

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, February 18, 2014 - 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
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: February 4, 2014 Regular Meeting

18 Murray noted the minutes presented for approval were revised on February 18, 2014.

19

20 Motion 1: Leff moved to approve the revised draft minutes from the February 4, 2014 Regular Meeting
21 as presented. Goddard seconded the motion.

22

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

24

25 Vote: Motion 1 passed.

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

27 Abstain: Olsen, Berry

28

29 IV. ACCOUNTS PAYABLE

30

31 Motion 2: Hoitink moved to approve the Accounts Payable as prepared by Staff. Gambino seconded
32 the motion.

33

34 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief discussion.

35

36 Vote: Motion 2 passed.

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

38

39 V. SPECIAL ORDERS

40 Mayor Mattila noted there was a deviation from the Agenda, and moved Commissioner Thompson's agenda
41 item up so he could address the Council before leaving for another meeting:

42 IX. D. Letter of Support – County Commissioner Terry Thompson, Pacific Regional Ocean Uses Atlas (PROUA)

43 Proposal

44 Terry Thompson said the PROUA (Pacific Regional Ocean Uses Atlas) process is a Federal plan similar to the
45 Territorial Sea Plan (TSP) that the DLCD (Department of Land Conservation and Development) did along the
46 coast, and the PROUA is to try to understand the different types of uses there are in our ocean. He noted the

1 TSP was developed over two years, while PROUA has only been addressed at three meetings; one in Portland,
2 one in Newport, and one in Coos Bay. His letter to Governor Kitzhaber, the Oregon Coastal Caucus, and
3 Representative Caddy McKeown (copy attached to original of these minutes) was sent in response to a request
4 he make comments on the project. He said the PROUA project is the opposite of what was said in the meetings,
5 and that this was important to Depoe Bay because much of our economy is derived from charter vessels and he
6 didn't believe any charter vessel owners were asked to be at any of the meetings and therefore could not
7 provide information as to their fishing areas. He suggested the City write a letter to the directors of the
8 departments named in the letter, and inform them Depoe Bay was not asked for input and would like to. He said
9 he would supply the contact information. The Near Shore Action Team (NSAT) was also unaware of these
10 meetings. Mayor Mattila asked Commissioner Thompson if he would be willing to deliver a recommendation on
11 the City's behalf, and he agreed to do so.

12
13 Motion 3: Goddard moved that Commissioner Thompson work with NSAT to develop a letter to go to all the
14 appropriate people and come back to the Council with any other suggestions of other ways the Council might be
15 helpful. Leff seconded the motion.

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17 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief discussion. Goddard
18 called for the question.

19
20 Vote: Motion 3 passed.

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

22
23 Return to Agenda

24 V. SPECIAL ORDERS

25 A. Interview/Appoint Applicants for City Commissions and Committees

26 Harbor Commission applicant Mike Metz and Salmon Enhancement Commission applicant Eric Messersmith
27 were present and came up to tell about themselves and why they were interested and to answer Councilors'
28 questions.

29
30 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot and applications attached
31 to original of these minutes) and announced the results. The vote to appoint Mike Metz to Harbor Commission
32 Pos. #3 and Eric Messersmith to Salmon Enhancement Commission Pos. #3 was unanimous.

33
34 Motion 4: Olsen moved to accept the canvass of votes and appoint the applicants to their respective positions.
35 Gambino seconded the motion.

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

38
39 Vote: Motion 4 passed.

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

41 42 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

43 A. Wastewater Advisory Committee Recommendation

- 44 • Request for Proposal to TV, Inspect, and Clean 15" Sewer Main – Manhole 16 (Hwy 101, Lincoln Beach
45 Area) to Vista Lift Station (Vista Street)

46 Weidner reported there is a need to TV, inspect, and clean the 15" concrete sewer main from north of Boiler Bay
47 RV Park south to Vista Street, and requested approval to send out Requests For Proposal (RFP). He said the line
48 is bad where it crosses the highway at Vista Street.

