

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

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

7  
8 ABSENT: B. Leff

9  
10 STAFF: City Recorder P. Murray, City Field Superintendent T. Owings, Recording Secretary  
11 E. LuMaye

12  
13 I. PLEDGE OF ALLEGIANCE

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

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16 II. CALL TO ORDER

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

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19 III. APPROVE MINUTES: May 15, 2012 Regular Meeting

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21 Motion 1: Goddard moved to approve the minutes from the May 15, 2012 Regular Meeting as  
22 presented. Zimmerman seconded the motion.

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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, Goddard, T. Lewis, Zimmerman

28 Abstain: Connors

29  
30 IV. ACCOUNTS PAYABLE

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

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34 Vote: Motion 2 passed.

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

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37 V. SPECIAL ORDERS

38 A. Proclamation

39 Mayor Connors read into the record a proclamation honoring Fred Robison and awarding a  
40 certificate of appreciation for his service to the citizens of Depoe Bay (copy attached to original of  
41 these minutes). Mr. Robison accepted the certificate and received a standing ovation.

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43 B. David Ulbricht, Baird Public Finance – Refinancing Debt Service

44 David Ulbricht of Robert W. Baird & Company, addressed the Council regarding refinancing the  
45 City's debt. He reviewed his report: Existing Long-Term Debt Service Payments (copy attached to  
46 original of these minutes) and answered questions from the Council. Murray was asked her opinion  
47 of the refinancing report; she said the City could save over \$400,000 in interest if the loans were  
48 refinanced. Ulbricht said if the Council wishes to proceed, he will prepare a Resolution for adoption  
49 at the next meeting.

50  
51 Motion 3: Hoitink moved that the City pursue refinancing the two outstanding USDAD loans and the  
52 Oregon Bond Bank Revenue Bonds loan. Zimmerman seconded the motion.

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

1  
2 Vote: Motion 3 passed.

3 Ayes: Cameron, Hoitink, Connors, Goddard, Lewis, Zimmerman  
4

5 C. Interview/Appoint Applicants for City Commissions and Committees

6 Parks Commission applicant Fran Recht was present and came forward to tell about herself and  
7 said she applied because she wanted to help implement the upcoming changes recently presented  
8 to the Council in the draft update to the Parks Master Plan. Ballots were filled out, signed, and  
9 handed in. Applicant Linda Phillips was not present for interview.  
10

11 D. July 3<sup>rd</sup> Fireworks

12 While Murray tallied the votes, Mayor Connors reported she attended a meeting with U.S.  
13 Department of Fish & Wildlife and the Chamber of Commerce last week, where it was learned that  
14 last year the fireworks company had not been asked to use quieter fireworks. Because of this,  
15 Mayor Connors asked the USF&W representative if there could be another study done this year.  
16 She learned today that her request was denied.  
17

18 Return to Item C.

19 Murray tallied the votes (copy of applications and ballot attached to original of these minutes) and  
20 announced the results. The vote to appoint Ms. Recht to Position #6 was a tie vote, with Mayor  
21 Connors and Councilors Cameron and Zimmerman voting "Yes" and Councilors Hoitink, Goddard,  
22 and Lewis voting "No". In accordance with the City Charter, a re-vote was taken: Mayor Connors  
23 and Councilor Cameron voted "Yes", and Councilors Hoitink, Goddard, Lewis, and Zimmerman  
24 voted "No". The vote to appoint Ms. Phillips (not present) to Position #7 was as follows: Mayor  
25 Connors and Councilors Cameron, Hoitink, Lewis, and Zimmerman voted "Yes", and Councilor  
26 Goddard voted "No".  
27

28 Motion 4: Cameron moved to accept the canvass of votes and appoint Linda Phillips to Parks  
29 Commission Position #7. Hoitink seconded the motion.  
30

