

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

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

9 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, City Planner L. Lewis
10 (dep 8:15 PM), Recording Secretary 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: April 17, 2012 Regular Meeting
19

20 Motion 1: Leff moved to approve the minutes from the April 17, 2012 Regular Meeting. Goddard
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 1 passed.

26 Ayes: Cameron, Hoitink, Leff, Goddard, T. Lewis, Zimmerman

27 Abstain: Connors
28

29 IV. ACCOUNTS PAYABLE

30 Motion 2: Zimmerman moved to approve Accounts Payable as presented. Cameron seconded the
31 motion.
32

33 Vote: Motion 2 passed.

34 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
35

36 V. SPECIAL ORDERS

37 A. Dora Durante (via telephone), U.S. Census Bureau – 2010 Census Challenge
38 Murray called Ms. Durante and put her on speakerphone to answer Councilors' questions regarding
39 why the Census Challenge results didn't include a modification to the Depoe Bay population. Ms.
40 Durante suggested the City pursue a "special census", which is done at the cost of the jurisdiction.
41 Murray was directed to look into this and report at the next meeting.
42

43 B. Proclamation – Commemorate May 19-25, 2012 as National Safe Boating Week – U.S. Coast
44 Guard Auxiliary

45 Mayor Connors read the proclamation (copy attached to original of these minutes) into the record.
46

47 Motion 3: Leff moved to adopt the Proclamation to Commemorate National Safe Boating Week May
48 19-25, 2012. Cameron seconded the motion.
49

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

52 Vote: Motion 3 passed.

53 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
54

1 Mayor Connors called for a five minute recess for photo-ops at 7:16 PM. The meeting was
2 reconvened at 7:21 PM.

3
4 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

5 Leff reported that she and Councilor Lewis attended the IGC (Inter-Governmental Council)
6 meeting, which voted unanimously to begin negotiations with Willamette Call Center to take over
7 LinCom's 9-1-1 functions. A contract is hoped for by July 1.

8
9 VII. PUBLIC COMMENTS

10 An unidentified audience member asked for more information on the census challenge; a Councilor
11 responded.

12
13 VIII. UNFINISHED BUSINESS

14 A. Draft Parks Master Plan Update

15 Mayor Connors said she intends to hold additional public comment on this item. City Planner L.
16 Lewis reviewed his memo dated 4/26/12 (copy attached to original of these minutes), including
17 updated pages for North Vista Street SVA (Scenic View Area), Floral Avenue SVA, Hwy 101 SVA
18 (west of Bradford Street), and Winchell Street SVA. He explained that two of the three privately-
19 owned properties in the draft plan have been removed, with the third having been left in place due
20 to positive feedback from some of that parcel's property owners. He noted there was additional
21 written communication on this issue received since the last meeting from Sarah Jincks at the
22 Channel House, Warren & Jean Ford, Dianne Jackson, Don & Sue Jenkins, Mark & Linda Livingston,
23 and Jeanine Stice. A Councilor requested 1) the plan contain a clear statement that the City has no
24 intention of exercising eminent domain to take any private property or easement away from
25 property owners who don't want to make changes to their property, and 2) that the SVA
26 descriptions include something like "nothing will be done without a prior agreement signed by
27 affected adjacent property owners". A Councilor questioned whether the proposed street locations
28 will be vacated or used on a temporary basis; L. Lewis replied that the intent is not temporary. A
29 Councilor voiced support for no easements on private property.

30
31 Steve Taylor, 410 SW Coast Avenue, spoke to the proposed SVA on Graham Street, which he and
32 some neighbors tried to have a bench put on in 2009. He said there were 40 neighborhood
33 residents in support of this and 3-4 against, and wondered if the preference of the few should
34 outweigh the preference of the many. There was considerable discussion about the lay of the land
35 (steep cliffs at many of the proposed and existing SVAs) and whether or not fences would reduce
36 any potential liability.

