

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, January 15, 2013 - 7:00 PM
4 Depoe Bay City Hall

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8 PRESENT: Mayor AJ Mattila, B. Leff, Z. Olsen, D. Goddard, R. Gambino, B. Berry

9
10 ABSENT: S. Hoitink

11
12 STAFF: City Recorder P. Murray, City Superintendent T. Owings, Recording Secretary
13 E. LuMaye, City Planner L. Lewis

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15
16 I. PLEDGE OF ALLEGIANCE

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

18
19 II. CALL TO ORDER

20 Mayor Mattila called the meeting to order and established a quorum at 7:05 PM.

21
22 III. APPROVE MINUTES: January 2, 2013 Regular Meeting

23
24 Motion 1: Olsen moved to approve the minutes from the January 2, 2013 Regular Meeting.
25 Gambino seconded the motion.

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

28
29 Vote: Motion 1 passed.

30 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry

31
32 IV. ACCOUNTS PAYABLE

33 Motion 2: Berry moved to accept the Accounts Payable as presented. Olsen seconded the motion.

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

36
37 Vote: Motion 2 passed.

38 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry

39
40 V. SPECIAL ORDERS

41 A. Mark Saelens – Lincoln County Solid Waste District (SWD) Activities Report
42 Mark Saelens reviewed his handout and 2012 SWD Events and Projects (copies attached to original
43 of these minutes) in depth. He noted that the District's budget has decreased with the decrease in
44 amount of trash because less people are paying the \$4 surcharge. He asked for feedback on draft
45 Recommendations for Improving the Effectiveness of the Lincoln County Solid Waste Advisory
46 Committee (copy attached to original of these minutes).

47
48 Motion 3: Leff moved the Council express its support of the makeup of the new Solid Waste
49 Advisory Committee, as presented by Mr. Saelens. Gambino seconded the motion.

50
51 Mayor Mattila said it was moved and seconded, and called for discussion.

52
53 Amendment: Goddard amended the motion to include that Staff draft a letter of support. Leff
54 accepted the amendment. Berry seconded the amendment.

55

1 Mayor Mattila said it was moved and seconded, and called for discussion. A Councilor requested
2 and it was agreed that the new member be discussed at the next meeting.

3
4 Vote: Motion 3, as amended, passed.

5 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry
6

7 B. Interview/Appoint Applicants for City Commissions and Committees

8 Murray reported that one of the Harbor Commission applicants, Frederick Ford, withdrew his
9 application this afternoon (copy of written withdrawal attached to original of these minutes), and
10 instructed Councilors to strike his name off their ballots. Councilor Goddard announced she had a
11 potential conflict of interest with the Harbor Commission appointments, as her husband was one of
12 the applicants. Harbor Commission applicant Jerome Grant was present and came forward to tell
13 about himself and why he was interested in participating. Harbor Commission applicant Loren
14 Goddard was present, but had nothing to add. Parks Commission applicants William Page Johnson,
15 Verla (Maggie) Thomas, and Robert Hickerson were present and came forward to tell about
16 themselves and why they were interested in participating. Parks Commission applicants Debby
17 Metz, Jeremy Rasmussen, Claydyn (CJ) Bond, and Linda Phillips were not present; it was noted
18 that it was OK to vote without an interview. Parks Commission applicant Gary Alexanian was
19 present but had nothing to add. Planning Commission applicant Bob Blessinger was present and
20 came forward to tell about himself and why he was interested in participating. Salmon
21 Enhancement Commission applicant Jan "Pogo" Robison was present and came forward to tell
22 about himself and why he was interested in participating. There was also one Salmon Enhancement
23 Commission application received after the deadline. Traffic Safety Commission applicant Dennis
24 Bachman was present and came forward to tell about himself and why he was interested in
25 participating. Traffic Safety Commission applicant Ronald Gilliam was not present; Murray said he
26 was working tonight and could not come.

27
28 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot attached to
29 original of these minutes) and announced the results: Harbor Commission Position #5: Jerome
30 Grant - unanimous. Harbor Commission Position #6: Loren Goddard – 5 votes. Parks Commission
31 Position #3: William Page Johnson – 1 vote; Debby Metz – 5 votes. Parks Commission Position #4:
32 Gary Alexanian – 2 votes; Verla (Maggie) Thomas – 4 votes. Parks Commission Position #6:
33 Jeremy Rasmussen – 0 votes; Claydyn (CJ) Bond – 5 votes. Parks Commission Position #7: Linda
34 Phillips – 2 votes; Robert Hickerson – 4 votes. Planning Commission Position #2: Bob Blessinger –
35 unanimous. Salmon Enhancement Position #2: Jan "Pogo" Robison – unanimous. Traffic Safety
36 Commission Position #1: Ronald Gilliam – unanimous. Traffic Safety Commission Position #5:
37 Dennis Bachman – unanimous. (Copies of applications and ballot attached to original of these
38 minutes.)

