

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, March 6, 2012 - 7:00 PM
4 Depoe Bay City Hall
5

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

9 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary
10 E. LuMaye
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: February 21, 2012 City Council Regular Meeting
19

20 Motion 1: Leff moved to approve the minutes from the February 21, 2012 Regular Meeting as
21 written. Goddard seconded the motion.
22

23 Mayor Connors said it was moved and seconded, and called for discussion. Councilor Hoitink
24 corrected Page 1 Line 40 to delete his name from the vote, as he had been absent. Leff and
25 Goddard accepted the correction.
26

27 Vote: Motion 1, as corrected, passed.

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

29 Abstain: Hoitink
30

31 IV. ACCOUNTS PAYABLE

32 Motion 2: Zimmerman moved to approve Accounts Payable as presented. Leff seconded the
33 motion.
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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
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40 V. SPECIAL ORDERS

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

42 Harbor Commission applicant Roman Smolčić was present and came forward to tell about himself
43 and why he is interested in participating, and answered questions from Councilors regarding his
44 qualifications and application.
45

46 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to
47 original of these minutes) and announced the results. The vote to appoint Roman Smolčić to
48 Harbor Commission Position #2 was unanimous.
49

50 Motion 3: Leff moved to accept the canvass of votes and appoint Roman Smolčić to Harbor
51 Commission Position #2, effective today. 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 A. Salmon Enhancement Presentation – Beanie Robison

6 Beanie Robison, 765 Coast and Salmon Enhancement Chair, addressed the Council regarding the
7 mission of the Salmon Enhancement Commission. He listed four Commission goals: to be self-
8 supporting, social, economics, and education. The Commission raises money through donations
9 and hat sales. They have a fin-clipping day every year on the weekend after July 4th. They hatch
10 20,000 eggs each year, because that is the “carrying capacity” of the creek, and estimate they
11 have hatched over a million eggs during the past 30 years. They work closely with the Kids Zone.
12 He donated a folder full of information, including a first-person account written by young
13 Commissioner Bear Jackson, to City Hall for public viewing.

14
15 B. Evaluation Committee Recommendation – Outdoor Warning and Public Alert System Project
16 Proposals

17 Roy Hageman gave a PowerPoint presentation of the evaluation committee’s recommendation for
18 awarding the Outdoor Warning and Public Alert System Project contract (copy of presentation
19 slides attached to original of these minutes). The committee recommended the team of GB
20 Manchester and American Signal. The presentation was followed by a period of questions and
21 answers, including the height of the poles (four will be 60’, one will be 70’), locations of the poles
22 (no exact locations have been determined yet), whether there would be a problem with ODOT
23 right-of-ways (none expected), how ratings were determined (system explained), what kind of
24 voice messages might be broadcast (traffic, weather, crime alerts), whether the system would be
25 used for public events (no), and whether messages would be broadcast only in English (unknown).

26
27 VII. PUBLIC COMMENTS

28 A.J. Mattila, 30 SE Douglas Street, addressed the Council about bringing non-ethanol fuel to the
29 harbor fueling station (copy of handout attached to original of these minutes). It was his opinion
30 that the existing fuel in the tank has exceeded the amount of water that can be held in suspension
31 and has started “phase separation”, which can clog fuel systems and cause the octane value of the
32 fuel to go down. He also said ethanol fuel requires a fuel stabilizer, which raises the cost of the
33 fuel. Owings asked Mattila if the supplier (Carson Oil) has a fuel test; Mattila said they do. Owings
34 indicated he would have the fuel supply tested. Mattila also expressed concern about the possibility
35 of lawsuits over bad fuel, and encouraged the City – as the only city on the coast to use ethanol
36 fuel – to empty and purge the tank. Mayor Connors said she has also researched this subject, and
37 wanted to move forward with replacing the existing fuel. Owings said the Harbormaster would have
38 to sound the tank to find out how much fuel is still in there; Mayor Connors asked to have that
39 done immediately. There was brief discussion on where to store fuel emptied from the tank.

