

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

6 PRESENT: Mayor A.J. Mattila, B. Leff, S. Hoitink, S. Olsen, D. Goddard, R. Gambino, B. Berry
7
8 STAFF: City Recorder P. Murray, City Field Supervisor B. Weidner, Recording Secretary
9 E. LuMaye
10

11 I. PLEDGE OF ALLEGIANCE

12 Mayor Mattila called for all to stand for the Pledge of Allegiance.
13

14 II. CALL TO ORDER

15 Mayor Mattila called the meeting to order and established a quorum at 7:00 PM.
16

17 III. APPROVE MINUTES: October 15, 2013 Workshop and Regular Meeting
18

19 Motion 1: Leff moved to approve the minutes from the October 15, 2013 Workshop and Regular
20 Meetings as written. Goddard seconded the motion.
21

22 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
23 discussion.
24

25 Vote: Motion 1 passed.

26 Ayes: Leff, Hoitink, Olsen, Mattila, Goddard, Gambino

27 Abstain: Berry
28

29 IV. ACCOUNTS PAYABLE
30

31 Motion 2: Hoitink moved to approve the Accounts Payable as submitted. Leff seconded the motion.
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33 Mayor Mattila said it was moved and seconded, and called for discussion. There was none.
34

35 Vote: Motion 2 passed.

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

37 Abstain: Mattila
38

39 V. SPECIAL ORDERS

40 There were no special orders.
41

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

43 Leff reported the committee of two to review the harbor budget has met and developed a list of
44 questions. They will meet with Murray to develop a methodology for completing the study.
45

46 Gambino asked about a sound the sirens make each week when they are tested. Weidner said he
47 can make it quieter.
48

49 VII. PUBLIC COMMENTS

50 Bob Blessinger Harbor Lights owner at 235 SE Bayview, addressed the Council regarding a
51 potential new public bathroom and fish cleaning facility at the harbor, saying these things would be
52 detrimental to his business.
53

54 Mayor Mattila called for additional public comments, and then announced that public comments
55 were closed for the remainder of the meeting.

1 VIII. UNFINISHED BUSINESS

2 A. Depoe Bay Chamber of Commerce – Contract Renewal

3 Olsen reported Murray reviewed the payment history to ensure this fiscal year's payment had not
4 already been disbursed. Murray said the Chamber typically requests reimbursement for their
5 expenses in May, but there is no defined date. Another Councilor added that the Council deferred
6 on signing the contract in May; Murray said the City does not currently have a signed agreement
7 with the Chamber for fiscal year 2013-14 (copy of agreement attached to original of these
8 minutes). There was discussion about whether or not this business was handled at the last Council
9 meeting; it was noted the motion did not include a directive for the Mayor to sign.

10

11 Motion 3: Goddard moved that the Mayor sign the agreement and send it to the Chamber. Olsen
12 seconded the motion.

13

14 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
15 discussion about the previous minutes and the agreement.

16

17 Vote: Motion 3 passed.

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

19

20 Goddard asked that the agreement be sent to the Chamber before Thursday, when the Chamber
21 will be having a Board meeting and the agreement can be signed.

22

23 B. Draft City Survey – City Council Survey Results

24 Murray reviewed the survey results (copy attached to original of these minutes), which were
25 compiled by LuMaye. There was discussion about the survey questions. A few Councilors felt the
26 questions were too widespread, that allowing people to add comments would result in "a lot of
27 comments", and that one question to rate 15 items was too "hodgepodge". A suggestion was made
28 to send it back to the Economic Development Committee; Gambino asked what the Council wanted
29 changed. Leff suggested she and Gambino discuss the survey "offline" rather than at this meeting.
30 There was no action taken.

