

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, February 5, 2013 - 7:00 PM
4 Depoe Bay City Hall

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7

8 PRESENT: Mayor AJ Mattila, B. Leff, S. Hoitink, Z. Olsen, D. Goddard, R. Gambino, B. Berry
9
10 STAFF: City Recorder P. Murray, City Superintendent T. Owings, Recording Secretary
11 E. LuMaye
12
13

14 I. PLEDGE OF ALLEGIANCE

15 Mayor Mattila called for all to stand for the Pledge of Allegiance.
16

17 II. CALL TO ORDER

18 Mayor Mattila called the meeting to order and established a quorum at 7:00 PM. He gave accolades
19 to Councilor Leff for championing dredging of the harbor at a Friday meeting.
20

21 III. APPROVE MINUTES: January 15, 2013 Regular Meeting
22

23 Motion 1: Olsen moved to approve the minutes from the January 15, 2013 Regular Meeting.
24 Gambino seconded the motion.
25

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

28 Vote: Motion 1 passed.

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

30 Abstain: Hoitink
31

32 IV. ACCOUNTS PAYABLE

33 Motion 2: Hoitink moved to accept the Accounts Payable with the addition of a \$300 check to
34 Darius Ferguson. Leff seconded the motion.
35

36 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.
37

38 Vote: Motion 2 passed.

39 Ayes: Leff, Olsen, Hoitink, Mattila, Goddard, Gambino, Berry
40

41 V. SPECIAL ORDERS

42 A. USCG Auxiliary Flotilla 53 Depoe Bay – Request for Permission to Construct Safety Booth at
43 Depoe Bay Boat Launch Ramp

44 Larry Cox, former Commander of Flotilla 53, asked the Council's permission to construct a safety
45 booth at the boat launch ramp. He provided a sample packet of information that's handed out to
46 boaters. He said the Auxiliary staffs the ramp with boat examiners a lot during fishing season. The
47 Auxiliary has safety booths at many harbors. The City of Newport provided the paint and the
48 electrical hookup. The Auxiliary would build it themselves with help from the Coast Guard Station
49 Depoe Bay. Murray noted the State Marine Board and Lincoln County would need to be contacted
50 for grant or deed restrictions prior to approving this request, which if approved would probably
51 result in a lease agreement between the City and the Auxiliary. Mayor Mattila was interested in
52 having input on the design of the safety booth.
53

54 Motion 2: Leff moved to authorize Staff to look into potential issues with an eye to make it happen
55 from the City's point of view (legal issues, etc.). Hoitink seconded the motion.

1
2 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
3 discussion.

4
5 Vote: Motion 2 passed.

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

7
8 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

9 A. Parks Commission Recommendation – Acquisition and Placement of Stone Park Sign
10 Jim Hayes, 30 SW Heiberg and Parks Commissioner, requested the Council’s approval to purchase
11 a stone sign to be sandblasted and painted with the approved Depoe Bay logo, and mounted at the
12 the Scenic Park on Hwy 101. The rock would be mounted 10-12 feet off the sidewalk, close to the
13 picnic table. The concrete slab would be 48 inches x 28 inches at ground level so it wouldn’t
14 interfere with mowing or be a tripping hazard, and would connected with rebar embedded into the
15 cement slab. Cost is approximately \$600. Mayor Mattila noted the rebar should be galvanized, and
16 a Councilor requested the rebar have a 90-degree angle at the end for security. It was noted there
17 is money in this year’s budget for this request. (Copy of Mr. Hayes’ handout attached to original of
18 these minutes.)

19
20 Motion 3: Goddard moved to authorize a purchase not to exceed \$575 from Old Stoners
21 Sandblasting for the proposed rock sign. Hoytink seconded the motion.

22
23 Mayor Mattila said it was moved and seconded, and called for discussion.

24
25 Amendment: Gambino amended the motion not to exceed \$600. Goddard agreed to the
26 amendment.

27
28 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
29 discussion, including a request to glue [epoxy] the rebar into the stone.

30
31 Vote: Motion 3, as amended, passed.

32 Ayes: Leff, Hoytink, Olsen, Mattila, Goddard, Gambino, Berry

33
34 B. Harbor Commission Recommendations
35 • Letter to US Congressmen and Senators – Funding for Harbor Dredging and Maintenance
36 Loren Goddard said the Harbor Commission moved to ask Staff to write letters in support of
37 dredging. (Copy of draft letter to Reps. DeFazio and Schrader, and Senators Merkeley and Wyden
38 attached to original of these minutes.)