40
41 VIII. UNFINISHED BUSINESS

42 A. Oregon Parks and Recreation Department (OPRD) Local Government Grant Program –
43 Accepting Project Applications Announcement

44 Murray said that at a previous meeting the Council had directed Staff to find out whether a dock
45 could be replaced through this grant program. She said the grant will fund boating facilities, but
46 not facilities for motorized boats, so dock replacement would not be a good project for this grant.
47 She said other projects were discussed at last night’s Urban Renewal meeting, but none were
48 identified as projects for this grant opportunity. Mayor Connors said that results from the recent
49 harbor survey had been briefly looked at, and it was decided to hold a workshop with the Council,
50 Urban Renewal Agency, the Parks Commission, and the surveyor to review the survey results in
51 detail. A Councilor requested the Harbor Commission be included in the workshop.

52
53 B. Request to Pave Ludson Street – S. McDaniel

1 Owings reported it would cost around \$7,645 to pave Ludson Street. There was brief discussion
2 regarding how many other unpaved streets are in Depoe Bay, and how many paving requests have
3 been made and granted or denied in the past. Owings explained there is money set aside in the
4 budget every year for paving; usually bigger projects are selected which are often done in phases.
5 A Councilor asked if streets with inclines, like Ludson Street, are considered during the decision-
6 making process; Owings replied that they are. There was discussion about chipsealing the street
7 instead of paving; this would cost about 1/3 as much. A Councilor said that since there is almost no
8 traffic on that street, that chipsealing should last a long time.

9
10 Motion 4: Leff moved to authorize Staff to send a letter to residents of Ludson Street, informing
11 them the City is considering chipsealing the street when weather permits. Lewis seconded the
12 motion.

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

15
16 Vote: Motion 4 passed.

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

18
19 IX. NEW BUSINESS

20 A. Transportation System Plan Update

21 Murray referred to her memo dated 3/5/12 (copy attached to original of these minutes) regarding
22 the Transportation System Plan (TSP) Update Project, saying TSP plans get reviewed and updated
23 as necessary. The City has an opportunity to use ODOT's Region 2 Long Range Planning Program,
24 and she asked the Council if they wanted to authorize proceeding with the plan update.

25
26 Motion 5: Goddard moved to authorize City Staff to contact ODOT and do preliminary work, and to
27 follow through for the TSP Update Project. Leff seconded the motion.

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

30
31 Vote: Motion 5 passed.

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

33
34 B. Request to Schedule Event in City Park – Neighbors for Kids and Depoe Bay Chamber of
35 Commerce Easter Egg Hunt

36 Wendy Hausotter, 121 Williams, was present to answer questions about the application (copy
37 attached to original of these minutes). She said they are looking for someone to be the Easter
38 Bunny.

39
40 Motion 6: Zimmerman moved to approve the request to schedule an event in City Park on
41 Saturday, April 7 from 8 AM to 1 PM. Cameron seconded the motion.

42
43 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

44
45 Vote: Motion 6 passed.

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

47
48 C. Oregon Liquor Control (OLCC) Application – Depoe Bay Chamber of Commerce Citizen of the
49 Year Event at the Community Hall

50 Murray said there was also a second application: the Chamber of Commerce's Crab Feed on April
51 21-22 at the Community Hall (copy of both applications attached to original of these minutes).

52
53 Motion 7: Zimmerman moved to recommend approval of the two Chamber of Commerce OLCC
54 applications. Leff seconded the motion.

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

3
4 Vote: Motion 7 passed.

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

6
7 D. Topics of Discussion for Joint Meeting with the Lincoln County Board of Commissioners –
8 March 14, 2012

9 Murray said the County is considering establishing an animal service district, and this item will be
10 discussed at the joint meeting. Wayne Belmont was asked to make a presentation to cities at joint
11 meetings, and he will also be there. Items identified for discussion at the joint meeting were: wave
12 energy, marine reserves, the Territorial Sea Plan, the Department of the Navy's Environmental
13 Impact Statement, the Outdoor Warning and Public Alert System, and the Fireworks Impact Study
14 (see City Staff Report).

