

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, December 17, 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 Superintendent B. Weidner, Recording Secretary E. LuMaye
9

10 I. PLEDGE OF ALLEGIANCE

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

13 II. CALL TO ORDER

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

16 III. APPROVE MINUTES: December 3, 2013 Executive Session and Regular Meeting
17

18 Motion 1: Leff moved to approve the minutes from the December 3, 2013 Executive Session and Regular
19 Meeting as submitted. Gambino seconded the motion.
20

21 Mayor Mattila said it was moved and seconded, and called for discussion. Mayor Mattila said as to the
22 December 17 regular meeting, for the record, he had some comments about the December 3 minutes; however
23 because of the need for legal clarity and review these items will be revisited at a future Council, and he asked
24 that this be entered [into the record].
25

26 Vote: Motion 1 passed.

27 Ayes: Leff, Hoitink, Goddard, Gambino, Berry

28 Noes: Olsen, Mattila
29

30 IV. ACCOUNTS PAYABLE
31

32 Motion 2: Hoitink moved to approve the Accounts Payable as submitted. Gambino seconded the motion.
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34 Mayor Mattila said it was moved and seconded, and called for discussion. A Councilor questioned what
35 percentage of of the Clearwater contract (fish plant engineering) had been paid out; Murray reviewed the
36 invoice and replied the project is 28.7% complete as of the invoice date.
37

38 Vote: Motion 2 passed.

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

41 V. SPECIAL ORDERS

42 There were no Special Orders.
43

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

45 A. Economic Development Committee (EDC) Recommendations

- 46 • Referring Chuck Connell to Council for a Brief Presentation

47 Murray said if the Council wanted to accept the EDC recommendation for a presentation, it could be
48 scheduled tonight. There was discussion about the recommendation and a directive that the EDC
49 contact and evaluate presentations by all interested parties before making a definitive
50 recommendation to the Council – if the EDC feels one of the parties offers a product or service that
51 the City would be interested in or benefit from. It was also noted that a presentation should include

1 materials as an example of what they could do for the City and how much it would cost. Gambino
2 was asked to request Mr. Connell produce an integrated package for the EDC to evaluate. A
3 Councilor suggested the EDC develop a letter constructed in a way similar to a Request For
4 Proposals; e.g., "The City of Depoe Bay is interested in finding individuals or a firm that can help
5 the City do the following six things. If you are interested, please come to a meeting and talk to us,
6 and we'll tell you what you need to move to the next step." The EDC would send such a letter out
7 to a list of potentially interested parties or post it locally such as at the community college or on
8 the City's website.

9

- 10 • Request Council to Initiate Text Amendment to Ord. #24, the Depoe Bay Zoning
11 Ordinance to Allow Tourist Accommodations in All Zones of the City

12 Gambino said EDC Chair Michael Kiefer wants to see tourist accommodations allowed in all sections
13 of the city. There was discussion about this idea, with a focus on the history tourist accommoda-
14 tions in residential zones. The EDC was encouraged to 1) Research this history before moving
15 forward with the idea, as it was expected to tear the town apart. 2) Speak to hotel/motel owners
16 for occupancy data. 3) Speak to owners of properties adjacent to current tourist accommodations
17 to find out what kind of problems there are. A Councilor asked if it would be worth the aggravation
18 for the money it would generate. A cost/revenue analysis was suggested. Murray was directed to
19 pull together historical documents for Mr. Kiefer to review before he discusses this further with the
20 EDC.

21

22 VII. PUBLIC COMMENTS

23 Russell Hunter, whose family owns the property south of the parking lot the Granats have offered
24 to give the City requested the Council permit his existing easement for parking access to continue
25 indefinitely, if the Council accepts the property.

26

27 Mayor Mattila read a portion of the Robison Brothers letter (copy attached to original of these
28 minutes) into the record: "It has been to the dismay of Robison Brothers that after attending three
29 Council meetings we have been allowed to speak but only once." Mayor Mattila noted that he
30 requested public comments during those meetings and nobody got up to say anything about it,
31 except once. He asked the Robison Brothers who were present if they wanted to address it now
32 under Public Comments, or move on to Unfinished Business. Beanie Robison said they didn't feel
33 like they had a chance to speak, and they didn't feel the Robison Brothers restroom lease was a
34 public comment, but that discussing it with the Council would come under Business. Mayor Mattila
35 assured Mr. Robison it was not a snub.