31

32 C. Video Recording Council Meetings

33 Berry played a short portion of the video-recorded October 1 Council meeting. He was satisfied
34 with the quality of the recording. He proposed purchase of a camera like the one used, at less than
35 \$350 and to put it on a shelf at the back of the Council chambers. A couple of Councilors said they
36 couldn't make out the audio. Berry said high quality audio would cost thousands of dollars and the
37 City is already maintaining an audio archive. He said if you pay attention when you listen to the
38 recording you can pick up everyone's conversation, and we're not making a Hollywood movie, and
39 he'd like to use the videos for Channel 4 cable access. Mayor Mattila was impressed that the video
40 came from a simple home recorder. One Councilor said while she was neutral, overall she'd rather
41 have a good audio recording without any video; she said decent audio is already on the website,
42 and she didn't want to also put up video with lousy audio, and it's the audio – what people are
43 saying - that's more important. Another Councilor said she'd rather not have any video. There was
44 discussion about improving the audio with an external microphone. It was also noted that because
45 the camera is 7-8 years old and technology moves forward with incredible speed, it's likely that a
46 new camera from the same manufacturer would have significantly better audio capability. Mayor
47 Mattila asked what it would take to find something that would be acceptable to everyone. LuMaye
48 commented that testing cameras for acceptable audio would be a difficult undertaking because of
49 the volume that are available and that information on performance from home cameras in this type
50 of a setting is not to be expected in product reviews. She also offered results from a survey she
51 conducted of websites of Oregon cities having a population between 2,000-5,000 (Depoe Bay's
52 population at the last census was 1,398), saying that Toledo was the only city that offers video,
53 and most do not post audio, so for Depoe Bay to take on such a project would be groundbreaking.
54 A Councilor noted Toledo's video production costs thousands of dollars. LuMaye said she'd done
55 research this afternoon on new models of the camera used for the test, and for under \$500 the

1 City could get a new camera, memory card, small tripod, and protective case. Weidner said some
2 cameras have audio inputs and his son is into video graphics and has a microphone that cost under
3 \$150 that picks up really good audio. Leff suggested Weidner work with Berry to come up with a
4 recommendation. It was noted that in addition to cities larger than Depoe Bay not [commonly]
5 having video or audio on their websites, Depoe Bay's website is ahead of the curve in the general
6 information provided. A Councilor wondered why so much time is being spent discussing video.
7 Another Councilor said she was all for skipping the video and sticking with the audio. Another
8 Councilor said video will be important once the City has Channel 4 access.

9

10 IX. NEW BUSINESS

11 A. Request to Rename SE Elsie Street to SE Coast Guard Drive

12 Murray referred to request dated 10/18/13 submitted by Valerie Sovern and Jeff Million with a map
13 on the back (copy attached to original of these minutes). She said if the Council wished to grant
14 the request it would need to be accomplished through a resolution. Councilor Leff said she
15 researched in Robert's Rules of Order to see if she could recuse herself because of personal feelings
16 about the applicant, but because there was no financial issue she could not recuse herself. There
17 was lengthy discussion regarding the request and potential costs involved with related research.

18

19 Motion 4: Olsen moved to not approve the request to change Elsie Street to Coast Guard Drive.

20 Gambino seconded the motion.

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

23

24 Vote: Motion 4 passed.

25 Ayes: Leff, Hoitink, Olsen, Mattila, Gambino, Berry

26 Noes: Goddard

27

28 B. Amend Harbor Ord. 292 – Commercial Fish Carcass Disposal

29 Mayor Mattila said he added this agenda item because he wants to make fish carcass disposal
30 available to everyone, and commercial businesses are not allowed to use existing disposal facilities
31 and they take their carcasses out of the harbor for disposal at sea. He has been working on a plan
32 to collect carcasses in sanitary containers and ship them to Trident in Newport and dispose of them
33 at no cost to the City. A Councilor said Trident does process carcasses, but the carcasses must be
34 clean with no foreign objects, and this would be almost impossible to control. She also noted that
35 hundreds of thousands of pounds of carcasses come through the harbor, and the City already has a
36 hard time controlling non-commercial users, noting that there are a couple of one-boat companies
37 that use City facilities for disposal. Weidner expressed concern about outside entities dumping in
38 City facilities; he also asked a hypothetical question of what would happen if the fish plant had a
39 business that produces a lot of carcasses, saying it would be like subsidizing businesses' dumping
40 of garbage. A Councilor asked how this could be policed. Another Councilor said a better way to
41 take care of the existing disposal needs should be developed before taking on commercial disposal
42 needs, which would be a huge burden on the City. Mayor Mattila asked Weidner to dwell on that
43 other information; Weidner said one of the captains of a charter office was dumping [in City
44 facilities] because they couldn't get out to sea and Owings wrote them a letter addressing the
45 issue. He said sometimes businesses need to dump in City facilities on certain occasions, but there
46 are issues with the dumpsters that become quite expensive for the City, especially at certain times
47 of the year. A Councilor clarified that Weidner was saying that the problem would be much worse if
48 the commercial businesses were allowed to use the recreational disposal facilities; Weidner agreed.
49 A Councilor added that the charter office that received the letter from Owings offered to pay for the
50 disposal, but Owings turned down the offer. Pointing out a potential future problem, she went on to
51 say there was a house bill or senate bill signed into law this summer allowing return of carcasses to
52 the waters from which they came, which could be interpreted as the harbor. Weidner said the best
53 way of dealing with the carcasses is dumping them at sea. It was the consensus of the Council to
54 table any decision and leave in in Weidner's hands to bring the Council further ideas at a future
55 time.