39
40 • Dock 1 Cleats
41 Mr. Goddard also reported the Harbor Commission had asked for cleats that were a minimum size
42 of 12 inches, but now they feel this small size was an oversight, and a larger size will be needed to
43 accommodate larger boats or two boats tying to the same cleat. (Copy of Harbor Commission
44 memo dated 1/31/13 to Mayor Mattila attached to original of these minutes.)

45
46 Motion 4 Leff moved to authorize the Mayor and Harbor Commission Chair Robison to co-sign the
47 letter concerning dredging written by Staff, and send to elected officials. Gambino seconded the
48 motion.

49
50 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.

51
52 Vote: Motion 4 passed.

53 Ayes: Leff, Hoytink, Olsen, Mattila, Goddard, Gambino, Berry

54

1 Motion 5: Goddard moved to authorize purchase of 18-inch cleats for Dock 1, with the number
2 needed being at the discretion of Staff. Olsen seconded the motion.

3
4 Mayor Mattila said it was moved and seconded, and called for discussion. Owings said 20 cleats will
5 probably be needed, and the cost is estimated at \$125 each.

6
7 Vote: Motion 5 passed.

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

10 Mr. Goddard reported as Chair of the Near Shore Action Team (NSAT): He attended the public
11 meeting of the Department of Land Conservation and Development (DLCD) in Salem last week,
12 where Amendment 5 to the Territorial Sea Plan was voted on. The Commissioners had not received
13 the Ocean Policy Advisory Council's (OPAC) report in advance of the meeting. The report was then
14 located and distributed, but no recess was taken to give Commissioners a chance to review it.
15 OPAC Chairs made their reports, and the majority of public input was in favor of OPAC
16 recommendations. Mr. Goddard testified, also advocating acceptance of OPAC recommendations.
17 After deliberating, DLCD voted to accept Staff recommendations, not OPAC recommendations as
18 was hoped. Mr. Goddard felt outraged at the decision, after five years of bottom→up work. He felt
19 that ORS (Oregon Revised Statutes) were violated because of the way OPAC's recommendations
20 were disregarded. A renewal energy development site designated at Camp Rilea was four times the
21 size recommended by OPAC. A site located only one mile from the mouth of the Nestucca River at
22 Pacific City, and not appearing in OPAC's recommendations, was designated for development. The
23 Pacific City Dorymen plan to appeal the decision, and are welcoming others to participate in the
24 appeal.

25
26 Motion 6: Leff moved to authorize the NSAT to support the Pacific City Dorymen's appeal in any
27 way that makes sense.

28
29 Discussion followed. A Councilor asked whether there is anything the City can do to prevent an
30 area being designated for development of renewable energy outside Depoe Bay waters; Mr.
31 Goddard responded that supporting the Dorymen is a good start and that executive orders exist
32 from a previous governor on this issue. A Councilor said Depoe Bay should make a strong
33 statement of opinion, and not worry about being pleasant about it. Mr. Goddard suggested the
34 NSAT draft a letter for himself and the Mayor to sign. A Councilor suggested the entire Council sign
35 the letter. Another Councilor suggested involving the media.

36
37 Amendment: Olsen amended the motion to formulate the letter to state the Council's displeasure
38 at what happened as bold and strong as possible, and the strongest support the City can offer to
39 the Dorymen. Leff accepted the amendment. Goddard seconded the [amended] motion.

40
41 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
42 discussion. NSAT will draft a letter, and once signed, copies should be sent to the Coastal Caucus
43 and news media.

44
45 Vote: Motion 6, as amended, passed.

46 Ayes: Leff, Hoytink, Olsen, Mattila, Goddard, Gambino, Berry
47

48 Mr. Goddard reported on the OCZMA (Oregon Coastal Zone Management Association) quarterly
49 meeting in Salem. He reviewed the agenda and speakers, and said the agency is receptive to
50 public input. He feels it is a meaningful, informative meeting with City, County, and State agency
51 representatives, and is a vital link between coastal cities and the legislature. He said completion of
52 the Whale Watch Center has been budgeted for sometime in the next two years. He said OCZMA is
53 having financial problems and that member cities should all be paying their dues on time, as Depoe
54 Bay does.