36

37 There were no further public comments.

38

39 VIII. UNFINISHED BUSINESS

40 A. Harbor Restroom Facility Lease Agreement Renewal

41 Mr. Robison said the lease was signed 10 mayors ago, and the Robison Brothers are frustrated by
42 seeing the same challenges, same questions, and same patterns. They are suggesting a
43 Memorandum of Understanding (MOU) to clarify a number of issues that have clouded the lease
44 and would facilitate present and future Councilors in their lease-related decision making. They
45 further suggested the Council hold a workshop meeting to develop an MOU before December 20. A
46 Councilor suggested the City produce a draft document for Robison Brothers' input and editing
47 before it is brought for discussion at a Council meeting. Suggested information to be included in
48 the MOU: 1) Dates of signature for the original lease agreement and renewals. 2) Notations of
49 changes to the lease agreement. 3) Water meter numbers. Personal knowledge [from Robison
50 Brothers] would be added as appropriate during discussion. It was noted that research beyond the
51 restroom lease file would be more involved and require more time. Mayor Mattila said when the
52 lease came up for renewal he had several thoughts on the matter, all of which pertained to the
53 welfare of Depoe Bay, and nobody except a couple of Councilors bothered to point out what his
54 thoughts were and what he was trying to do. He didn't appreciate being accused of stonewalling at
55 the last meeting. If somebody would have taken the time to talk to him and a couple other

1 Councilors, they would have had a much better insight what his thoughts really were and we
2 wouldn't be at this juncture now. He said if they want to go over that sometime in the discussions
3 before this is all settled, he'd be more than happy to talk to them about it. Murray will prepare a
4 bare bones draft MOU to be sent to Mr. Robison before December 20, with a copy to the Council.
5

6 IX. NEW BUSINESS

7 A. Offer of Gift of Property to City from the K. Henry and M. Louise Granat Living Trust

8 Murray reviewed the letter from Kurt Granat (copy attached to original of these minutes), and
9 asked the Council if they wanted to consider accepting the gift of property. She said City Planner
10 Larry Lewis did some research on the Lareisa Plaza buildings and determined the development is in
11 compliance with parking requirements by including the lot that is proposed to be gifted (copy of
12 Lewis' memo dated 12/12/13 attached to original of these minutes). Discussion included a question
13 of potential future change of use being inhibited by a deed restriction to maintain the lot as parking
14 only. A Councilor noted the lot is currently posted as public parking, and asked if the only
15 difference would be the property would be owned by the City instead of the Granats. Michael
16 Granat said that was correct, and the family wanted to give the property to the City with the
17 conditions listed. Another Councilor wanted to know how much property tax revenue would be lost
18 if the City accepted the offer. There was also a question as to whether the Granats might further
19 develop Lareisa Plaza in the future, thereby changing their parking requirements. Murray was
20 directed to research tax roll records. City Planner Lewis will be asked if there's anything else that
21 needs to be considered. Weidner was directed to evaluate how maintenance requirements will
22 impact staff time. Mr. Hunter's concern will be considered and he will be kept notified. "Wiggle
23 room" for future change of use will be kept in mind. The City Attorney will be contacted for review
24 at some point in the future. This item will appear on the January 17, 2014 agenda.
25

26 B. Authorize Expenses – Lincoln County Mayors' Meeting at the Wing Wa Restaurant, 27 December 20, 4-6 PM – "A.J.'s Ling Cod Fish & Chips"

28 Mayor Mattila said he will be supplying the fish for this event at no charge, and he estimated an
29 equitable cost for use of the restaurant facility would be \$200. A Councilor wanted to ensure proper
30 paperwork would be on file for the donated fish.
31

32 Motion 3: Leff moved to authorize \$200 for A.J.'s Ling Cod Fish & Chips Mayors' Meeting dinner.
33 Mayor Mattila said Representative Gomberg will be present to give an update on dredging. Olsen
34 seconded the motion.
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36 Mayor Mattila said it was moved and seconded, and called for discussion. Brief discussion included
37 a question on whether the Council was invited; Mayor Mattila said next time there will be enough
38 [food] for the Council to attend.
39

