

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, February 7, 2012 - 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, Recording Secretary E. LuMaye
11
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 7:00 PM.
18

19 III. APPROVE MINUTES: January 17, 2012 Regular Meeting, and January 26, 2012 Special Meeting
20

21 Motion 1: Leff moved to approve the minutes from the January 17, 2012 Regular Meeting and the
22 January 26, 2012 Special Meeting as written. Goddard seconded the motion.
23

24 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
25

26 Vote: Motion 1 passed.

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

29 IV. ACCOUNTS PAYABLE

30 Motion 2: Zimmerman moved to approve Accounts Payable with one last minute addition of \$3,984
31 for Wiggins Towboat. Cameron seconded the motion.
32

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

35 Vote: Motion 2 passed.

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

38 V. SPECIAL ORDERS

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

40 Harbor Commission applicant Mike Dowd and Salmon Enhancement Commission applicant Bear
41 Jackson were present and came forward to tell about themselves and why they were interested in
42 participating, and answered questions from Councilors regarding their qualifications and
43 applications.
44

45 Ballots were filled out, signed, and handed in. Fox tallied the votes (copy of ballot attached to
46 original of these minutes) and announced the results. The vote to appoint Mike Dowd to the Harbor
47 Commission and Bear Jackson to the Salmon Enhancement Commission was unanimous.
48

49 Motion 3: Goddard moved to accept the canvass of votes and appoint Mike Dowd to Harbor
50 Commission Position #7 and Bear Jackson to Salmon Enhancement Commission Position #7.
51 Cameron seconded the motion.
52

53 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
54

1 Vote: Motion 3 passed.

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

3

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

5 Leff shared an email she received from IGC member Ray Woodruff (copy attached to original of
6 these minutes) regarding the LinCom meeting she recently attended.

7

8 VII. PUBLIC COMMENTS

9 There were no public comments.

10

11 VIII. UNFINISHED BUSINESS

12 A. Stricker Engineering Report/Request for Input – Dock 1 (Tsunami Damage) Replacement
13 and Mitigation Project

14 Owings reported that Mr. Stricker had been asked to: 1) Compare the cost of aluminum vs. wood
15 dock materials; aluminum would cost \$110,000 and wood would cost \$100,000. 2) Find out if the
16 City's wood fingers would be able to attach to an aluminum dock; yes, he can make brackets and
17 make it work. 3) Find out if aluminum pins would hold up as well as steel; no, but there are ways
18 around that by making the pins bigger or using tempered steel. Mr. Stricker has not made
19 recommendations yet but is leaning toward aluminum because it is his opinion that aluminum
20 would hold up a lot better. Pogo Robison, end of Collins Street & Harbor Commissioner, said the
21 Harbor Commission (HC) had recommendations for the Council: 1) They would like to see 18-inch
22 cleats (longhorns) on the docks because smaller sizes aren't big enough to secure boats, especially
23 if there are multiple ties on one cleat. 2) The conduit and water lines should run in a chase. 3) The
24 dock joints should be flexible instead of solid as they are now, for the conduit. 4) They would like
25 to have two well-marked man-overboard ladders in the harbor. 5) They were in support of
26 aluminum docks because they are lighter than wood and would have less wear and tear on the
27 pilings. 6) UHMW plastic pins are amazingly durable, and are an option in place of aluminum or
28 steel pins.

29

30 B. Request for Proposals – Legal Services

31 Mayor Connors said the draft Request for Proposals needed to be approved, with authorization for
32 the Mayor to sign. She asked if the Council wanted to establish a subcommittee to review the
33 proposals that are received; it was decided that the full Council will interview all applicants at an
34 Executive Session on March 6. The RFP is to be run with the League of Oregon Cities and in local
35 papers as soon as possible, with a submission deadline of February 29. Mayor Connors asked if the
36 Council wanted to make any changes to the draft RFP. Two changes were made: 1) require a
37 minimum of \$1 million professional liability insurance, and 2) require the appointed attorney to
38 attend Council meetings for the first two months after their appointment, and then attend meetings
39 as needed.

40

41 Motion 4: Leff moved to approve the RFP for legal services for the City of Depoe Bay as amended.
42 Goddard seconded the motion.

43

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

45

46 AMENDMENT: Goddard amended the motion that the attorney will attend the first six Council
47 meetings after appointment. Leff accepted the amendment.

48

49 Vote: Motion 4, as amended, passed.

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

51

52 C. Employee Salary Survey

1 Mayor Connors said the employee salary survey (copy attached to original of these minutes) was
2 done last year at the Council's request. She advised that the Budget Committee should review the
3 survey and make a recommendation to the Council. There was Council consensus to do so.

4
5 D. Siletz Tribal Charitable Contribution Fund Grant Application Update – Outdoor Warning and
6 Public Alert System Project

7 Mayor Connors said former Mayor White said the grant committee would like the City to show we
8 are trying to get funding from other places. (Copy of letter dated January 23, 2012 from the Siletz
9 Tribal Charitable Contribution Fund attached to original of these minutes.) The Urban Renewal
10 Agency discussed a possible contribution to the warning system at their meeting earlier this
11 evening, and will discuss it further at their next meeting in two weeks. City Recorder Murray is also
12 looking at other avenues where the City might be able to get funding. The deadline for submitting
13 an application for the second quarter is March 14.

14
15 IX. NEW BUSINESS

16 A. Proposed Res #414 – A Resolution Setting Forth Rental Fees and Deposits for City-Owned
17 Facilities and Fee for Purchase of Memorial Bench; Amending Exceptions and Memorial
18 Bench Fee; Superseding Res #410

19 Fox reviewed the changes to the existing resolution (copy of proposed resolution attached to
20 original of these minutes).

