

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, July 1, 2014 - 7:00 PM  
4 Depoe Bay City Hall

5  
6

7 PRESENT: Mayor A.J. Mattila, B. Leff, S. Hoitink, S. Olsen, R. Gambino, B. Berry

8

9 ABSENT: D. Goddard

10

11 STAFF: City Recorder P. Murray, City Superintendent B. Weidner, Recording Secretary  
12 E. LuMaye

13

#### 14 I. PLEDGE OF ALLEGIANCE

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

16

#### 17 II. CALL TO ORDER

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

19

#### 20 III. APPROVE MINUTES: June 17, 2014 Executive Session and Regular Meeting

21 Motion 1: Olsen moved to approve the minutes from the last Regular Council Meeting. Gambino  
22 seconded the motion.

23

24 Mayor Mattila said it was made and seconded, and called for the question.

25

26 Vote: Motion 1 passed.

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

28

29 Murray said she may have mis-heard, and asked if Olsen's motion was specific to the Regular Meeting  
30 or both meetings. Olsen said it was for the Regular Meeting of June 17. Murray asked the Council if  
31 they wanted to consider approving the minutes of the Executive Session.

32

33 Revision: Olsen revised his motion to approve both the Executive Session Meeting minutes and the  
34 Regular Council Meeting minutes for June 17. Gambino seconded, as amended.

35

36 Mayor Mattila said thank you for the amendment, and called for the question.

37

38 Vote: Motion 1, as revised, passed.

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

40

#### 41 IV. ACCOUNTS PAYABLE

42

43 Motion 2: Hoitink moved to approve the Accounts Payable as submitted by Staff. Leff seconded the  
44 motion.

45

46 Mayor Mattila said it was made and seconded, and called for the question.

47

48 Vote: Motion 2 passed.

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

V. SPECIAL ORDERS

A. Tina French, North Lincoln Sanitary Service – 2013 Rate Review Report

Tina French reviewed a hard copy PowerPoint presentation with the Council, touching on current and recent recovery, the woody debris program, the recycling center, large volume recycling programs, and rate increases (copy of presentation and 2013 Rate Review attached to original of these minutes). She said they would like the increases to be effective on September 1.

B. Interview/Appoint Applicants for City Commissions and Committees

Murray reported that no applications were received by the deadline, which was last Thursday, and said the advertisement would be re-posted. She asked about the Harbor Master Plan Advisory Committee, which had two positions included in the notice. She said at the last Harbor Commission meeting, someone brought up a rule that a person can only serve on two Commissions or Committees at a time, and that Jerome Grant, who had volunteered to be on the Advisory Committee and currently serves on the Harbor Commission and the Near Shore Action Team, said he might resign from one of them. Murray said there were currently six volunteers/appointees for the seven-member Advisory Committee: Mayor Mattila, and Councilor Hoitink (with Councilor Berry as an alternate); Dick Johnson representing the Urban Renewal Agency; Jerome Grant from the Harbor Commission; City Planner Larry Lewis as Staff representative; and also representing Staff was City Superintendent Brady Weidner, appointed earlier this evening at the Urban Renewal Agency meeting. Murray asked the Council if they wanted to re-advertise to fill the remaining position. There was brief discussion during which the potential value of recruiting a citizen or two involved with the harbor, such as a boat owner or captain, or a moorage holder, was noted. Staff was directed to re-advertise for the Harbor Master Plan Advisory Committee, with a closing date at the end of July and applicants to be interviewed at the first regular meeting in August.

VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

A. Parks Commission Recommendation – Approve Request to Place Memorial Bench in Whale Park

Murray reviewed her memo dated 6/26/14 regarding the Parks Commission recommendation to approve replacing an existing bench at Whale Park with a memorial bench. Whale Park is not on the list of approved sites. The Parks Commission has considered this request since their April meeting; they have determined the benches are interchangeable. There was discussion about the recommendation.

Motion 3: Leff moved that the Council approve Ms. Watterberg’s request for the memorial bench and instruct Staff to complete the installation. Gambino seconded the motion.

Mayor Mattila said the motion was made and seconded, and asked if there was any more discussion. He said he read Ms. Watterberg’s letter, and it was really heartfelt; and taking that into consideration, his vote would be yes.

Vote: Motion 3 passed.

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

VII. PUBLIC COMMENTS

There were no public comments.