1 VII. PUBLIC COMMENTS

2 Tommy McEldowney introduced himself as a new businessman in Depoe Bay and addressed the
3 Council regarding his correspondence to the Council on his views about the importance of social
4 media.

5
6 Kay Wyatt, 1760 SW Walking Wood and CERT (Community Emergency Response Team)
7 coordinator for the Fire District, said that when the 2011 tsunami hit and the fire chief called for
8 evacuations in low-lying areas, bewildered people didn't know what to do. Newport passed an
9 ordinance last year requiring tourist accommodations to provide each unit with information on
10 evacuation (at their own expense). Mrs. Wyatt would like to see this happen in Depoe Bay, and
11 asked the Council to consider it. There was brief discussion regarding the new tsunami evacuation
12 brochures; and refrigerator magnets with evacuation information, which she has submitted a grant
13 application for.

14
15 VIII. UNFINISHED BUSINESS

16 A. Lincoln County Solid Waste District – Designation of City Representative
17 After brief discussion, it was decided that Owings will continue to be the primary representative,
18 with Councilors Goddard and Berry as alternates.

19
20 B. DOGAMI Tsunami Outreach Program – Action Items

21 • Number of Evacuation Map Brochures

22 Murray said the deadline for ordering brochures is tomorrow, and suggested ordering 5,000 copies.
23 (Copy of Murray's memo dated 2/4/13 attached to original of these minutes.)

24
25 Motion 7: Leff moved to authorize purchase of 5,000 brochures at an expense of \$614. Olsen
26 seconded the motion.

27
28 Mayor Mattila said it was moved and seconded, and called for discussion. There was discussion
29 regarding terminology used to identify the outdoor warning system sirens, and Mrs. Wyatt noted
30 there is space on the back of the brochures for the City to write its own message. A Councilor
31 suggested allowing Murray to work directly with Mrs. Wyatt tomorrow morning. Another Councilor
32 wanted to begin discussion about getting refrigerator magnets as soon as the brochures are
33 ordered. Mrs. Wyatt suggested asking DOGAMI if they will pay for magnets before purchasing any.
34 There was a question as to the actual cost of the maps.

35
36 Amendment: Leff amended her motion not to exceed \$1,114. Hoitink seconded the amendment.

37
38 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.

39
40 Vote: Motion 7, as amended, passed.

41 Ayes: Leff, Hoitink, Olsen, Mattila, Goddard, Gambino, Berry

42
43 • Conduct Inventory of Existing Signs, Future Needs

44 Murray said the City is tasked with conducting an inventory of existing tsunami and assembly
45 signs, and identifying future needs, and that Mrs. Wyatt as a CERT member, has volunteered to do
46 this. She recommended the Council allow CERT to conduct the inventory. It was the consensus of
47 the Council to allow CERT to conduct the sign inventory. Mrs. Wyatt said the signs will be paid for
48 by DOGAMI, but the City must do the installations.

49
50 C. Franchise Agreements, Telecom Ordinances, Master Utility Right-of-Way Ordinances

51 Murray referred to the franchise packet distributed prior to the meeting (copy attached to original
52 of these minutes), and said that discussions started about 1½ years ago, prior to the cable
53 franchise agreement expiration date. The Council requested a one-year extension to the
54 agreement, and the extension will expire on May 1. She said the City operates under what used to
55 be standard operating procedure, but services such as wireless are not covered. Staff did research

1 last year and recommended the City look into a "master franchise agreement" which would cover a
2 broader range of services, including wireless. She said a privilege tax would generate more
3 revenue for the City, and asked the Council if they wanted to pursue establishing a master
4 franchise agreement. A Councilor wanted to move forward, saying the City needs to look for more
5 permanent revenue sources for the City. Another Councilor said it's a complicated issue and other
6 options such as fiberoptics are being explored; he wanted permission to share the francise packet
7 with Steve Sparks, who has made an offer to help the City with technical and background
8 information.

9
10 Motion 8: Leff moved to authorize Staff to talk with the City Attorney about whether it makes sense
11 to move forward.

12
13 Amendment: Leff amended her motion on Olsen's suggestion to ask Steve Sparks to help with the
14 project. Hoitink seconded the [amended] motion.

15
16 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.

17
18 Vote: Motion 8 passed.