49

1 Motion 5: Leff moved to direct Staff to put out an RFP to TV the line as described by Weidner. Hoitink seconded
2 the motion.

3

4 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief discussion, then Olsen
5 called for the question.

6

7 Vote: Motion 5 passed.

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

9

10 B. Fish Plant Building Engineering Study – Status Reprot

11 Weidner reported he and Olsen went on a walkthrough with engineer Dave Crimp and said the City should get a
12 report within the next two weeks. Olsen reported the engineer said the fish plant could be used for light
13 commercial as opposed to mixed commercial and residential; and the first floor is sound but needs cosmetic
14 repairs, but the second floor doesn't fall within the parameters of sound commercial use without spending a lot
15 of money. Weidner reported the engineer said the wharf will probably need to be completely removed, with the
16 I-beams cut down and rip-rap jetty rock put back; Olsen added the engineer said that area would be more of a
17 scenic view area rather than for moorage. There was discussion about Federal regulations and the permit
18 process for removing the wharf, with concern expressed over potential cost.

19

20 VII. PUBLIC COMMENTS

21 Loren Goddard 15 SW Ellingson Street, said he felt compelled to comment on remarks made about the Harbor
22 Commission during the interview process. He's been on the Harbor Commission for six-eight years and during
23 that time he has never witnessed one charter company attempting to push an agenda in opposition to another
24 charter company, and it's a matter of public record. He feels the Commission serves well and amicably.

25

26 Danny Arnold 1065 Walking Wood, said he is going into his 17th year of service to the City, and he
27 came to thank the people he works with because he thinks they do a great job, including office
28 Staff. He spoke of today's extreme weather, and said everyone works really good together. Mr.
29 Arnold in turn was thanked by the Council and Mayor Mattila, who also thanked Staff.

30

31 VIII. UNFINISHED BUSINESS

32 Berry reported he and Weidner are working on getting a video camera. He said they realized the
33 camera Weidner suggested at the last meeting did not have wi-fi, and to get the camera to work, it
34 would need a wi-fi unit and they could get a camera with a wi-fi unit, but the cost would be \$525,
35 so they wanted to ask the Council if they could up it. He said a decent wi-fi unit would be \$200 but
36 since we have fiber optics coming in and we will be buying new equipment, and new equipment is
37 now all coming wi-fi accessible; in five years wires will be a thing of the past, and it's a \$200
38 investment would probably last about 10 years. Weidner added they are still doing research on a
39 camera with a remote control, and they don't really make remote control cameras any more. He
40 said cameras have a wi-fi signal that goes to a personal device like an iPad or something similar,
41 where you can watch what's being recorded and control the play, speed, power, and angle and
42 zoom of the camera. He said the older cameras having remotes don't have things like SD storage
43 that we will need to put the video on the City's website. He said they're finding it's going to be a
44 little more than they thought, and they need to do more research.

45

46 Motion 6: Leff moved to increase the amount the Council approved by up to \$200 more to give
47 them flexibility and to trust their judgment to buy the best available for up to that price. Hoitink
48 seconded the motion.

49

50 Mayor Mattila said it was moved and seconded, and called for discussion. Gambino asked if that
51 was what was being requested. Berry said the camera being used to record tonight's meeting was
52 his, and he was going to download the recording to a DVD and give it to LuMaye. He said he
53 thought they could get a camera for \$525, which would be a wi-fi unit that could go directly to a

1 laptop for recording, and with fiber optics we could easily make a YouTube channel and it could go
2 live to everybody in Depoe Bay. Weidner added that audio was a big issue and they still have the
3 option to get a Bluetooth microphone that will integrate with the camera. Berry said even with
4 Bluetooth, you'd need a wi-fi system because that's the frequency it goes on. Weidner noted that a
5 Staff member would be needed to run a camera like this. Gambino asked how soon wi-fi could be
6 realized in this building; Weidner said it was uncertain whether CoastCom or Wave would be
7 providing our service; Olsen said Wave cable would come through CoastCom's transmission lines.
8 Leff said we could do wi-fi right now. Olsen said once wi-fi is integrated into the system and the
9 fiber optics become hot, this becomes a hot-spot and you can use cell phones to get 4G. Mayor
10 Mattila asked if the \$200 proposed in the motion would be enough to cover the cost; Weidner said
11 the more we research, the more accessories are added, and asked what direction the Council
12 wanted to go in. Leff withdrew her motion and asked Weidner to return on March 4 with a dollar
13 amount for a complete running system.

