

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, March 4, 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

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#### 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.

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#### 17 III. APPROVE MINUTES: February 18, 2014 Regular Meeting

18 Motion 1: Gambino moved to approve the minutes from the February 18, 2014 Regular Meeting as  
19 presented. Leff seconded the motion.

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

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23 Vote: Motion 1 passed.

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

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#### 26 IV. ACCOUNTS PAYABLE

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28 Motion 2: Hoitink moved to approve the Accounts Payable as prepared by Staff. Leff seconded the  
29 motion.

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

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33 Vote: Motion 2 passed.

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

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#### 36 V. SPECIAL ORDERS

37 A. Jim Carlson, Shearwater Research, LLC – Presentation on Economic Development Strategy  
38 for Marine Related Industries in Lincoln County

39 Jim Carlson, of Netarts, presented a brief report on a project Shearwater Research is working on  
40 for Lincoln County Economic Development Alliance, who received grant monies for the project from  
41 the Federal government. While the report covers all of Lincoln County, 16 people in Depoe Bay  
42 have been interviewed. Mr. Carlson will be asking questions around town, as he continues with the  
43 project. The final strategy may be ready in three-four months.

44

#### 45 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

46 A. Harbor Commission Recommendation – Port Leases

47 Murray reported the Harbor Commission passed a motion at their February 26 meeting, to  
48 recommend that the Council look into port leases, and the Harbor Commission Chair tasked one of

1 the Commissioners with doing some research on this. Leff provided an update from the Audit  
2 Review Committee (ARC), as they had discussed starting work on port leases and are delighted the  
3 Harbor Commission is interested. She said the ARC had reached out for a Harbor Commissioner to  
4 assist with the audit of harbor expenses that the ARC has been working on, but no one had  
5 stepped forward. She said Murray supplied information on the port leases that expired in 2006 and  
6 two leases that had expired earlier. She said if the leases were still in effect, that the four leases  
7 that expired in 2006 would have brought in close to \$41,000 (in 2006 dollars), and if the other two  
8 leases were still in effect, it would have brought in close to \$60,000 between 2006 and today. She  
9 said the Council would have to decide what to do but the ARC is not ready to make a  
10 recommendation. She said there is so much analysis to be done that former Harbor Commissioner  
11 and current Budget Committee member Bruce Silver is helping the ARC. She invited any Harbor  
12 Commissioner to contact Councilor Goddard or herself to assist with this study.

13  
14 Mayor Mattila wanted to address anything that may involve ethics laws, and asked Murray to  
15 discuss her memo dated 2/28/14 regarding ethics training (copy attached to original of these  
16 minutes). Murray requested authorization to set up a workshop training session in Depoe Bay with  
17 the Oregon Government Ethics Commission staff. She said many Commissioners aren't aware of  
18 these laws and that awareness needs to be raised.

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20 Motion 3: Leff moved to authorize Staff to put together a class with a trainer from the Ethics  
21 Commission in the near future, and to encourage every elected and appointed official in the  
22 system, and Staff, to attend. Gambino seconded the motion.

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

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26 Vote: Motion 3 passed.

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

## 28 29 VII. PUBLIC COMMENTS

30 Karl Granat, a Depoe Bay property owner, addressed the Council regarding his concerns about  
31 potential community needs after a major earthquake.

## 32 33 VIII. UNFINISHED BUSINESS

### 34 A. Harbor Restroom Facility Lease Agreement Renewal

35 Beanie Fred Robison 725 SW Coast Avenue was present for discussion. A Councilor asked what  
36 changed between the December 19 draft Memorandum of Understanding (MOU) and the February  
37 26 MOU. Murray replied that the primary change was the addition of a summary just after the  
38 opening paragraph. She said none of the other notations were changed. Mr. Robison has reviewed  
39 the draft and had a few minor changes to it; the changes are included in the draft before the  
40 Council tonight for approval. She reminded the Council that one of the requests from the Robison  
41 brothers was to have an MOU permanently attached to future agreements.