VIII. UNFINISHED BUSINESS

A. Fish Plant

- 1           • Construction Engineering Proposal
- 2           • Draft Request for Proposals (RFP) for Lease Proposals

3 Weidner reported on 1) Electrical – was inspected, and loose wires were found that need to be replaced  
4 by PUD. There are a lot of sub-panels coming off the main panel, and recommended removing all of the  
5 sub-panels for safety reasons. He is getting separate bids for heating and a hot water heater, and the City  
6 might receive a donation of a hot water heater. Mayor Mattila said the City can have the hot water heater  
7 he offered, with no strings. 2) Sewer – City Crew is going to replace the 4-inch sewer line under the  
8 building. The two bids that were received were around \$5,000, but City Crew is certified and can do it.  
9 He suggested going with 20 galvanized hangars instead of 20 stainless steel hangars to save money; the  
10 hangars can be inspected after five years and can be replaced if they are rusting. 3) Mechanical – there  
11 isn't much mechanical – no furnace or ventilation piping – so mechanical isn't going to be an issue. 4)  
12 He has ensured the man door locks up tight. 5) Jib – the RFP for the jib goes in the newspapers later this  
13 week. There was brief discussion, during which it was noted that authorization is needed for payment of  
14 the engineering proposals outlined in Dave Crimp's letter of 6/25/14.

15  
16 Motion 4: Leff moved to authorize Staff to move forward with the engineering work as proposed by  
17 Dave Crimp, not to exceed \$3,128, should it become necessary. Olsen seconded the motion.

18  
19 Mayor Mattila said the motion was made and seconded, and called for the question.

20  
21           Vote: Motion 4 passed.

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

23  
24 There was additional discussion on this item, including: 1) A Councilor's statement that he wants to  
25 ensure the City gets the as-builts, which Murray noted is included in the engineer's proposal. 2) A  
26 statement by Mayor Mattila that he'd like to see this operational before crab season arrives. 3) How  
27 much detail to include in the RFP; Murray said details are put in the cover letter of the RFP packet to  
28 keep advertising costs down. 4) Review of the engineer's advertising recommendations. Murray  
29 recommended placing the ads as advised by Mr. Crimp, and said estimated advertising costs were: \$350  
30 for two consecutive weeks in the *Newport NewsTimes*, \$563.16 for one Sunday in *The Oregonian* which  
31 includes an online ad, and \$230 for one 90-day listing with LoopNet. She asked the Council if there  
32 were any other places they wanted to advertise. Olsen asked if the RFP would be on the City's website;  
33 yes, all RFPs get posted on the website. Murray stated recommendations from Mr. Crimp's June 26  
34 email: that minimum monthly rent be \$2,000 for both floors, the dock, and the waterway. Berry  
35 suggested going through craigslist, and even asking the Chamber of Commerce if they could post it on  
36 their website. Council response to approaching the Chamber was positive, and Berry said he would go to  
37 this Thursday's meeting and ask them. He said craigslist is free and it doesn't hurt. (Copies of Dave  
38 Crimp's emails dated 6/20/14 and 6/25/14 attached to original of these minutes.)

39  
40 Motion 5: Olsen moved to authorize Staff to go ahead and place the advertisements for the fish plant in  
41 the paper following Dave Crimp's recommendations, and also of the good work of the Staff has done to  
42 find out this information. Gambino seconded the motion.

43  
44 Mayor Mattila said the motion was made and seconded, and called for discussion. Berry requested the  
45 Council's permission to go to the Chamber of Commerce on Thursday and to even put an ad on  
46 craigslist, too. Olsen said craigslist works. Leff asked what Berry would put as contact; he said he would  
47 consult with them and they would show him the advertisement and he would put it on craigslist so it's  
48 the same advertisement that goes on LoopNet. Gambino asked if that shouldn't be done on a City  
49 computer because of addresses. Murray said if the Council wants to advertise on craigslist, Staff will do

1 it. Mayor Mattila said let's go with what Mr. Crimp had to say, and add craigslist on that. Olsen said  
2 Leff had a good point, saying craigslist has a lot of people and there might be a lot of looky-loos respond  
3 to it and was concerned about the time factor. Leff said she wanted to give Staff permission to pull the  
4 add off craigslist, should the responses become overwhelming. Mayor Mattila asked if this was all in the  
5 motion; Olsen said it was. Mayor Mattila called for a second. Berry seconded. Mayor Mattila called for  
6 the question.

7  
8 Vote: Motion 5, as amended, passed.

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

10  
11 Murray asked what the closing date should be; after brief discussion, the Council's decision was August  
12 15.

#### 13 14 B. Street Light Request – Hour Lane

15 Olsen reported he made two site visits, one during the day and one after dark. His recommendation was  
16 that the City not proceed with providing an additional light. There was discussion about resident safety,  
17 and about setting a precedence. This item was tabled until the information about installation cost to the  
18 City was provided by PUD, whose engineer has not been available.

#### 19 20 C. 2015 League of Oregon Cities Legislative Priorities

21 Murray reviewed a tally of Councilor priority ratings (copy attached to original of these minutes). There  
22 was brief discussion.