39
40 Motion 4: Leff moved to accept the tally of votes and appoint new people to their respective
41 Commission Positions. Goddard seconded the motion.

42
43 Mayor Mattila said it was moved and seconded, and called for discussion. Murray announced there
44 is a Parks Commission meeting tomorrow at 5 PM and agendas would be available for the newly-
45 appointed Parks Commissioners. Ms. Thomas noted she would not be able to attend as she would
46 not return from Portland in time.

47
48 Vote: Motion 4 passed.

49 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry
50

51 VI. REPORT OF OFFICERS, BOARDS, OR STANDING COMMITTEES

52 Leff explained what the Audit Review Committee Cash Report is and reviewed the October report
53 numbers.

1 Loren Goddard, 15 SW Ellingson, said he, Jack O'Brien, and Councilor Hoitink attended an Ocean
2 Policy Advisory Council (OPAC) meeting in Coos Bay, where the main topics of discussion were the
3 Territorial Sea Plan (TSP) and wave energy. He deferred to OPAC members Dr. Jack Brown and
4 David Allen, for further information.

5

6 VII. PUBLIC COMMENTS

7 Jack Brown, 15 SE Ainslee and Chamber of Commerce Wooden Boat Show Committee member,
8 said a Wooden Boat Show planning meeting is scheduled for tomorrow evening at 6 PM, and
9 submitted a written request for approval for Wooden Boat Show activities at the harbor on the
10 weekend of April 20-21, 2013 (copy of request attached to original of these minutes). There was
11 question as to the City's ability to clear Dock 4 for exhibit boats, since Dock 1 is still under repairs;
12 Owings said the City will do its best to provide adequate space for the exhibits.

13

14 Motion 5: Olsen moved to approve the items as requested for the Crab Feed and Wooden Boat
15 Show. Gambino seconded the motion.

16

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

18

19 Vote: Motion 5 passed.

20 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry

21

22 Kay Wyatt, 1760 SW Walking Wood, said the Depoe Bay Fire Department CERT (Community
23 Emergency Response Team) has a new eight-week class on how to prepare for emergencies
24 starting this Thursday. The class will be held at the Gleneden Beach Fire Station from 6-9 PM. A
25 Councilor added that CERT is a national program, and once certified you can assist in any CERT
26 community.

27

28 Loren Goddard reminded the Council that the January 17 Near Shore Action Team (NSAT) meeting
29 is dedicated to background briefing on the reserves process, and encouraged Councilors to attend.

30

31 VIII. UNFINISHED BUSINESS

32 A. Oregon's Statewide Planning Goals and Guidelines – Goal 19 Ocean Resources
33 Jack Brown introduced David Allen, who chairs the Territorial Sea Plan Advisory Committee
34 (TSPAC) sub-committee on the Ocean Policy Advisory Council (OPAC) for the Chapter 5
35 Development of the Territorial Sea Plan (TSP). Mr. Allen, a resident of Newport, was asked to give
36 an update on the TSP amendment process. Mr. Allen said the OPAC is required by State statute to
37 inform the Department of Land Conservation and Development (DLCD) of recommendations, and
38 the DLCD will be accepting public testimony in Salem on Thursday, January 24 to consider public
39 testimony and perhaps reach a final recommendation or decision on the TSP. Also, on Tuesday,
40 January 22 from 4-7 PM, there will be a hearings officer at the Newport Library to take public
41 testimony to forward to DLCD. He said Newport was selected yesterday as a wave energy test area
42 in the outer continental shelf area; it will be a couple of years before anything is seen because
43 regulations must be complied with before anything can be put on the sea floor. The site will be six
44 nautical miles offshore from Yaquina Bay, in Federal waters. There is \$4 million in seed money
45 coming from the Department of Energy. Local groups with stakeholders will be advising State
46 agencies whether permits are worth considering. Mayor Mattila mentioned the "Depoe Bay Wheel
47 of Fortune" of Goal 19 relationships and connectivity developed by Jack Brown, which he sent a
48 copy of to Senator Merkley (copy attached to original of these minutes). Mayor Mattila also
49 expressed concern over the well-being of whales, which are being tagged and may find the test
50 area in their migration path; Mr. Allen said the migration path was definitely being looked at but he
51 didn't know anything about whales being tagged. Mr. Goddard said Bruce Mate has been tagging
52 whales for at least a decade off Depoe Bay and Newport, and this is a commonly-used technology,
53 but has only happened 3-5 days in the past five years so is not frequent. Mr. Allen said NSAT is
54 responsible for the first marine reserve on the Oregon Coast, at Otter Rock, and that Mr. Goddard
55 and Roy Hageman are to be congratulated for their efforts. Councilor Goddard said she and Mr.