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43 Motion 4: Olsen moved to approve the MOU dated February 26, and that it be stapled as an  
44 appendix to the contract. Leff seconded the motion.

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

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48 Vote: Motion 4 passed.

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

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51 There was brief discussion about the Lease Agreement. A Councilor asked about a workshop.  
52 Murray noted that the street address needs to be corrected from 265 to 270 SE Coast Guard Drive.  
53 There was additional brief discussion regarding a draft contract. Murray said the Council must  
54 decide how to proceed. Mr. Robison said the lease is 25 years old and needs to be reviewed. At  
55 Councilor Olsen's suggestion, Mr. Robison will submit a draft revised agreement to the Council.

1  
2 B. Offer of Gift of Property to City from the K. Henry and M. Louise Granat Living Trust  
3 Mayor Mattila and the Council briefly discussed a confidential document from the City Attorney.  
4 Mayor Mattila thanked the Granat family for the generous offer, and said the Council needs to  
5 follow through with the City Attorney's suggestions before entering into an agreement. An  
6 Executive Session to discuss this subject was scheduled for March 18, 2014, before the Council  
7 meeting.

8  
9 C. City Park Bridge Project

10 Weidner reported the bridge is complete but the abutments sit high and will need to be backfilled  
11 with gravel and topsoil, with grass and native plants to be planted at a later date. The railings also  
12 need to be extended. He requested authorization to bring Dan Price Construction back to groom  
13 the bridge abutments; Price, who costs about \$90 per hour, can start within the next two weeks.  
14 There was discussion about why the bridge was left the way it is; it was determined to be a  
15 communication gap. Weidner estimated 40 yards of gravel and 20 yards of topsoil will be needed.  
16 A Councilor urged that the handrails be addressed before the rest of the work is done. Weidner was  
17 directed to contact Al Eames at the County to ensure the handrails are done to code.

18  
19 Motion 5: Olsen moved to 1) authorize \$3,000 for gravel, soil, and grading, to be done as soon as  
20 possible; and 2) to go to the Building Department and find out what the requirement is and come  
21 back with knowledge of compliance with the rail extension. Leff seconded the motion.

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23 Mayor Mattila said it was moved and seconded, and called for discussion. Berry disclosed he is  
24 good friends with the owner of Wiggins dump truck, and asked if it was OK for him to vote; he was  
25 told being friends doesn't constitute a financial gain and he could vote.

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27 Vote: Motion 5 passed.

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

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30 D. Video Recording Council Meetings

31 Weidner reported he will be calling CoastCom tomorrow to find out what needs to be done to get  
32 our wireless internet set up. There was brief discussion about the camera and accessories proposed  
33 for purchase, noting remote control via wi-fi will be used in place of a handheld remote control  
34 device.

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36 Motion 6: Olsen moved to authorize \$526.48. A Councilor asked if this included a router. There was  
37 confusion as to whether a router would be supplied by CoastCom. Weidner said Staples sells high-  
38 speed broadband internet routers for around \$200. Olsen said CoastCom had offered to take  
39 himself and Weidner on a tour next week to see the setup. He said the wi-fi router would power the  
40 internet to all the computers in the office as well as other devices that are used. There was further  
41 brief discussion. Berry seconded the motion.

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

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45 Vote: Motion 6 passed.

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

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48 IX. NEW BUSINESS

49 A. Depoe Bay Chamber of Commerce Annual Crab Feed/Boat Show – Oregon Liquor Control  
50 Commission (OLCC) Temporary Sales License

51 Murray reviewed revisions made to the application (copy attached to original of these minutes) by  
52 the applicant, after copies had been distributed. There was brief discussion.

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54 Motion 7: Leff moved to recommend granting the application. Gambino seconded the motion.

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

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3 Vote: Motion 7 passed.

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

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6 B. Proposed Amendment #2 – Oregon Department of Transportation (ODOT) Cooperative  
7 Improvement Agreement US Hwy 101/Lillian Lane – The Hills of Depoe Bay

8 Murray said the City is involved with this agreement (copy attached to original of these minutes)  
9 because Lillian Lane is in the City. The agreement is related to that development and how the  
10 developer will coordinate with ODOT. The section relating to storm drainage is being revised. There  
11 was discussion about the agreement and its proposed change, and the City's role in the agreement.

