

1 Depoe Bay City Council
2 Joint Workshop Meeting
3 Monday, February 25, 2013 - 6:00 PM
4 Depoe Bay Community Hall
5

6 PRESENT: Mayor AJ Mattila, B. Leff, S. Hoitink, Z. Olsen, D. Goddard, R. Gambino, B. Berry
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8 COMMISSIONERS & URBAN RENEWAL BOARD MEMBERS (no roll called): B. Blessinger, M. Dowd,
9 L. Goddard, R. Hageman, J. Hayes, B. Hickerson, D. Johnson, P. Leoni, L. Robison
10 (arr 6:03), P. Robison, B. Spores (arr 6:03), B. Taunton (arr 6:40)
11

12 STAFF: City Recorder P. Murray, City Superintendent T. Owings, Recording Secretary
13 E. LuMaye, City Planner L. Lewis, City Field Supervisor B. Weidner
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15 I. CALL TO ORDER AND ESTABLISH A QUORUM

16 Mayor Mattila called the meeting to order and established a quorum at 6:00 PM.
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18 II. HARBOR BOUNDARY SURVEY – Darius Ferguson, PLS

19 Mr. Ferguson, who was hired to survey the harbor boundary, reviewed the survey results (letter
20 sized copy attached to original of these minutes) and answered questions from Councilors and
21 Commissioners. He said there were only two monuments left from the original port deed. He said
22 meander lines are a "line of convenience", and in some cases it is a boundary and in other cases it
23 is not; when it is not a boundary, it is used as a reference line. He said the east side of the harbor
24 was the most complicated. Property owned by Tradewinds calls to the low water line, and lots east
25 of Tradewinds call to the high water line. The City does not own tax lot 7499. The City owns tax lot
26 1400. Some properties were "excepted" from the meander line on the port deed. Ferguson
27 plotted the boundary line based on deed descriptions. There are a few conflicts (gaps and overlays)
28 in [Block 4 of] the survey results. A Commissioner asked if the Joan E docks are owned by the City;
29 Ferguson said he didn't know, but it was his opinion that the docks are on City property. Ferguson
30 said the port deed is five different parcels. A Commissioner said some property owners gave up
31 property for the seawall installation and their deed comes with wharfing and booming rights. The
32 dam is on one of the City-owned parcels. The Imperial Marine wharf structure is on City property.
33 Ferguson explained that water lines are "called to" in deeds, and surveyors will mark to the top of a
34 bank and use vegetation line as the water line. He said water lines change over time with erosion,
35 and sharp cliffs have less variance than places where there is more lateral movement of water. He
36 explained that if the area under docks is never clear of water, the docks are on City property. This
37 can cause people to think they own the property, since the deed calls to low water, but pilings and
38 docks are on City property. The City owns the water side small lot below Fader's lot. There was
39 discussion as to who is responsible to finish the cleanup of the City-owned property leased by Sea
40 Trollers. Ferguson noted that the survey has been filed with the Lincoln County Surveyor's Office,
41 and is a public document that anyone can get a copy of. He confirmed that only lot 1 of Block 4 has
42 gaps and overlays. Mayor Mattila asked Ferguson if he could color code the meander line and a few
43 property lines in three colors; Ferguson said there was a lot of information in the narrative on the
44 survey, but he could do that. Mayor Mattila asked to staff do make and distribute color copies to
45 the Council. Mayor Mattila asked Ferguson if the pin at the end of Shell Avenue is a corner of City
46 property; Ferguson was not sure, he did not put anything over the bank. Mayor Mattila will get the
47 numbers off the pin and get them to Ferguson, who said that a 1981 law required an ID cap on all
48 markers and monuments; prior to 1981 surveyors used unmarked markers such as rebar.
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50 III. ADJOURN

51 There being no further business, the meeting was adjourned at 7:00 PM.
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54 _____ A.J. Mattila, Mayor
55 _____ Emma LuMaye, Recording Secretary