15
16 E. Smoke Testing of Sanitary Sewer Lines/Review of Sanitary Sewer Ordinances

17 Owings explained methods of testing sewer lines, and said smoke testing just reveals "the tip of
18 the iceberg" when it comes to finding problems such as illegal hook-ups. It was noted that this
19 item originated in the last joint meeting with the Gleneden Beach Sanitary District (GBSD) Board,
20 and getting the smoke testing done would be a show of good faith in creating a better working
21 relationship with GBSD. Owings was directed to bring pricing information to the next meeting for
22 an independent company to conduct the smoke testing.

23
24 Review of the sewer ordinances also came from the same GBSD meeting. Murray said it was her
25 impression that the intent of the review was to identify enforcement methods to use when illegal
26 sewer hookups are found. Staff was directed to review the sewer ordinances, identify areas which
27 need updating, and report to the Council when this has been accomplished.

28
29 F. Award Contract – Outdoor Warning and Public Alert System

30 Mayor Connors said that although the pricing for the recommended system from GB Manchester
31 and American Signal is \$185,000 plus PUD costs, the Urban Renewal Agency voted to fund \$75,000
32 of the project, which reduces the amount coming out of the public safety fund to around \$125,000;
33 additionally, Staff has been directed to re-apply for the Siletz Tribal Charitable Contribution Fund.

34
35 Motion 8: Goddard moved to award the contract to GB Manchester and American Signal. Leff
36 seconded the motion.

37
38 Mayor Connors said it was moved and seconded, and called for discussion. The motion was
39 restated: to enter into negotiations with GB Manchester and American Signal for the Outdoor
40 Warning and Public Alert System Project.

41
42 Vote: Motion 8, as restated, passed.

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

44
45 G. Award Contract – City Park Nature Trail Bridge Construction

46 Owings said two proposals were received and recommended accepting the higher bid, from Jon
47 Thompson Construction, because their insurance meets City requirements. He also noted that this
48 company can also move the logs for \$3,150.

49
50 Motion 9: Leff moved to award the contract for the City Park Nature Trail bridge construction to Jon
51 Thompson Construction for \$14,190 plus \$3,150 to move the bridges to their permanent locations.
52 Goddard seconded the motion.

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

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2 Vote: Motion 9 passed.

3 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, Lewis, Zimmerman
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5 H. Accept Proposal – Legal Services

6 Motion 10: Leff moved to accept the proposal from Local Government Law Group, which is a
7 member of Speer Hoyt LLC, for legal services for the City. Lewis seconded the motion.
8

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

11 Vote: Motion 10 passed.

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

13 Noes: Cameron
14

15 I. City Insurance Services (CIS) Employee Handbook Review

16 Murray said in September Staff was authorized to proceed with a free CIS review of the Employee
17 Handbook, for a 1% reduction in the City's liability premium. Of the core 13 policies CIS wants in
18 the handbook, the City was missing five: 1) No Mandatory Meetings, 2) Whistleblower, 3) Veteran
19 Hiring Preference, 4) Domestic Violence Leave Policy, and 5) Social Networking Policy (see copy of
20 Murray & Fox's memo dated 3/2/12, attached to original of these minutes). Accepting these
21 additions would not change the handbook at this time. Staff needs Council approval to use the
22 insurance company samples to move forward with the review. There was discussion about the
23 Social Networking Policy and First Amendment rights. It was the consensus of the Council that the
24 term "or other conduct" should be clearly defined. Murray explained the additions will be submitted
25 with the existing handbook, the handbook and additional policies will be reviewed by CIS, and then
26 the City will receive a report from CIS. It was noted that before any amendments are made to the
27 handbook, it would go through a legal review.
28

29 Motion 11: Leff moved to authorize Staff to submit sample policies as outlined in the March 2
30 memo for review of core policies of the Employee Handbook. Cameron seconded the motion.
31

32 Mayor Connors said it was moved and seconded, and called for discussion. It was clarified that the
33 samples are just samples.
34