14

15 IX. NEW BUSINESS

16 A. Shop Health Insurance

17 Mayor Mattila said with Obamacare and Oregon care coming into play and nobody knowing how
18 much anything is going to be, this agenda item is intended to ensure the City has the best possible
19 policy under today's proposed requirements by the new government policies. Olsen said he found
20 insurance for himself, his family, and his employees, and learned a lot during the process. He said
21 the world of healthcare insurance changed October 1, 2013, the start date of the Affordable Health
22 Care Act, and now there is competition in the marketplace where there wasn't competition before.
23 He asked how long it had been since the City shopped for insurance; Murray said the City has been
24 with CIS for a number of years. Murray asked for very clear direction on what the Council wanted,
25 and was directed to shop for a policy commensurate with what we have now and to get quotes.

26

27 B. Contracted Services vs. City Employee – Harbor Job Duties

28 Mayor Mattila said the intent of this agenda item was to look into the possibility of contracting out
29 restroom services on the strip, in the harbor, and the trailer sailor harbor. It was hoped that in the
30 long run this would save the City money and would take pressure off City employees so they could
31 work uninterrupted. Leff said it would be important to know how a contracted person would react
32 to a Saturday phone call at 2:00 PM to clean something up. Goddard said there was a report that
33 said cleaning the restrooms took an hour a day, and she wanted to see that corrected because she
34 would be really surprised if it took more than an hour a day to clean all the restrooms and the
35 report was misleading. Weidner said he is working with Crew to find out how much time is spent so
36 we have a better idea of cost, but there is also maintenance, preventive maintenance, and other
37 things so keeping a timesheet gets complicated. There was no objection to Mayor Mattila's direction
38 to Weidner to find out where we are so the Council can make a judgment.

39

40 C. Construction Bid Award – Asphalt Overlay Cliff Street and Manzanita Avenue

41 Weidner reviewed the work done so far on Cliff Street and Manzanita Avenue, and said the last
42 thing is to do the street overlay. He obtained three quotes, and recommended accepting the low
43 bid of \$22,466.88 from Road and Driveway. (Copy of memo dated 2/18/14 attached to original of
44 these minutes.)

45

46 Motion 7: Leff moved to direct Staff to accept the Road and Driveway bid of \$22,466.88. Gambino
47 seconded the motion.

48

49 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
50 discussion.

51

52 Vote: Motion 7 passed.

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

54

55 X. CORRESPONDENCE

1 There were three items of correspondence (copies attached to original of these minutes): 1) An
2 email from Trollers Lodge regarding a leak at the meter next door which resulted in brown water in
3 their laundry room so they had to flush their lines after water to the leaking meter was turned off.
4 The request was a credit for the 1,010 gallons used to flush the lines, and this item was presented
5 for action at the Council's discretion.

6
7 Motion 8: Leff moved the City give Trollers Lodge a credit for 1,010 gallons of water on their next
8 bill. Goddard seconded the motion.

9
10 Mayor Mattila said it was moved and seconded, and called for discussion. There was discussion
11 about the water lines on Coast Avenue. Goddard suggested having the Urban Renewal Agency get
12 the Coast Avenue project rolling. Leff called for the question.

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14 Vote: Motion 8 passed.

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

16
17 2) A letter from Jeanne Wallace, with a request to read into the record. There was no objection and
18 Murray read the letter into the record. 3) A copy of a letter to Jeanne Wallace from Councilor Leff,
19 with a request to read into the record. There was no objection and Murray read the letter into the
20 record.