23  
24 Motion 6: Leff moved to recommend Community Development Item C. regarding natural disaster  
25 planning; General Government Item L. regarding medical marijuana dispensary regulations; and  
26 Water/Wastewater Item U. regarding recapitalization of the Water Conservation, Reuse and Storage  
27 Grant Program. Olsen seconded the motion.

28  
29 Mayor Mattila called for the question.

30  
31 Vote: Motion 6 passed.

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

#### 33 34 D. Land Acquisition – Highway 101 Parcels

35 Murray reported Robert Lagrone from CBS Outdoor has sent an email (copy attached to original of  
36 these minutes) saying the owner of tax lot 8400 across from City Hall is interested in selling the lot  
37 when the current lease expires in August. A response from the owner of tax lot 8400, Yvonne Crandall,  
38 was also received. All three of the properties the Council has previously discussed interest in acquiring  
39 could be available for the City to purchase. CBS still wants to keep the billboard, but wants to have it re-  
40 built. There would be a lot of regulations to deal with if this it is re-built. Staff was directed to get  
41 information about property pricing before the Council decides whether or not to pursue acquisition.

### 42 43 IX. NEW BUSINESS

#### 44 A. Request Authorization – Employee COLA Fiscal Year 2014-15

45 Murray read her memo requesting authorization of 1.4% COLA (copy attached to original of these  
46 minutes) into the record. Berry asked if this was approved, would it result in increased billing costs to  
47 consumers; no, rates will not increase due to the COLA being authorized. Olsen said the GDP (Gross  
48 Domestic Product) had a recent downturn, and two downturns in a row indicate a recession. He asked

1 whether the City's transient room tax income was meeting budget expectations; Murray said room tax  
2 income is exceeding the budget.

3

4 Motion 7: Leff moved to authorize the 1.4% COLA that was adopted in the budget, to become effective  
5 July 1, 2014. Hoitink seconded the motion.

6

7 Mayor Mattila called for comments. Gambino said naturally he was for it because it's important for our  
8 workers; however, the GDP is going to take a dive, and he thinks there's no mistake in that. He said we  
9 have to consider the fact that this may not be in the future. It's budgeted now and obviously that's good,  
10 but as we all look around us, we see that nobody's getting COLAs. He said he's taken a hit on his  
11 pension, and they were talking about negotiating it completely out, though he didn't think that would  
12 happen. He wanted to go on record as saying that this might be the only time. Mayor Mattila said that  
13 was a point well made, and if things progress as our economists are painting us a black picture of, then  
14 before our next COLA advancement, he thought the Council should really reserve the right to look at  
15 that strongly and make up our minds whether or not we can afford to do another COLA in the next go-  
16 around. But for right now, he doesn't want to be one that calls gloom and doom, so he's going to vote  
17 yes for COLA.

18

19 Vote: Motion 7 passed.

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

21

22 B. 2015 Oregon Department of Transportation (ODOT) Special City Allotment Grant Program  
23 Weidner would like to submit a SCA grant application for street improvements from the stop sign on  
24 Schoolhouse Road across the street to the Whistlestop gas station, up Schoolhouse Road to the front  
25 edge of City Hall, and down Shell Avenue to approximately the end of the City Hall parking lot. He  
26 talked about the cost and quality difference between doing overlays (more distance, less quality) and  
27 doing engineered projects with curbs and possibly sidewalks (less distance, higher quality) that take a  
28 few phases to complete. (Copy of SCA Grant Program notice attached to original of these minutes.)

29

30 Motion 8: Leff moved to authorize Staff to prepare a Resolution for the Council to review and hopefully  
31 pass at the next meeting, asking for the Special City Allotment grant per Weidner's description. Olsen  
32 seconded the motion.

33

34 Mayor Mattila called for the question.

35

36 Vote: Motion 8 passed.

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

38

39 C. Oregon Department of Land Conservation and Development (DLCD) Coastal Zone Management  
40 (CZM) Fiscal Year 2014-15 Grant Agreement

41 Murray said this is an annual grant offer from DLCD that is for helping fund the cost of planning. She  
42 requested the Council's authorization to enter into the agreement for the upcoming fiscal year. (Copy of  
43 grant offer email attached to original of these minutes.)