1 C. Harbor Restroom Facility Lease Agreement – Renewal Option

2 Murray referred to the Agreement for Lease of Premises (copy attached to original of these
3 minutes), noting the expiration date is April 4, 2014. She said a decision on whether to renew must
4 be made 120 days before the expiration date (December 3, 2013 Council meeting), and typically
5 the Council decides to exercise the renewal option in the lease and send the owners a letter. A
6 Councilor asked why wouldn't the lease be renewed; Mayor Mattila said Weidner had information
7 on that, involving savings to the City. Weidner said he was asked to do some research, and that
8 Owings wanted the City to get bathrooms uptown and downtown in the port so the City isn't reliant
9 on private businesses for public bathrooms. He said City Planner Lewis provided a cost estimate for
10 building a portable public restroom (copy attached to original of these minutes), to be used as an
11 example of what's available. He said it would have to be located in the harbor parking lot area and
12 potential locations included by the electric shed, by the harbormaster's shed, or at the foot of
13 Winchell Street by where the old telephone booth was. Referring to the information provided by
14 Lewis, he said the City could construct something like this for a lot less money than what Waldport
15 paid [for third-party construction]. There was discussion about these proposed locations. Murray
16 noted that platted right-of-ways can be used for pedestrian improvements, and a small restroom
17 could possibly be located on a right-of-way. Mayor Mattila said in the long run, after it amortizes,
18 the City will save the cost of the lease agreement. Olsen added it would also save labor and water
19 expenses associated with the fish cleaning station (FCS). Goddard, a Dockside Charters owner, said
20 she pays the water bill for the FCS and knows that the water used at the FCS is not on the same
21 meter as the public restrooms. Olsen said it was his understanding the facilities were generously
22 provided by the Robison brothers on a temporary basis, and he had heard there was a lot of money
23 going toward the FCS. He also said there must be some issue in the harbor between the employee,
24 his supervisor, and some of the people at Dockside Charters directing the employee to clean the
25 bathrooms or do that, causing the employee to be conflicted between his supervisor and other
26 people directing him. He said with a new supervisor coming on board, this would allow for positive
27 control of the employee. Another Councilor asked what this has to do with restrooms, and Goddard
28 said the conversation should be at that business and with the employee's supervisor. Referring to a
29 letter [not yet presented] from the Robison brothers, Olsen said he was confused by it, and that he
30 was told by the supervisor there's an employee at the harbor who is not under positive control of
31 his supervisor, and they are trying to make it efficient and take the burden off the Robison
32 brothers. Leff said if there was a supervisory problem, that should be dealt with, but you don't deal
33 with it by changing the terms of a lease. Olsen said the intention was to provide a restroom
34 controlled by the City for all the people that use the [Robison] restrooms but don't patronize the
35 business [Dockside Charters]. There was further discussion on the harbor employee and restroom
36 costs. Mayor Mattila said the reason for bringing this up was because when it [a new restroom]
37 amortizes, the City will save that money. He also said the effluent from a new FCS would go
38 directly into the City sewer and not into the harbor. Leff said that FCS [by Dockside Charters] is the
39 only one of the three that doesn't stink. Goddard said all three Robison brothers were in the
40 audience and suggested Mayor Mattila ask them questions directly. She said it's their property and
41 they have a right to be verbally heard. Mayor Mattila said nobody else came forward at Public
42 Comments and at that time public input was closed. Leff said this isn't Public Comments, that it's
43 discussion of an agenda item with the owners of a property the City rents a portion of, and they
44 have something to say. Weidner said the only reason Owings went down that road was so the City
45 could have its own bathrooms. Goddard said what's been brought up here and on the little yellow
46 sheet of paper is something way far beyond the City owning its own bathrooms at the harbor.
47 Olsen said maybe he was looking at erroneous data. He wanted to quantify the water; the water
48 was a major point in this issue, and he wanted to know if the number [2.1 million gallons] was
49 strictly for the restrooms, or did it include the FCS. Mayor Mattila invited the Robisons to speak.
50 Beanie Robison, general manager and spokesperson for Robison Brothers Partnership, asked if the
51 City was giving a 100-day notice. Robison clarified 270 Coast Guard Drive is the property being
52 discussed, and provided a history of the Robisons' relationship with the City as relates to the
53 restrooms. He said there are two meters, one of which is solely for the restrooms. Addressing
54 Olsen's confusion over the aforementioned letter, he said there has been confusion that has carried
55 over to the public and the press. When Olsen quoted the last sentence of the letter, Robison