1 Goddard would be in Salem the day of the DLC meeting, but was not given direction on
2 attendance. Mr. Allen said the Goal 19 protections are there, and that it's up to communities to
3 ensure they're implemented and protected. City Planner Lewis agreed that the City should ensure
4 the TSP complies with Goal 19.

5

6 IX. NEW BUSINESS

7 A. Review Proposed Revisions to Tsunami Evacuation Map Assembly Areas

8 Murray referred to the existing tsunami evacuation map (copy attached to original of these
9 minutes), and said a re-mapping is currently under way. The new map will have revisions to the
10 assembly areas: The Douglas Street assembly area is recommended for deletion, and
11 recommended new sites are the Little Whale Cove Recreation Center and the Neighbors For Kids
12 parking lot. The assembly area at the east end of Collins Street is to be retained. There are two
13 other recommended assembly areas off Lane Street and Lillian Lane. It was noted that Lillian Lane
14 is not a public road and it's better if assembly areas are on public roads. The Lane Street and Lillian
15 Lane areas are close together, and this recommendation is being made because of the number of
16 people at the north end of town (WorldMark area). The Council was asked to approve the five
17 temporary assembly sites: Little Whale Cove Recreation Center, Neighbors For Kids parking lot,
18 east end of Collins Street, Lillian Lane, and Lane Street. Mrs. Wyatt said the draft map should be
19 available in about two weeks. Murray said there will be a few other modifications, such as deleting
20 unnecessary street names to remove distractions from useful information.

21

22 Motion 6: Leff moved the Council approve the locations as outlined by Murray. Goddard seconded
23 the motion.

24

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

26

27 Vote: Motion 6 passed.

28 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry

29

30 B. Request to Place Job Shack/Security Trailer on Unimproved Road/Elsie Street Right of Way 31 – R. Davilla

32 Rick Davilla, 35 South Point Street, asked the Council to place a job shack for protection of
33 equipment while he is building Ms. Sovern's home on Elsie Street (copy of written request and
34 memo from City Planner Lewis attached to original of these minutes). He said the site is isolated
35 and vandalism has already occurred. Another Councilor asked if someone would be living there; Mr.
36 Davilla responded that yes, someone would be sleeping there at night, but the trailer would be
37 mostly for putting stuff in during bad weather and at night. There was discussion about locating the
38 trailer on another area of the parcels owned by Ms. Sovern, but Mr. Davilla said this would not be
39 possible due to the terrain. A Councilor said her concern from the beginning has been setting a
40 legal precedent and would like the question answered by a land use attorney; Murray said there's
41 not a worry about legal precedence, but rather what you do for one you must be prepared to do for
42 another.

43

44 Motion 7: Berry moved to allow a temporary trailer to be placed in the Elsie Street right-of-way.
45 Motion died for lack of a second.

46

47 C. Request for Letter of Support – Mark McConnell, Capital Campaign Chairman Performing 48 Arts Center Expansion and Enhancement Project

49 Murray said Mr. McConnell was asking for support from the City in the form of an undated letter to
50 be used multiple times for grant funding opportunities (copy of Mr. McConnell's email dated 1/8/13
51 attached to original of these minutes).

52

53 Motion 8: Goddard moved to direct Staff to write a letter in support of Mr. McConnell's request, for
54 the Mayor's signature. Leff seconded the motion.

55

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

2

3 Vote: Motion 8 passed.

4 Ayes: Leff, Olsen, Mattila, Goddard, Berry

5 Noes: Gambino

6

7 D. Schedule Joint Work Session with Lincoln County Board of Commissioners

8 Murray said the Lincoln County Board of Commissioners holds a joint work session with the
9 Council each year, and the dates they proposed for this year's meeting were March 27, April 3, and
10 April 10 (copy of their letter dated 11/23/12 attached to original of these minutes). She said there
11 is a Harbor Commission meeting scheduled for March 27, and a Planning Commission meeting on
12 April 10, leaving April 3 the only open date.

13

14 Motion 9: Berry moved to schedule the joint meeting with the Lincoln County Board of
15 Commissioners on April 3. Olsen seconded the motion.

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

18

19 Vote: Motion 9 passed.

20 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry

21

22 Murray said Staff will notify the Board of Commissioners office.

23

24 E. Authorization of Expenses – Cutting Edge Communities Symposium, Bend, Jan 22, 2013

25 Murray said there will be a presentation of the Governor's 10-Year Energy Plan on Tuesday,
26 January 22 in Bend, and Mayor Mattila would like to attend. There is no registration fee. Mileage,
27 meals, and lodging for one night is estimated at \$410. (Copy of Cutting Edge Communities
28 Symposium flyer attached to original of these minutes.)