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13 Motion 8: Gambino moved to accept the agreement and authorize the Mayor to sign. Leff seconded  
14 the motion.

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

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18 Vote: Motion 8 passed.

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

20 Noes: Hoytink, Olsen

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22 X. CORRESPONDENCE

23 There was one item of correspondence (copy attached to original of these minutes): a letter from  
24 Bear Jackson, resigning from the Salmon Enhancement Commission.

25

26 Motion 9: Goddard moved to reluctantly accept Bear's resignation from the Salmon Enhancement  
27 Commission and that we send him a heartfelt thank you for all of his time through his childhood  
28 that he has spent with the Salmon Commission. Olsen seconded the motion.

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

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32 Vote: Motion 9 passed.

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

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35 Mayor Mattila asked Murray to read a thank you card from the Coast Guard Auxiliary into the  
36 record. Leff said the letters written by Mayor Mattila and Loren Goddard in support of Terry  
37 Thompson were extraordinarily well written.

38

39 XI. CITY STAFF REPORT

40 Murray reported 1) A summary of Depoe Bay franchise agreements had been distributed for the  
41 Council's information. The status of the current franchise with Wave is that Wave has had the City  
42 Attorney's draft since about January 23, 2014, and a response is expected from Wave within about  
43 a week. The City Attorney will then present the Council with a draft which includes their comments.  
44 Murray also noted that the Central Lincoln PUD franchise expires in July, and the NW Natural  
45 franchise expires in November; and asked if the Council wants Staff to contact them to start the  
46 balls rolling or if they just wanted to think about it. There was no action taken. 3) The March 10,  
47 2014 Wastewater Advisory Committee meeting has been rescheduled to March 17, 2014 at 4:00  
48 PM due to Congressman Schrader being at the Community Hall on March 10 from 3:30 – 5:00. 4)  
49 Congressman Schrader's office wants to know how many Councilors will be attending the March 10  
50 meeting at the Community Hall; everyone confirmed their attendance with the exception of Hoytink,  
51 who will let Murray know before March 10. 5) The Governor of the State of Oregon has authorized  
52 State funding to be doled out as a grant to entities toward the costs of obtaining dredging permits.  
53 This has nothing to do with actual dredging – just getting the permits. We know we will be  
54 responsible for obtaining an upland disposal site permit. The upland disposal site will be a  
55 rehandling site, and will be located at the Wastewater Treatment Plant. Permits from DEQ, the

1 Division of State Lands, and probably the Army Corps of Engineers may be necessary just for that  
2 site. The Army Corps of Engineers will get a permit for the dredging itself and for the check dam.  
3 She said it is a no-match grant specific to the permitting costs and she could have a cost estimate  
4 and recommendation on whether or not to apply for funding by the next Council meeting; there  
5 was no objection. Mayor Mattila wants the permit to be open-ended.

6  
7 Weidner 1) Thanked Leff on behalf of Staff and Crew, for a donation she and her husband made. 2)  
8 Said there are potholes from construction all over town, and as soon as Allen & Sons start making  
9 asphalt, we will start getting them repaired. 3) The jib in the harbor has been locked out and  
10 tagged out, and will be removed because it isn't safe. He is still looking for a replacement jib that  
11 can be lowered so Crew can take the hoist off. Cost is expected to be around \$5,000. 4) The RFP  
12 has gone out for TVing and cleaning the sewer line. Gleneden Beach will be sharing the cost as this  
13 is a shared line. 5) He would like to TV the sewer line that crosses the highway, and to drain it and  
14 do it at night to see what condition the inside of the line is in. This was not included in the RFP  
15 notice.

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17 XII. COUNCIL COMMENTS

18 There were no Council Comments.

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20 XIII. ADJOURN

21 There being no further business, the meeting was adjourned at 8:29 PM.

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A.J. Mattila, Mayor

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Emma LuMaye, Recording Secretary