35 Vote: Motion 11 passed.

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

38 X. CORRESPONDENCE

39 There were three items of correspondence (copies attached to original of these minutes):

40 1) An invitation to the Council and the Planning Commission to participate in the Land Conservation
41 and Development Commission (DLCD) Roundtable Discussion in Newport on Wednesday, March 14
42 from 3:30-5:00 PM at Oregon Coast Community College. 2) A letter from the Department of the
43 Navy regarding Northwest Training and Testing Environmental Impact Statement for military
44 readiness training and testing activities conducted in the northwest. 3) A submission from Jodi
45 Weeber regarding a 100-year anniversary re-enactment of the first automobile trip from Newport
46 to Siletz Bay July 20-21. There will be a meeting on March 21 at 1:00 PM at the Lincoln County
47 Historical Society, and she hoped someone from the City would attend. It was the consensus of the
48 Council to forward the information to the Chamber of Commerce; Murray was directed to do this.
49

50 XI. CITY STAFF REPORT

51 Murray reported: 1) Roy Lowe from U.S. Fish & Wildlife called to say a report of the results of last
52 year's Fireworks Impact Study will be provided to the City by the end of this month. This subject
53 was added to the list of topics for the joint meeting with the Lincoln County Board of
54 Commissioners. Mayor Connors directed Murray to contact the Chamber of Commerce to let them

1 know the report is coming. A Councilor suggested inviting Mr. Lowe to a meeting. 2) Election
2 packets for 2012 are ready for anyone who wants to file. 3) The President has declared the serious
3 winter storm in January to be a disaster. There will be a FEMA briefing in Newport on Monday, and
4 the process will be worked through. Depoe Bay's damages were just under \$22,000, with additional
5 damage Owings will discuss.

6
7 Owings reported: 1) The January storm caused a landslide by Big Whale Cove, exposing two water
8 lines. He has contacted ODOT, who said they will expedite any permits needed to stabilize the
9 hillside. He said an engineer is needed for stabilization, but the project doesn't need to go through
10 the RFP (Requests for Proposal) process because it's an emergency.

11
12 Motion 12: Leff moved to authorize Owings to contact an engineer to come and assess the issue
13 around Miroco and the raw water line. Goddard seconded the motion.

14
15 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

16
17 Vote: Motion 12 passed.

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

19
20 Owings continued his report: 2) The City Hall parking lot might possibly get paved this week.
21 3) The estimate on painting all the speed humps on Williams is \$584. He was directed to have that
22 work done. (Copy of Owings' written report attached to original of these minutes.)

23
24 XII. COUNCIL COMMENTS

25 Leff thanked everyone for being here, and gave a special thanks to Mr. Hageman. Thanked her
26 fellow Councilors and Staff, and said to have a great two weeks.

27
28 Goddard thanked Mr. Hageman especially, and everyone else on the committee, who worked very
29 hard on the warning system. She also thanked Betty Taunton for bringing it to everyone's
30 attention.

31
32 Cameron agreed.

33
34 Hoitink commended Owings for doing something with the logs before they rotted.

35
36 Mayor Connors 1) Thanked Mr. Hageman and all the committee members for their work on the
37 outdoor warning system project, and thanked Leff for being an alternate committee member who
38 attended all the meetings. 2) She attended a meeting on territorial sea mapping; there will be an
39 additional meeting to discuss a recommendation to the Ocean Policy Advisory Council relating to
40 things like wave energy and marine reserves. What happens here could affect the City later on if
41 the map isn't changed to benefit Depoe Bay, especially the fishing industry – the map specifically
42 shows almost the entire area around Depoe Bay as "not really important", while the area around
43 Newport is "very important". She wanted the Council to write a letter stating what the City feels is
44 appropriate. A Councilor suggested getting the County Commissioners to support the City in this.
45 This item was added to the Joint Meeting topic list.

46
47 Motion 13: Leff moved to authorize a letter from the Mayor, to go out right away to Paul Klarin,
48 DLCD Marine Affairs Specialist, with copies to the Governor and Scott McMullen, OPAC Chair.
49 Discussion ensued before a second was made. An audience member said to forward the
50 information to the Chamber and they will also write a letter.

51
52 Motion 13, restated: Leff moved to authorize a letter from the Mayor outlining grave concerns
53 about territorial sea mapping resources as shown on the map as it presently is. Cameron seconded
54 the motion.

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

Vote: Motion 13 passed.

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

3) Mayor Connors thanked all for being here.

XIII. ADJOURN

There being no further business, the meeting was adjourned at 9:17 PM.

Carol Connors, Mayor

Emma LuMaye, Recording Secretary