31 Mayor Connors said it was moved and seconded, and called for discussion. There was none.  
32

33 Vote: Motion 4 passed.

34 Ayes: Cameron, Hoitink, Connors, Goddard, Lewis, Zimmerman  
35

36 E. Budget Hearing – Fiscal Year 2012-13

37 Mayor Connors opened the public hearing. Murray noted the hearing was published in the News  
38 Guard on May 30 and has been posted on the City's website for two weeks, and called for public  
39 input. There was none. Murray said there were no proposed changes or new information to be  
40 added to the proposed budget. The public hearing was closed.  
41

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

43 A. May 21, 2012 Meeting with Oregon Department of Transportation (ODOT) and Lincoln  
44 County

45 Mayor Connors reported that she and Councilor Goddard met with representatives from ODOT and  
46 Lincoln County regarding the Hwy 101 / Collins Street intersection. She said ODOT is being very  
47 responsive to what the City has to say, and that by the end of the meeting, it was agreed that only  
48 two parking spaces (on the southeast corner of the intersection) would be modified to motorcycle-  
49 only parking, saving six other spaces that had been under consideration for removal in the vicinity  
50 (both east and west sides of Hwy 101) of the intersection. It was also decided not to install a "no  
51 left turn" sign at the intersection, partially because of logging trucks that turn there.  
52

53 B. Harbor Commission Request

1 Murray said that a motion was made and passed at the May 30 Harbor Commission meeting, to  
2 request that the Council designate reserved parking spaces for moorage holders (copy of Harbor  
3 Commission memo dated 6/1/12 attached to original of these minutes). Murray said that when the  
4 harbor was deeded to the City by the Port of Newport, that restrictions and covenants were  
5 attached to the deed, one of which is that the parking lot is for public use, and establishing  
6 reserved parking would not be in keeping with that covenant. It was noted that there are  
7 approximately 90 moorage holders; it was not known how many total parking spaces are at the  
8 harbor. It was the consensus of the Council to refer this item back to the Harbor Commission and  
9 task them with coming up with suggestions. Also, a Councilor requested that another handicapped  
10 parking space be added to the one that is present.

11  
12 VII. PUBLIC COMMENTS

13 There were no public comments.

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15 VIII. UNFINISHED BUSINESS

16 A. Outdoor Warning and Public Alert System Contract – GB Manchester Corp.  
17 Owings reported that GB Manchester has signed the contract and Owings sent it back to legal  
18 counsel for re-review because GB Manchester made modifications, as discussed in a previous  
19 Council meeting. He suggested asking GB Manchester to provide their bonding and insurance  
20 information now, and to authorize the Mayor to sign the contract after the required information has  
21 been obtained and the attorney has approved the contract. (Copies of contract and 5-year  
22 warranty attached to original of these minutes.)

23  
24 Motion 5: Goddard moved to instruct Staff and the Mayor to have the contract signed as soon as  
25 it's cleared legal services. Lewis seconded the motion.

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

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29 Vote: Motion 5 passed.

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

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32 B. Storm Ready/Tsunami Ready Program

33 Murray provided an update to this item, discussed at the previous Council meeting: The hard cash  
34 cost of getting certified is only \$500, but the time investment would be major. She suggested the  
35 City update and complete projects already in place, such as the Emergency Operations Plan and  
36 the Outdoor Warning and Public Alert System as a more orderly way of proceeding toward  
37 certification readiness. It was the consensus of the Council to wait.

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39 IX. NEW BUSINESS

40 A. Proposed Res. #420 – A Resolution Declaring the City's Election to Receive State Revenues  
41 There was brief discussion on the proposed resolution (copy attached to original of these minutes).

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43 Motion 5: Cameron moved to approve proposed Res. #420 – A Resolution Declaring the City's  
44 Election to Receive State Revenues. Hoitink seconded the motion.

45  
46 Mayor Connors said it was moved and seconded, and called for discussion. There was none.

47  
48 Vote: Motion 5 passed.

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

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51 B. Proposed Res. #421 – A Resolution Adopting the Budget, Making Appropriations, Imposing  
52 and Categorizing the Tax for Fiscal Year 2012-13

53 There was brief discussion on the proposed resolution (copy attached to original of these minutes).

54

1 Motion 6: Hoytink moved to accept proposed Res. #421. Goddard seconded the motion.

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

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5 Vote: Motion 6 passed.

