

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

8 PRESENT: Mayor C. Connors, P. Cameron, S. Hoytink, D. Goddard, T. Lewis  
9

10 ABSENT: B. Leff, D. Zimmerman  
11

12 STAFF: City Field Superintendent T. Owings, City Recorder P. Murray, City Planner L. Lewis,  
13 Recording Secretary E. LuMaye  
14  
15

16 I. PLEDGE OF ALLEGIANCE

17 Mayor Connors called for all to stand for the Pledge of Allegiance.  
18

19 II. CALL TO ORDER

20 Mayor Connors called the meeting to order and established a quorum at 7:00 PM.  
21

22 III. APPROVE MINUTES: June 19, 2012 Regular Meeting  
23

24 Motion 1: Hoytink moved to approve the minutes from the June 19, 2012 Regular Meeting as  
25 presented. Goddard seconded the motion.  
26

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

29 Vote: Motion 1 passed.

30 Ayes: Cameron, Hoytink, Connors, Goddard, T. Lewis  
31

32 IV. ACCOUNTS PAYABLE

33 Motion 2: Goddard moved to approve Accounts Payable as presented. Cameron seconded the  
34 motion.  
35

36 Vote: Motion 2 passed.

37 Ayes: Cameron, Hoytink, Connors, Goddard, T. Lewis  
38

39 V. SPECIAL ORDERS

40 A. John deTar, Oregon Department of Transportation (ODOT) – Transportation System Plan  
41 (TSP) Update – Draft Statement of Work

42 John deTar thoroughly reviewed his draft statement of work for the Depoe Bay Partial TSP Update  
43 (copy attached to original of these minutes). There was brief discussion. It was agreed to include  
44 #2 under Transportation Finance as a contingency item in the contract. It was also agreed to add  
45 pedestrian improvements on the Hwy 101 bridge.  
46

47 City Planner L. Lewis departed at 7:35 PM.  
48

49 B. Mindy Spencer – Request for Reconsideration: Proclamation to Reaffirm the Innate Dignity  
50 of All People in Lincoln County

51 Mindy Spencer, 15 SE Spring, asked the Council to revisit the proclamation that was presented last  
52 fall. She urgently requested approval of the proclamation (copy attached to original of these  
53 minutes), saying that Lincoln County, and all other cities in the county, had approved the  
54 proclamation. There was brief discussion.

1  
2 Motion 3: Hoytink moved to accept the Proclamation to Reaffirm the Innate Dignity of All People in  
3 Lincoln County. T. Lewis seconded the motion.

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

6  
7 Vote: Motion 3 passed.

8 Ayes: Cameron, Hoytink, Connors, Goddard, T. Lewis  
9

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

11 There were no reports.

12  
13 VII. PUBLIC COMMENTS

14 Mike Breed, of 106 SE Hwy 101 (business address) and 604 NW Blair in Sheridan, introduced  
15 himself as the new owner of By the Slice and invited everyone to come have pizza.

16  
17 VIII. UNFINISHED BUSINESS

18 A. Authorize COLA for City Employees Fiscal Year 2012-13

19 Murray requested authorization to disburse 3.6% COLA for employees, as appropriated in the  
20 budget for this fiscal year.

21  
22 Motion 4: Goddard moved to authorize COLA for employees for fiscal year 2012-13. T. Lewis  
23 seconded the motion.

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

26  
27 Vote: Motion 4 passed.

28 Ayes: Cameron, Hoytink, Connors, Goddard, T. Lewis  
29

30 B. League of Oregon Cities (LOC) – Legislative Priorities

31 There was brief discussion regarding which items to support (copy of LOC Policy Committees'  
32 Legislative Recommendations attached to original of these minutes). Items decided upon were:  
33 Finance & Taxation Item C: Allow local governments a more flexible use of transient lodging tax  
34 revenues; General Government Item G: Amend the public contracting code to remove costly  
35 requirements that do not aid in the delivery of public improvements and defend against any new  
36 requirements that do not serve the public interest; Telecommunications Item K: Pass legislation  
37 renewing the 911 tax containing the following elements: • A tax rate sufficient to ensure adequate  
38 resources for both the management of the system and the acquisition of the latest technology,  
39 • No sunset provision, • Requirement that the state use 911 tax revenues for 911 services, thereby  
40 ending the practice of diverting both the revenues and the interest earned on those revenues to  
41 the state's General Fund, • Payment of the 911 tax by purchasers of pre-paid cell phones and  
42 Voice Over Internet Protocol (VoIP) services, if pending rulemaking and litigation that may follow  
43 overturns the opinion of Legislative Counsel (LC) stating that such authority already exists and  
44 legislation is unnecessary; and Transportation Item M: Defeat legislation that would extend or  
45 make permanent the moratorium on raising existing or levying new local gas taxes and/or any  
46 legislation that proposes to restrict or preempt cities' ability to charge any transportation-related  
47 fee or tax.

48  
49 Motion 5: Hoytink moved to choose legislative priorities items C, G, K, and M as described above.  
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 5 passed.