1 advised Olsen to ask legal counsel about it. Gambino said the letter doesn't explain anything, and
2 asked what the confusion is. Robison replied that Dockside Charters is the lessee, but often it's
3 referred to as Dockside Charters' problems/issues/business, but it has nothing to do with them,
4 because they are only a leaseholder and the Robisons own the building and the property. Goddard
5 gave as an example of the confusion, that the lease was on the agenda, but an issue with Dockside
6 Charters and an employee was brought into the conversation as being relevant. Olsen said there
7 was nothing malicious. Robison said the restrooms are there for the City to lease if they wish to.
8 There was brief discussion about the amount of the lease compared to the amount of the lease for
9 the downtown restrooms. Mayor Mattila said the Council has until December 3 to decide what to
10 do, and he wanted to table making a decision to the next meeting.

11

12 X. CORRESPONDENCE

13 There was one item of correspondence (copy attached to original of these minutes), the letter from
14 the Robison Brothers Partnership, as referred to in Agenda Item IX.C. Murray noted the lease
15 agreement identifies the property address as 265 Coast Guard Drive [vs. 270 as mentioned
16 earlier]. Mayor Mattila told Robison we'll do our best to call it Robison Brothers Partnership.

17

18 XI. CITY STAFF REPORT

19 Weidner reported 1) The crew finished the Cliff Street water main installation. 2) A pre-
20 construction meeting on the footbridge has been held with Quade Construction. 3) When ground
21 work began on the expansion of the Inn at Arch Rock, it was discovered that the Sunset Street
22 water line is in very poor condition. 4) He will be turning over his position on the Safety Committee
23 to a crew member. 5) He's taking lots of notes and trying to absorb everything before Owings' last
24 day, which is coming up soon.

25

26 Murray said the City usually spends money at Christmas for decorations in the harbor and trees on
27 top of the Parks building and at Whale Park. She said the Council authorized up to \$700 for the
28 Santa photo event, and asked if it was still authorized to purchase the trees and Christmas lights
29 for the harbor.

30

31 Motion 5: Goddard moved the City spend the same amount on decorations for the City – to include
32 the trees and lights – as is given to Neighbors for Kids for the "meet and greet Santa" [event].
33 Gambino amended the motion to ~~Neighbors For Kids~~ *Economic Development Committee*; Goddard
34 accepted the amendment. Weidner said there has been a problem with quality of trees to choose
35 from and one may need to be acquired from outside the area. Leff seconded the motion.

36

37 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
38 discussion about revitalizing the City.

39

40 Vote: Motion 5, as amended, passed.

41

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

43

44 XII. COUNCIL COMMENTS

45 Hoytink reported he went to the Heceta Head Coastal Conference last week.

46

47 Gambino asked when the footbridge construction begins; Weidner said today was the first day.

48

49 XIII. ADJOURN

50 There being no further business, the meeting was adjourned at 8:50 PM.

51

52

53

A.J. Mattila, Mayor

54

55

Emma LuMaye, Recording Secretary