37
38 Fran Recht, 66 NE Williams, distributed a handout to Councilors (copy attached to original of these
39 minutes), and then reviewed it in some depth. Some of the points she touched on include:
40 emphasizing the goal statement throughout the plan by making it a document footer, adding
41 "sustain the natural and scenic features of these areas" as an objective, narrowing the paths to
42 three feet, replacing trees that are removed, eliminating grass from areas in that are supposed to
43 have a "forest to the sea" setting, recommended for grant funding purposes to continue to mention
44 the importance of acquiring tax lot 700, the areas that have sensitive habitat should have hand
45 tools used for grading, not installing a lot of fencing, and adding a budget line item for controlling
46 invasive species. There was discussion about fences and whether they keep people out of
47 dangerous areas and prevent injuries; it was widely thought that they do not. Mayor Connors
48 tabled this item to the next meeting, with more public input available at that time. L. Lewis left the
49 meeting at 8:15 PM.

50
51 B. Outdoor Warning and Public Alert System Contract – GB Manchester Corp.

52 Murray explained that there was no contract to present to the Council because the original draft
53 was sent to the City Attorney who heavily revised it and forwarded it to GB Manchester, who has

1 not signed and returned it. Owings is working with GB Manchester on the scope of the work. This
2 item was postponed to the next meeting.

3
4 IX. NEW BUSINES

5 A. Proclamation – May 2012 to be Older Americans Month “Older Americans – Never Too Old to
6 Play”

7 Motion 4: Zimmerman moved to adopt the Proclamation that May 2012 be Older Americans Month
8 (copy attached to original of these minutes). Leff seconded the motion.

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

11
12 Vote: Motion 4 passed.

13 Aye: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman

14
15 B. Request to Use City Hall Parking Lot – Overflow Parking for June 26, 2012 CERT Training
16 Drill

17 Mayor Connors said an email was received from Bob Houston of Neighbors For Kids (copy attached
18 to original of these minutes), asking if they can use the City Hall parking lot for overflow parking
19 the day of the CERT Training Drill. There was brief discussion.

20
21 Motion 5: Leff moved to allow the City Hall parking lot to be used for overflow parking for the June
22 26 CERT Training Drill. 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 5 passed.

27 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman

28
29 C. Lincoln County Sheriff’s Office – Request to Modify Contract

30 Murray said a letter requesting a change in billing was received from the Sheriff’s office (copy
31 attached to original of these minutes). Because the agreement is a contract, it needs a formal
32 motion if the Council accepts the requested change.

33
34 Motion 6: Leff moved to modify the contract with Lincoln County Sheriff’s Office to allow for
35 quarterly billing. Cameron seconded the motion.

36
37 Mayor Connors said it was moved and seconded, and called for discussion. There was brief
38 discussion as to the reason behind the request, which was because there’s less work involved with
39 quarterly billing vs. monthly billing.

40
41 Vote: Motion 6 passed.

42 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman

43
44 D. Proposed Ord. #293 – An Ordinance Granting an Extension of a Non-Exclusive Cable
45 System Franchise to Wave Division VII, LLC, and Declaring an Emergency

46 Murray asked for a motion to read the proposed ordinance (copy attached to original of these
47 minutes) by title only at the first and second readings. A Councilor asked if this needs to be done
48 every year; Mayor Connors explained this is just an extension while the City is working on putting
49 together a master ordinance for all franchises.

50
51 Motion 7: Leff moved the proposed Ord. #293 be read by title only at the first and second
52 readings. Goddard seconded the motion.

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

1
2 Vote: Motion 7 passed.
3 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
4
5 Murray read the proposed ordinance by title only, then called for comments or questions. There
6 were none.
7
8 Motion 8: Cameron moved to adopt proposed Ord. #293 at the first reading. Zimmerman seconded
9 the motion.
10
11 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
12
13 Vote: Motion 8 passed.
14 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
15
16 Murray said that because the vote to adopt was unanimous, the Council could proceed with the
17 second reading immediately. She then performed the second reading of the proposed ordinance by
18 title only, and called for questions or comments; there were none.
19
20 Motion 9: Leff moved to adopt proposed Ord. #293 at the second reading. Goddard seconded the
21 motion.
22
23 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
24
25 Vote: Motion 9 passed.
26 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
27
28 E. OLCC License Renewals
29 Murray said the City receives an annual list of renewing licenses from OLCC, and reviewed the
30 recommendations guidelines. She said she was not aware of any complaints against any of the
31 businesses on the list.
32
33 Motion 10: Leff moved to exercise option #3 (take no action) for OLCC renewals. Hoitink seconded
34 the motion.
35
36 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
37
38 Vote: Motion 10 passed.
39 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
40
41 F. Lincoln County Community and Economic Development Grant – Proposal to Request
42 Reassignment of Grant Award
43 Murray reviewed her memo dated 4/30/12 (copy attached to original of these minutes), explaining
44 why this request was being made.
45
46 Motion 11: Leff moved to write a letter to Lincoln County Board of Commissioners to ask that
47 \$10,000 in grant award monies be moved to the electrical pedestals upgrade project. Goddard
48 seconded the motion.
49
50 Mayor Connors said it was moved and seconded, and called for discussion. There was none.
51
52 Vote: Motion 11 passed.
53 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
54