1           Ayes: Cameron, Hoitink, Connors, Goddard, T. Lewis

2  
3 IX. NEW BUSINESS

4       A. Outdoor Warning and Public Alert System Agreement – Central Lincoln PUD

5 Owings reported that PUD will need to order the poles, a process that will take about eight weeks.  
6 The price also changed, and the poles will cost an additional \$200 each, but they will be more  
7 efficient. (Copy of contract attached to original of these minutes.)

8  
9 Motion 6: Goddard moved to approve the contract with Central Lincoln PUD for poles and  
10 installation. T. Lewis seconded the motion.

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

13  
14           Vote: Motion 6 passed.

15           Ayes: Cameron, Hoitink, Connors, Goddard, T. Lewis

16  
17       B. Community Hall Rental Agreement – Lincoln County Noise Ordinance

18 Discussion included: that the Lincoln County noise ordinance only applies to unincorporated areas;  
19 setting a "quiet time" in community hall rules; and having the City Attorney review the Lincoln  
20 County noise ordinance to see if it – or a boilerplate alternative – could be used for Depoe Bay.  
21 (Copy of community hall rental application form and Lincoln County noise ordinance attached to  
22 original of these minutes.)

23  
24 Motion 7: Hoitink moved that Staff contact the City Attorney to see if it's feasible to have a noise  
25 control law in the City of Depoe Bay. Goddard seconded the motion.

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

28  
29           Vote: Motion 7 passed.

30           Ayes: Cameron, Hoitink, Connors, Goddard, T. Lewis

31  
32 Motion 8: Cameron moved to add an *Item L* to the community hall rental agreement, to limit music  
33 between the hours of 10 PM and 7 AM. T. Lewis seconded the motion.

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

36  
37           Vote: Motion 8 passed.

38           Ayes: Cameron, Hoitink, Connors, Goddard, T. Lewis

39  
40 X. CORRESPONDENCE

41 There were several items of correspondence (copies attached to original of these minutes).

42 1) A copy of a letter from Congressman Schrader to Angela Manso regarding the 2010 Census. 2) A  
43 notice of availability from the Department of Energy regarding a public comment period ending July  
44 18 on a draft Environmental Assessment to analyze and describe the potential environmental  
45 impacts associated with wave energy. 3) An email to the mayor from Angela Kargel regarding  
46 conversion of two parking spaces on Hwy 101 to four "motorcycle parking only" spaces. 4) Multiple  
47 emails and phone calls regarding Depoe Bay not having fireworks tonight; some were supportive  
48 but most were upset. There was lengthy discussion.

49  
50 XI. CITY STAFF REPORT

51 Owings reviewed his written report (copy attached to original of these minutes), providing updates  
52 on the skateboard ramp, the outdoor warning system, the nature trail project, and Dock 1. He  
53 requested authorization to hire a structural engineer to assist with the Lincoln County building

1 permit for the warning siren pole located at the wastewater treatment plant, and authorization to  
2 add the skateboard equipment to the surplus equipment list. There was brief discussion.

3  
4 Motion 9: Cameron moved to authorize \$500 for outdoor warning system structural engineer  
5 assistance with the building permit. Goddard seconded the motion.

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

8  
9 Vote: Motion 9 passed.

10 Ayes: Cameron, Hoitink, Connors, Goddard, T. Lewis

11  
12 Motion 10: Goddard moved to authorize staff to put the skateboard ramp equipment on the City's  
13 surplus equipment list, as is. T. Lewis seconded the motion.

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

16  
17 Vote: Motion 10 passed.

18 Ayes: Cameron, Hoitink, Connors, Goddard, T. Lewis

19  
20 Murray 1) Reminded Councilors that loan refinancing will be on the agenda for the next meeting. 2)  
21 Said she received an email from the City Attorney yesterday regarding review of the harbor  
22 ordinance; the review will be presented at the next meeting, but the adoption process may not be  
23 started, depending on the length of the review. 3) Owings will be working on the ODOT Small Cities  
24 Allotment (SCA) grant for Bay Street. SCA grants are done by resolution; the deadline is August 1.

25  
26 XII. COMMENTS

27 Goddard is tired of Depoe Bay taking the short end of the stick, and said inaccurate statements  
28 should not be allowed to go unquestioned.

29  
30 Cameron is preparing to leave for Europe and will return by the second meeting in August.

31  
32 Hoitink said the seawall is in dire need of re-grouting, and questioned whether it's the City's  
33 responsibility, or ODOT's. He also said there are a lot of cigarette butts that need picking up.  
34 Owings said the seawall is ODOT's responsibility, and the City could write a letter asking ODOT to  
35 perform some maintenance on the wall.

36  
37 Mayor Connors thanked everyone for coming, and said she agreed with Councilor Goddard – she's  
38 tired of people pouncing on Depoe Bay.

39  
40 XIII. ADJOURN

41 There being no further business, the meeting was adjourned at 8:37 PM.

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48 Carol Connors, Mayor

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51 \_\_\_\_\_  
52 Emma LuMaye, Recording Secretary