6 Ayes: Cameron, Hoytink, Connors, Goddard, Lewis, Zimmerman

7  
8 C. OLCC liquor License Application – Additional Privilege – O’Downeys

9 Murray asked if there were questions on the application (copy attached to original of these  
10 minutes) , noting that the added privilege is to begin off-premises sales in July. There were no  
11 questions.

12  
13 Motion 7: Cameron moved to recommend granting the license. Hoytink seconded the motion.

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

16  
17 Vote: Motion 7 passed.

18 Ayes: Cameron, Hoytink, Connors, Goddard, Lewis, Zimmerman

19  
20 D. Request to Declare Surplus Property – Equipment and Vehicles

21 There was brief discussion about the surplus list (copy attached to original of these minutes).

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23 Motion 8: Hoytink moved to declare the items listed as surplus and offer them for sale to the public.

24 Cameron seconded the motion.

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

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28 Vote: Motion 8 passed.

29 Ayes: Cameron, Hoytink, Connors, Goddard, Lewis, Zimmerman

30  
31 E. Transportation System Plan (TSP) Update – Draft Statement of Work

32 Murray said the draft hasn’t been received; this item was tabled to the next meeting.

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34 F. Engineering Services Proposals – City Park Bridge Replacement Project

35 Owings reported there were two proposals received, and recommended accepting the low bid of  
36 \$7,200 from Stricker Engineering.

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38 Motion 9: Cameron moved to accept Stricker Engineering’s bid for \$7,200 for the City Park Bridge  
39 Project. Hoytink seconded the motion.

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

42  
43 Vote: Motion 9 passed.

44 Ayes: Cameron, Hoytink, Connors, Goddard, Lewis, Zimmerman

45  
46 G. Schedule Joint Workshop Meeting – Review Harbor Survey (City Council, Urban Renewal  
47 Agency, Harbor Commission, and Parks Commission)

48 Mayor Connors directed Councilors to check their calendars and be prepared to select an October  
49 meeting date at the June 19 Council meeting.

50  
51 H. Schedule Public Hearing – Appeal of Planning Commission Decision, Case File #1-CS-PC-12

52 – Coastal Shorelands Development and Geologic Hazards Permit for the Inn at Arch Rock

53 Murray said Staff requests a hearing date of July 17, which gives enough time for notification and  
54 preparation of materials. There was no objection.

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X. CORRESPONDENCE

There were two items of correspondence (copies attached to original of these minutes): 1) A letter from the Lincoln County Board of Commissioners granting the City's request to transfer Economic Development Grant funds from the Harbor West Side Dock & Piling Replacement Project to the Harbor Dock Electrical Improvements Project. 2) An email from Oregon Parks & Recreation Department with an Amendment No. 1 to the grant agreement for a a six-month extension to the end date of the South Depoe Bay Creek Nature Trail Project.

Motion 10: Goddard moved to direct Staff to deliver the papers to extend the Parks grant for six months. Lewis seconded the motion.

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

Vote: Motion 10 passed.  
Ayes: Cameron, Hoitink, Connors, Goddard, Lewis, Zimmerman

XI. CITY STAFF REPORT

Owings had no further report (copy of notes from above items attached to original of these minutes).

Murray said the FEMA paperwork for the January 2012 storm damage was almost complete, and requests for reimbursement for most will be submitted by June 30.

XII. COUNCIL COMMENTS

Zimmerman shared a personal story about Fred Robison and thanked him for all his servies.

Lewis, referring to Item V.B. above, asked if Staff had looked at other bond financing institutions, wondering if the \$29,000 fee is competitive or outrageous. Staff was directed to contact the bond counsel and ask if the fee is within normal limits.

XIII. ADJOURN

There being no further business, the meeting was adjourned at 8:26 PM.

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Carol Connors, Mayor

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Emma LuMaye, Recording Secretary