nature Trail bridges.

22
23 Murray reported the census challenge has been submitted. The census people called the City with a
24 question, and paid the challenge's preparer, Fox, a compliment by saying it was a "clean
25 submittal". A response to the challenge should be received in a month or two.

26
27 XII. COUNCIL COMMENTS

28 Zimmerman thanked the audience for its participation, and Staff for their good work. He wished all
29 a Happy Thanksgiving.

30
31 Lewis said the Gleneden people have been pushing to look at EDUs vs. flow. He reviewed the
32 contract, which says that subject will only be discussed every five years; the next scheduled
33 discussion is not until fiscal year 2016-17. He does not anticipate discussing the subject at the
34 upcoming meeting in February 2012.

35
36 Cameron wished all a Happy Thanksgiving.

37
38 Hoitink spoke about subjects from the Heceta Head conference, including wave energy and a
39 research platform for testing devices near Newport.

40
41 Mayor Connors 1) Met with Staff and Lincoln County's new Emergency Manager, Jenny Demaris.
42 They discussed coordinating forms between agencies/entities. Mrs. Demaris will provide a cost
43 estimate for "Go" packets to the City. 2) Met with County agencies for the Oregon Distant Tsunami
44 Working Group. One of the items discussed at length was whether boats should be told to leave the
45 harbor when a tsunami is expected. Mayor Connors felt strongly this could present many problems.
46 3) Met with representatives from ODOT to discuss Hwy 101 traffic patterns in Depoe Bay. A
47 meeting is scheduled in December with ODOT Director Matt Garrett to further discuss this.

48
49 XIII. RECESS TO EXECUTIVE SESSION: ORS 192.660(2)(f) – To Consider Information or Records
50 that are Exempt by Law from Public Inspection

51 Mayor Connors recessed the meeting to Executive Session at 8:05 PM.

52
53 XIV. ADJOURN EXECUTIVE SESSION

54 Mayor Connors adjourned the Executive Session at 8:34 PM.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

XV. RECONVENE REGULAR MEETING

Mayor Connors reconvened the Regular Meeting at 8:34 PM.

Motion 10: Leff moved that the Council direct the Mayor to move ahead as discussed in Executive Session. Hoitink seconded the motion.

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

Vote: Motion passed.

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

XVI. ADJOURN

There being no further business, the meeting was adjourned at 8:35 PM.

Carol Connors, Mayor

Emma LuMaye, Recording Secretary