40 Vote: Motion 3 passed.

41 Ayes: Leff, Hoitink, Olsen, Mattila, Goddard, Gambino, Berry
42

43 C. Amendment #2 – Oregon Parks and Recreation Department Agreement RT10-007 – Depoe 44 Bay City Park Bridge Project

45 Murray reported the City Park bridge project was provided an extension to September 30, 2014
46 (copy of letter dated 12/6/13 from Oregon Parks and Recreation Department attached to original of
47 these minutes).
48

49 Motion 4: Leff moved to authorize the Mayor to sign Amendment #2 of the RT10-007 Depoe Bay
50 City Park Pedestrian & Bicycle Bridge grant. Gambino seconded the motion.
51

52 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
53 discussion.
54

55 Vote: Motion 4 passed.

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

2
3 D. Schedule 2014 Joint Session with Lincoln County Board of Commissioners

4 The joint session was scheduled for April 2, 2014 at 6 PM. (Copy of letter dated 12/3/13 from
5 Lincoln County Board of Commissioners attached to original of these minutes.)

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7 E. Grant Funding Opportunity – Lincoln County Emergency Preparedness Matching Grant
8 Program

9 Murray said the City has participated in this grant opportunity twice in the past. It is a dollar-for-
10 dollar match with a \$2,500 maximum (\$5,000 project maximum). Applications will be accepted
11 after January 1, 2014, and monies must be spent by June 30, 2014. (Copy of announcement dated
12 12/4/13 from Lincoln County Board of Commissioners attached to original of these minutes.)

13 Weidner a couple of projects that could benefit from this funding assistance including emergency
14 communications storage improvements, and site preparation including drainage for the Fire
15 Department emergency storage behind City Hall. This item will appear on the next agenda.

16
17 F. Lincoln County Telecom Committee Draft Ordinance Language

18 Murray reported she and City Planner Lewis have met briefly to discuss this, and more research is
19 needed before bringing a report to the Council. She asked the Council if they wanted a committee
20 member to come to a future meeting to talk about this. It was the consensus of the Council to
21 postpone responding to the invitation and not to schedule anything at the current time. (Copy of
22 email from Caroline Bauman dated 12/4/13 attached to original of these minutes.)

23
24 X. CORRESPONDENCE

25 There was no correspondence.

26
27 XI. CITY STAFF REPORT

28 Weidner provided updates on 1) Lillian Lane development. 2) City Park Bridge project. 3) Fish
29 Processing Plant engineering. 4) Christmas decorations.

30
31 XII. COUNCIL COMMENTS

32 Leff wished everyone a happy holiday and hopes next year is great for all of us.

33
34 Hoytink said ditto.

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36 Berry: Thanked Weidner for stopping by the Wing Wa to help resolve the problem they are having.

37
38 Goddard: 1) Asked about a meeting in February that was mentioned earlier in the meeting. Olsen
39 said a League of Oregon Cities meeting will be held with Neighbors For Kids (NFK) as the hosting
40 site. Mayor Mattila clarified the date as February 7. Gambino added information about food that will
41 be provided. Olsen noted there are lots of restaurants that can provide additional food. Goddard
42 questioned whether NFK has permission to host events; there was brief discussion about their
43 zoning and permissions. 2) The Chamber of Commerce had a wonderful Christmas tree lighting and
44 community potluck dinner. The official count was over 125 at the tree lighting, and Santa Claus
45 was spectacular. About 30 people were caroling. Mayor Mattila said it was very cold but a lot of
46 fun. 3) Goddard asked what happened at the Photos with Santa event. Olsen said 80 families
47 came. Gambino said he had 17-18 email photo requests. He made a guest book, but said not
48 everybody signed it; of those that did sign, a family from Corvallis were the visitors who came the
49 farthest. When questioned about leftover event funds, Gambino said there was \$100 that was not
50 expended, and was donated to Santa as a gratuity. Goddard said when City funds are allocated for
51 a particular purpose, that is where it needs to go, and the unused funds should have been returned
52 to the City.

1 Mayor Mattila said when we have a tally of people attending the League of Oregon Cities lunch, he
2 will be inviting a couple of State Representatives, and if he can, he will extend invitations to our
3 U.S. Senators, and also a House Representative. Anything we can do to promote our little city.

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5 XIII. ADJOURN

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

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Emma LuMaye, Recording Secretary

A.J. Mattila, Mayor