21
22 Motion 5: Leff moved to approve Res #414, A Resolution Setting Forth Rental Fees and Deposits
23 for City-Owned Facilities and Fee for Purchase of Memorial Bench; Amending Exceptions and
24 Memorial Bench Fee; Superseding Res #410. Goddard seconded the motion.

25
26 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

27
28 Vote: Motion 5 passed.

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

30
31 B. Proposed Res #415 – A Resolution Authorizing Transfer of Appropriation Authority in the
32 Water Service Fund Budget Fiscal Year 2011-12 (ORS 294.450(1))

33 Mayor Connors made a statement that the City has entered into a settlement agreement with MSA
34 and T Bailey. The agreement with MSA has been signed and Notice of Entry of Judgment was filed
35 on February 1. The claim against MSA was dismissed. The MSA agreement is confidential, and is
36 not a public document. There is a confidentiality clause in the agreement. Staff and Councilors
37 were cautioned not to discuss the agreement in any way; other people who attend executive
38 sessions were reminded that information presented in executive sessions is not to be made public.
39 Regarding the T Bailey settlement, she said there has been a lot of discussion about why things
40 were done the way they were, and the Council at that time made decisions based on information
41 available to them at the time. Council and Staff did nothing wrong. She and the current Council felt
42 it was in the best interest of the City to settle with T Bailey and put the issue behind us. The T
43 Bailey agreement is a public document. Mayor Connors then asked if there were any questions
44 about the resolution to authorize the transfers to pay the settlement (copy attached to original of
45 these minutes); there were no questions.

46
47 Motion 6: Leff moved to approve Res #415 – A Resolution Authorizing Transfer of Appropriation
48 Authority in the Water Service Fund Budget Fiscal Year 2011-12. Cameron seconded the motion.

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

51
52 Vote: Motion 6 passed.

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

1 C. Lincoln County Community Economic Development Fund Grant Award – City Park Bridge
2 Replacement Project

3 Owings reported the City was awarded a grant of \$15,000 for the City Park Bridge Replacement
4 project (copy of grant letter attached to original of these minutes), which will be putting a wider
5 bridge in for emergency vehicles to get across the creek in City Park in an emergency. The bridge
6 will continue to serve its main purpose in accommodating pedestrians and bicycles, with bollards in
7 place to prevent vehicles from crossing.

8
9 Motion 7: Goddard moved to authorize the Mayor to sign the grant agreement. Leff 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 7 passed.

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

17 D. Oregon Parks and Recreation Department (OPRD) Local Government Grant Program –
18 Accepting Project Applications Announcement

19 Mayor Connors said this item was discussed in the Urban Renewal Agency meeting earlier this
20 evening, and City Planner Lewis is looking at various projects. He will present recommendations at
21 the next Agency meeting.

22
23 X. CORRESPONDENCE

24 There were two items of correspondence (copies attached to original of these minutes): 1) A letter
25 from Wave Division Holdings announcing their purchase of Broadstripe was complete and they are
26 now the duly franchised cable operator under the Depoe Bay franchise. 2) A complaint form from
27 Mr. Daniel, requesting the City pave Ludson Street. Owings was directed to find out how much it
28 would cost and whether it could be covered in this year's budget, and report at the next meeting;
29 and also to call Mr. Daniel to let him know this.

30
31 XI. CITY STAFF REPORT

32 Owings reviewed his written report (copy attached to original of these minutes), providing updates
33 on a leak in the Community Hall roof, the nature trail, flag pole removal, City Hall parking lot
34 paving, dock repairs, and January storm damage cleanup.

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36 XII. COUNCIL COMMENTS

37
38 Leff said she was glad "those things" are off the City's plate, and thanked those who attended the
39 meeting.

40
41 Cameron advised Owings the white hash marks on the Williams Avenue speed humps need re-
42 painting, thanked the audience, and welcomed the new Harbor Commissioner.

43
44 Hoitink requested warning signs be placed at the City Park nature trail entrances because it's a
45 primitive trail. Owings said he will order and place signs.

46
47 Zimmerman thanked the audience and welcomed the new Harbor Commissioner. Said having a
48 work crew do the harbor work was an awesome idea and to keep it in mind for future projects.

49
50 Lewis mentioned a home on Hwy 101 near Wing Wa that is in need of front yard maintenance.
51 Owings said Ord 164 can address the issue, but enforcement is difficult. He was directed to write a
52 letter to the property owner.

1 Goddard said Harold Lee is a “heckuva” roofer. She agreed with Zimmerman that the harbor is
2 looking good and would like to keep it rolling.

3

4 Mayor Connors 1) Met with ODOT representatives today. Items of discussion included a speed
5 study and car count in the spring, a long term plan, bulbouts, water drainage problem at Collins
6 Street, crosswalk lighting, and updating the Transportation System Plan (TSP). She said it is 99.9%
7 certain ODOT will fund the TSP update, which will consider all modes of transportation. There will
8 be an opportunity for public comment after the draft update is presented. There was also
9 discussion about changing the traffic pattern on Hwy 101 to make it a three-lane highway, which
10 would allow the bridge sidewalk to be widened for increased pedestrian safety. 2) The franchise
11 subcommittee will meet on Monday; they want to have something ready to adopt before the six-
12 month period is over. 3) Interviews are scheduled for the two warning system proposal finalists on
13 February 17 and 21. The evaluation committee will make a recommendation to the Council at the
14 March 6 meeting. The Council will make a final decision at the March 20 meeting.

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16 XIII. ADJOURN

17 There being no further business, the meeting was adjourned at 8:24 PM.

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Carol Connors, Mayor

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29 Emma LuMaye, Recording Secretary