21
22 XI. CITY STAFF REPORT

23 Weidner reported that 1) Quade was finished with the City Park bridge and submitted their request
24 for final payment in tonight's Accounts Payable. He said that project engineer Andy Stricker was
25 requesting payment for inspection of the pilings and additional hours for the change in plans from a
26 footbridge to a wider bridge. There was brief discussion.

27
28 Motion 9: Olsen moved to approve Stricker's change order for engineering study services on work
29 as amended in the amount of \$1,560. Berry seconded the motion.

30
31 Mayor Mattila said it was moved and seconded, and called for discussion. There was brief
32 discussion, during which it was noted that the engineering services contract for the bridge had not
33 been amended when changes were made to it.

34
35 Vote: Motion 9 passed.

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

37 Noes: Hoitink, Goddard

38
39 Weidner continued his report, discussing 2) the work that still needs to be done before the bridge
40 project will be finished, including replanting the sides with acceptable riparian vegetation, making
41 the bridge access ADA accessible, and finishing the handrail. There was a question as to why the
42 ramps were not finished and left in a dangerous manner; Murray said we can get the answer for
43 that.

44
45 Murray reported discussion of the Robison restroom lease Memorandum of Understanding first
46 drafted in December, 2013 was scheduled for tonight's meeting, but it will appear on the March 4
47 agenda.

48
49 Weidner continued his report, discussing 3) the work involved with today's flash flood. He said a
50 12' by 30' portion of a North Point ledge fell off into the ocean and the area is barricaded. The post
51 office flooded and the City gave them some sandbags. 4) The hoist at the harbor gets inspected
52 every year, and this year's inspection resulted in the hoist being red tagged and locked out. We
53 have a new hoist purchased last year, and it will work fine if we get a new jib. He's working with
54 US Crane to get the right application for it, so it can take it down every year to protect it from the
55 elements. There was no objection to Mayor Mattila's direction for Weidner to look into the cost for

1 this. Weidner said five Crew members will be getting re-certified for hoist operation at a class held
2 here next week.

3
4 Mayor Mattila acknowledged Bill Spores in the audience; Mr. Spores said Quade left the bridge
5 unusable and personal pride should have finished the job; and the City should question using
6 Quade in the future.

7
8 XII. COUNCIL COMMENTS

9 Goddard thanked Weidner and the Crew for doing a spectacular job during the flood today.

10

11 Berry got a letter regarding a Representative being at the Community Hall on Monday, March 10
12 from 3:30 to 5:00 PM, and suggested we talk to them about what's going on with the fish and
13 waters. Leff said she will for sure. Goddard suggested asking NSAT to be there to represent Depoe
14 Bay. Loren Goddard said he will attend if he's not in Utah.

15

16 Olsen said at the February 4 meeting there was a circus atmosphere and there were a lot of
17 problems, but one thing was nagging; the Council had documents from the City Attorney and
18 someone somewhere shared these documents and news outlets posted this attorney-privileged
19 information almost word for word. Whoever did that, shame on you, it's private.

20

21 Leff said people have said the last meeting was a circus, but there were people who had strong
22 feelings and let their feelings be known. She said she would rather have them let us know what
23 they think, and even if it was a circus atmosphere she was glad it happened.

24

25 Mayor Mattila said there was no way of knowing who did what so it's conjecture and any other
26 comment is personal opinion. He said the last couple of meetings have been anything but pleasant.
27 He presented a closing thought from a prepared statement:

28

*"Apathy not caring, when married to selfish personal agenda,
and laced with latent opinions is the spawn of the cancer that
eats at the very core and foundation of our Democracy.*

31

*A.J. Mattila
1938-20??"*

32

33 He said our nation is in a state of moral decline and we should all be ashamed of that.

34

35 XIII. ADJOURN

36 There being no further business, the meeting was adjourned at 8:51 PM.

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A.J. Mattila, Mayor