29

30 Motion 10: Leff moved to authorize expenses for the Mayor to attend the January 22 symposium in
31 Bend, not to exceed \$450. Berry seconded the motion.

32

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

34

35 Vote: Motion 10 passed.

36 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry

37

38 X. CORRESPONDENCE

39 There was one item of correspondence (copy attached to original of these minutes): a letter from
40 League of Oregon Cities for City Day at the Capitol on February 27, 2013. She asked Councilors to
41 consider whether they'd like to attend, and let her know. Mayor Mattila would like to attend, and
42 this item will appear on the next agenda for approval of estimated expenses for the Mayor and
43 anyone else who wants to go.

44

45 XI. CITY STAFF REPORT

46 Owings reviewed his written report (copy attached to original of these minutes), providing updates
47 on 1) the Parks Commission recommendation to put concrete slabs under each of the City's 15-16
48 benches. The project went to bid, and he recommended accepting the low bid of \$137 per bench
49 from Ray Clarke Excavation. There was discussion about a possible tripping hazard; Owings said
50 engineering details will be worked out if the Council approves the project.

51

52 Motion 11: Leff moved to approve an expenditure not to exceed \$2,192 for putting concrete slabs
53 under City benches.

54

1 Amendment: Goddard amended the motion to add with discretion of City Staff as to which benches
2 get slabs and which don't. Leff accepted the amendment. Goddard seconded the motion.

3
4 Mayor Mattila said it was moved and seconded, and called for discussion. It was clarified that there
5 will be up to 16 slabs installed.

6
7 Vote: Motion 11, as amended, passed.

8 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry
9

10 Owings continued his report: 2) The Parks Commission recommended a sand-blasted stone sign for
11 the Scenic Park north of Tidal Raves. The cost would not exceed \$1,000. Owings asked what the
12 Council's wishes were. There was discussion about the proposed sign and possible medallion-sized
13 signs at other locations. No action was taken. 3) The first Lookout Trails chosen for development
14 from the Parks Master Plan. Gallery member Peggy Leoni expressed concern over potential privacy
15 issues with the Graham Street trail; a Councilor advised that the Parks Commission stay in close
16 touch with Mrs. Leoni during the development. 4) The City Park Nature Trail should be completely
17 finished by the end of March. 5) There was a blocked sewer line on Park Avenue caused by roots.
18 6) Dock 1 sections are arriving, and the project should be complete in two weeks. A Councilor
19 asked about new finger piers for Dock 1. Owings explained the finger piers have not been put to
20 bid because this part of the project needed to be separate from the rest of the Dock 1 project,
21 which is being funded by FEMA.

22
23 Motion 12: Goddard moved to direct Staff to start the bidding process for new finger piers for Dock
24 1. Leff seconded the motion.

25
26 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
27 discussion.

28
29 Vote: Motion 12 passed.

30 Ayes: Leff, Olsen, Mattila, Goddard, Gambino, Berry
31

32 Owings continued his report: 7) An open water valve at the Collins Street station has been fixed.
33 8) Three of the five warning sirens have been installed; installation should be complete by
34 Wednesday.

35
36 There was additional discussion about holding an official opening ceremony for the completed
37 nature trail and for the warning sirens.

38
39 Murray reminded the Council there is a joint workshop for discussion of the Harbor Boundary
40 Survey on February 25 at 6 PM.

41 XII. COUNCIL COMMENTS

42 Berry said it was a long meeting, and goodnight.
43
44

45 Olsen said 1) Murray provided a copy (attached to original of these minutes) of a Local Focus
46 article on strategic broadband plans being developed by the cities of The Dalles, Eugene, and
47 Sandy, and Neighbors For Kids has been working on a broadband project. Four cities will be
48 recruited for getting fiber optics next year. He asked to have this item on the next agenda. 2) He
49 said the cable franchise is coming due on May 1 and asked to have this on the next agenda.
50

51 Leff said 1) She was disappointed there was an event at the new whale museum, and the three
52 local chambers of commerce supported it but there was only one Depoe Bay Councilor present. She
53 said it's very important for the Council to support Chamber events. 2) Asked to have Council Rules
54 on the next agenda because the rules were deviated from [in making Commission appointments]
55 and the Council needs to decide whether or not to keep the rules.

1
2 Mayor Mattila said 1) Had he been aware of the rule about appointing Commissioners at the
3 meeting they are interviewed, that rule would have been followed. He's still absorbing all the things
4 in his Council book. 2) Thanked everyone for coming.

5
6 XIII. ADJOURN

7 There being no further business, the meeting was adjourned at 9:58 PM.

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Emma LuMaye, Recording Secretary

A.J. Mattila, Mayor