19 Ayes: Leff, Hoitink, Olsen, Mattila, Goddard, Gambino, Berry

20
21 IX. NEW BUSINESS

22 A. Land Acquisitions – Downtown Refinement Plan

23 Mayor Mattila wanted to discuss the possible acquisition of tax lots 8400, 8500, and 8600 at the
24 corner of Schoolhouse Road and Hwy 101, for development of a gateway sign and boat trailer
25 parking area (copy of information sheet attached to original of these minutes). From the gallery,
26 Dick Johnson asked if the City hadn't looked into acquiring these properties before, with the owners
27 being adamantly against selling. Murray said yes, but one owner had offered to lease their lot if the
28 city conducted an expensive hazard assessment of the property and took care of anything the
29 assessment found. A Councilor suggested contacting the owners to see if they are interested in
30 talking now. It was noted the Chinook Winds sign is on one of the tax lots. Staff was directed to
31 contact the owners of all three tax lots and report back to the Council. There was brief discussion
32 about a tax lot on Shell Avenue that has been previously used for boat trailer parking, and the
33 parking lot the City leases from the Tauntons.

34
35 B. Authorization of Expenses – City Day at the Capitol, Salem, February 27, 2013

36 Murray said unless anyone else was interested in attending, the estimated cost for Mayor Mattila to
37 attend City Day at the Capitol would be \$220.

38
39 Motion 9: Leff moved to authorize expenses not to exceed \$250 for the Mayor to attend City Day in
40 Salem. Hoitink seconded the motion.

41
42 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.

43
44 Vote: Motion 9 passed.

45 Ayes: Leff, Hoitink, Olsen, Mattila, Goddard, Gambino, Berry

46
47 X. CORRESPONDENCE

48 Murray said there were two items of correspondence (copies attached to original of these minutes):

49 1) A letter to Councilors from Tommy McEldowney, who already addressed the Council earlier this
50 evening. 2) A letter from Katharine Groth regarding dredging the harbor, in reply to an email from
51 Jack Brown. Councilor Leff said that dredging money is being withheld to show "a more balanced
52 budget", and there must be an ordinance that required them to spend the money where it's been
53 budgeted; and she felt strongly enough about the issue to volunteer to write a draft letter for Mr.
54 Goddard and bring it back to the Council for approval. Mayor Mattila said to make it scathing.

55

1 XI. CITY STAFF REPORT

2 Owings reviewed his written report (copy attached to original of these minutes), providing updates
3 on the Dock 1 Project, the finger piers, the main sewer line, a new water line and hydrant on Elsie
4 Street, and Parks Master Plan projects. He also said there will be a full-volume test of the Outdoor
5 Warning Siren and Public Address System on Thursday, February 14 sometime between 9:00 and
6 11:00 AM, as part of the construction and installation of the system. A Councilor said Betty
7 Taunton needs to be there, a camera, and a news release, because if it wasn't for Mrs. Taunton,
8 the City wouldn't have a warning system today. Another Councilor said the Planning Commission
9 should be included in any publicity. It was noted that notices of the test have been posted all
10 around town, on the City's website, in the Lincoln City and Newport newspapers, and a public
11 service announcement has been made.

12
13 Murray reported the Lincoln County Emergency Preparedness grant money was received yesterday
14 for the helicopter landing site flares.

15
16 XII. COUNCIL COMMENTS

17 Berry said he had additional copies of the Cascades West Council of Governments meeting notes he
18 distributed at the Urban Renewal meeting.

19
20 Leff said 1) Lincoln County Commissioners are worried about what sequestration would mean to
21 Lincoln County, and when Congressman Schrader was asked about this, his reply was that no one
22 knows, except it will affect everybody. 2) She was disappointed that on the night of the NSAT
23 background review meeting, there were two Councilors who didn't attend and didn't call; she wants
24 everyone to be considerate and on the same page.

25
26 Goddard reported the emergency preparedness packets from the County may be delivered soon.

27
28 Hoitink told Owings he looked at Dock 1 from the bridge and saw nice, straight pilings that look
29 good.

30
31 Olsen said there will be a general meeting of the Chamber of Commerce on February 18 at the
32 Community Hall, and everyone's invited. The meeting will focus on the future direction of the
33 Chamber.

34
35 XIII. ADJOURN

36 There being no further business, the meeting was adjourned at 9:13 PM.

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A.J. Mattila, Mayor

Emma LuMaye, Recording Secretary