1 G. City Planner Contract Renewal

2 Motion 12: Leff moved to direct Staff to prepare and bring to the Council an amended contract for
3 the next three years of planning services. Cameron seconded the motion.

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

6
7 Vote: Motion 12 passed.

8 Ayes: Cameron, Hoitink, Leff, Connors, Goddard, T. Lewis, Zimmerman
9

10 X. CORRESPONDENCE

11 There were four items of correspondence (copies attached to original of these minutes). 1) A thank
12 you note from Mark & Linda Livingston regarding leaving the recycle bin at the harbor. 2) A letter
13 from Lincoln Community Health Center offering to have a representative come make a presentation
14 to the Council. 3) A letter from the Siletz Tribal Charitable Contribution Fund, awarding the City
15 \$15,000 to be used specifically for "acquiring and installing emergency outdoor warning siren".
16 Mayor Connors and Councilor Goddard volunteered to attend the public distribution reception to
17 receive the award on May 4. 4) An email from Ray Bucheger in Washington D.C., asking the City
18 to write letters of support to Senators Wyden and Merkley, asking them to ensure "full use of the
19 Harbor Maintenance Trust Fund". The deadline for letters to be signed is May 7.

20
21 Motion 13: Leff moved to send Senators Wyden and Merkley a letter supporting full use of the
22 Harbor Maintenance Trust Fund.

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

25
26 Vote: Motion 13 passed.

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

29 XI. CITY STAFF REPORT

30 Owings reviewed his written report (copy attached to original of these minutes), providing updates
31 on the Miroco water line, nature trail bridges, dock 1 replacement, sludge hauling delay, new doors
32 at the fish cleaning station, and moving the glass recycle bin to where the skate ramp is. He
33 commented that the skate ramp has become rusty and dangerous and he plans to advertise it as
34 surplus. There was additional discussion about the harbor.

35
36 Murray reminded everyone that tomorrow night is the Budget Committee's first meeting this year.
37

38 XII. COUNCIL COMMENTS

39 Leff expressed her dismay at the lack of action from the census people, and said she will miss the
40 June meetings due to medical issues.

41
42 Cameron expressed frustration with the post office's policies, and said he will miss the next
43 meeting because he will be out of the state. He thanked Owings and crew for being so vigilant with
44 the Miroco water problem.

45
46 Zimmerman echoed Cameron's comments about the crew, and thanked the Parks Commission for
47 all their hard work that's under such close scrutiny.

48
49 T. Lewis wondered if a vote was necessary to move the recycle container per Owings' report. By
50 consensus, the Council agreed to relocate the glass recycle container to the skate ramp area and to
51 add the skate park equipment to a surplus equipment list.

52

1 Goddard agreed with Owings that the skate ramp is dangerous. She also inquired about meeting
2 with the surveyor who completed the harbor survey; it was agreed at a previous meeting that the
3 meeting with the surveyor would be scheduled after the budget meetings.

4
5 Mayor Connors thanked Councilor Leff for chairing the last meeting. Wondered if the emergency
6 trailer can be stored behind the bus barn; Owings said that because it has electronics, it needs to
7 be kept dry. It will need to be stored in a shed. She asked Owings to check on pricing for a shed to
8 store it in.

9
10 XIII. ADJOURN

11 There being no further business, the meeting was adjourned at 8:57 PM.

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Emma LuMaye, Recording Secretary

Carol Connors, Mayor