44

45 Motion 9: Leff so moved. Gambino seconded.

46

47 Mayor Mattila called for the question.

48

49 Vote: Motion 9 passed.

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

2  
3           D. Proposed Request to Oregon Cascades West Council of Governments (OCWCOG) for  
4           Assistance – Research Funding to Dredge South Depoe Bay Creek Sediment Retention Basis  
5           Mayor Mattila reported he met with County Commissioner Bill Hall and Executive Director Fred  
6           Abousleman of OCWCOG, and that OCWCOG is willing to look into research funding for the South  
7           Depoe Bay Creek sediment retention basin. He strongly urged the Council to call on this one and give a  
8           yes vote and we'll go from there. He asked for a motion. Leff asked him to clarify what the motion  
9           should be; it was to request OCWCOG to look for funding opportunities.

10  
11          Motion 10: Leff so moved. Hoitink seconded.

12  
13          Mayor Mattila called for the question.

14  
15                 Vote: Motion 10 passed.

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

17  
18          X. CORRESPONDENCE

19          There was one item of correspondence (copy attached to original of these minutes): an email from Kathy  
20          Wyatt at the *Newport NewsTimes* regarding placing an ad in support of the Coast Guard in a special  
21          edition of the newspaper. Murray outlined the ad options.

22  
23          Motion 11: Olsen moved to place the \$99 ad in appreciation of the Coast Guard. Gambino seconded the  
24          motion.

25  
26          Mayor Mattila called for the question.

27  
28                 Vote: Motion 11 passed.

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

30  
31          XI. CITY STAFF REPORT

32          Murray reported that Friday, August 1 is the date the Neighbors For Kids luncheon that was cancelled  
33          last winter due to an ice storm was rescheduled for. She asked the Council for a head count of who  
34          would be in attendance. Mayor Mattila, Berry, and Gambino said they would be there. Leff said she  
35          would be there unless something comes up. Olsen will be unable to attend. Hoitink will let Murray know  
36          before July 4 whether he will attend. Olsen confirmed the funding for the luncheon still exists.

37  
38          Weidner reported: 1) The Rocky Creek pump station is up and running. This pump station gets a lot of  
39          use in the summer. 2) The City's plant operators are diligent. The new water plant operator is doing  
40          really good in less than a year. At the wastewater plant we have our own hoist and keep an extra pump  
41          on hand so we can switch them out. Kudos to the crew. 3) The Bay Street overlay is almost finished.  
42          The project has left tire marks all over town, including the Sea Hag parking lot; he has apologized to Mr.  
43          Grant for the tire marks, which should go away in a few weeks according to Road and Driveway. He  
44          asked the Council if they would prefer the street be marked with paint or with markers; the cost is about  
45          the same. Mayor Mattila preferred reflectors because they're a physical indicator. Weidner was asked to  
46          ensure a white fog line is painted to delineate walking area for pedestrians. 4) The east end of the City  
47          Park by the nature trail head, which has settled over the years and needs to have some run off so it  
48          doesn't stay so wet. City Park fire lane needs grooming to fix trenches and tracks. He requested the

1 Council's authorization to spend an estimated \$2,670 for 30 yards of topsoil and sand and use of Dan  
2 Price's services for two days to complete both projects, which are in the budget.

3  
4 Motion 12: Olsen moved to approve the expenditures Weidner outlined to grade the east end of the park  
5 and upgrade repairs to the fire lane. Leff seconded the motion.

6  
7 Mayor Mattila called for the question.

8  
9 Vote: Motion 12 passed.

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

11  
12 XII. COUNCIL COMMENTS

13 Berry requested a draft of the RFP to take to the Chamber of Commerce. He will stop by to pick it up on  
14 Thursday.

15  
16 Leff said Mayor Mattila has been very supportive of Council members, especially female Councilors,  
17 being treated respectfully by other City Committee members, and hopes he will continue doing that  
18 because there are situations where some female Councilors haven't been treated with respect and she  
19 hopes he would seek that out and do something about it informally. She offered to provide him with  
20 additional information after the meeting. She said for the record she thinks it's really important that all  
21 Council members be treated with respect by the citizens who work for the Committees that work with  
22 the Council.

23  
24 Olsen has been dwelling on the picture of the rusty pilings that Weidner distributed at the last meeting.  
25 He said this is a serious problem and the Council is going to have to face it.

26  
27 Mayor Mattila added to Olsen's comment: Dock 1 has the same problem, but sleeves were put over the  
28 pilings so they look better. He said he's been talking about this since before he ran for mayor.

29  
30 Berry said he grew up in Modesto where there are canals and he knows that valves have to be cleared.  
31 He said the silt at the check dam is going to be a problem if it isn't already, as the valve might be  
32 corroded and seized.

33  
34 XIII. ADJOURN

35 There being no further business, the meeting was adjourned at 9:03 PM.

36  
37  
38  
39  
40  
41  
42 \_\_\_\_\_  
A.J. Mattila, Mayor

43  
44  
45  
46 \_\_\_\_\_  
47 Emma LuMaye, Recording Secretary