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    Depoe Bay City Council
 2
    Regular Meeting
    Tuesday, September 2, 2014 - 7:00 PM
 3
    Depoe Bay City Hall
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                   Mayor A.J. Mattila, D. Goddard, B. Leff, S. Olsen, R. Gambino, B. Berry
    PRESENT:
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    ABSENT:
                   S. Hoitink
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    STAFF:
                   City Recorder P. Murray, City Superintendent B. Weidner, Recording Secretary
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                   E. LuMaye
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    I. PLEDGE OF ALLEGIANCE
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    Mayor Mattila called for all to stand for the Pledge of Allegiance at 7:00 PM.
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    II. CALL TO ORDER
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    Before roll call, Mayor Mattila addressed the assemblage, saying Councilor Hoitink passed away since
    the last meeting. He addressed the Council about a Proclamation to honor Councilor Hoitink's
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    contributions to the community, and wanted to discuss the possibility of putting a plaque for him on the
    Memorial Wall. He warmly greeted any other suggestions.
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    Motion 1: Leff moved to honor Skip Hoitink's memory with a plaque on the Memorial Wall and a
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    Proclamation which she would be happy to help write, and anything else that other folks come up with.
    Gambino seconded the motion.
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    Mayor Mattila said it was moved and seconded, and called for discussion. Councilors made brief
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    statements in support of the motion, and an unidentified audience member suggested sending a letter to
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    the family; Mayor Mattila said that would be done. Goddard suggested staying open to additional
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    suggestions for a while, and said the biggest thing would be to stop the rumors. She also suggested
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    waiting for a while before putting up the plaque.
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            Vote: Motion 1 passed.
            Ayes: Goddard, Leff, Olsen, Mattila, Gambino, Berry
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    Mayor Mattila called the meeting to order and established a quorum.
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    III. APPROVE MINUTES: August 5, 2014 Regular Meeting
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    Motion 2: Leff moved to approve the minutes of the August 19 regular meeting. Goddard seconded the
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    motion.
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    Mayor Mattila called for the question.
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            Vote: Motion 2 passed.
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            Ayes: Goddard, Leff, Olsen, Mattila, Gambino, Berry
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    IV. ACCOUNTS PAYABLE
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1 Motion 3: Gambino moved to pay Accounts Payable as received, with the inclusion of a reimbursement check for \$98 for Mayor Mattila. Mayor Mattila said it was for the Coastal Caucus. Berry seconded the motion.

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Mayor Mattila called for the question.

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<u>Vote</u>: Motion 3 passed.

Ayes: Goddard, Leff, Olsen, Gambino, Berry

Abstain: Mattila

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### V. SPECIAL ORDERS

12 There were no special orders.

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

15 <u>Bill Spores</u> wanted to thank and acknowledge our friend Skip Hoitink for the many hours of work and

16 dedication to our parks, nature trail, and City. He worked on the Parks Master Plan, both as a Parks

17 Commissioner and then later as a City Councilor. He spent many hours walking and helping plan the

18 nature trail and the Oregon Coast trail. He was ready to offer his help on any project for the good of the

19 City – salmon bakes, wooden boat show, crab feed, whale watching week, and walking to learn our

20 coastline from Salishan to Yachats. Spores said the Council knows how much time and dedication

21 volunteer efforts take, and said we need to think more about thanking all of our volunteers every day.

22 Thanks to the Council, and thanks Skip – a job well done.

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# A. Wastewater Advisory Committee – Recommendation on Gleneden Sanitary District Request to Review Agreement

Review Agreement
Olsen reported the City has been working cooperatively with Gleneden Beach for the last year and a

half, and the City has secured an acknowledgement and agreement with them to move forward with

Vista Street crossing – a pressure pipe coming from the Vista Street pump station which pumps

wastewater from Gleneden Beach. It has been identified by the City Superintendent as a top priority, and

30 Gleneden Beach has agreed to fund their portion of this repair. The City will go out for RFP (Request

31 For Proposals) for engineering, and then move forward with repairs. <u>Leff</u> asked about the

32 recommendation; Olsen said between now and June 30 we will be negotiating with them in good faith

33 concerning the contract. He said we don't know the items of issue right now, but we are willing to talk

about it with our best customer/business clients. Karl Granat came to the podium and asked if it

35 wouldn't be prudent to have the project funded according to the amount of waste moving through the

36 pipe; Olsen agreed that it would. Mayor Mattila added that Mark Snyder, Superintendent for Gleneden

37 Beach, agrees that this needs to be done expeditiously. <u>Murray</u> referred to a letter from Gleneden Beach

38 attorney Dennis Bartoldus (presented at an earlier meeting), and asked the Council if the

recommendation from the Wastewater Advisory Committee's (WWAC) recent meeting that the contract

40 review will be conducted by the WWAC in accordance with the agreement was acceptable to the

41 Council. There was no objection to this; Murray will reply to Mr. Bartoldus' letter to confirm this.

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### VII. PUBLIC COMMENTS

- 44 <u>Jim Hayes</u> read a prepared statement regarding rumors of suicide surrounding Councilor Hoitink's
- death, which the cause of has yet to be determined; he requested Councilor Olsen's immediate
- 46 resignation. An unidentified audience member asked Olsen if he said that Hoitink committed suicide
- 47 without any knowledge; Olsen replied that he had knowledge and he asked the City Superintendent to
- 48 check into it. When pushed on whether he had said it, Olsen said, "I said the man perhaps committed
- 49 suicide". The audience member was distressed over the situation. Mayor Mattila said the District

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- 1 Attorney hadn't released any official cause of death and the fact that was being withheld was because an
- 2 unwitnessed death had to be investigated. There was additional discussion in the room. <u>Leff</u> said Mr.
- 3 Hayes had made his feelings known and she knew his feelings were shared by many others around town;
- 4 and it was up to Olsen to decide what he's going to do, and it wasn't fair to ask him to decide at this
- 5 moment. She suggested this meeting be completed, and at the beginning of the next meeting to ask
- Olsen what he's going to do. <u>Mayor Mattila</u> said he wished this had been handled a different way. There was additional discussion amongst Councilors. Mayor Mattila said this matter would be taken up at the

8 next meeting.

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## VIII. UNFINISHED BUSINESS

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

Trustee Kurt Granat addressed the Council regarding a meeting earlier today between members of the

- 13 Granat family and City officials. He said he would speak with his family regarding whether the title is
- 14 clear, environmental surveys, and other items related to their offer to donate two parking lots behind
- 15 Lareisa Plaza to the City for parking or restrooms; or they might at some point explore the option of a
- long-term lease of the properties with the City. Mayor Mattila said what was discussed will be run by
- 17 the City Attorney one more time, and then we'll have a definitive answer. <u>Leff</u> said we also owe the
- 18 Granats the courtesy of explaining to them what the City's concerns are, and that the overriding concern
- 19 is their request to be forgiven the necessary parking spaces that that lot represents for their property, and
- 20 if the City does that for them, it opens it up for everyone else. Gambino disagreed that the Granats
- 21 requested this, but said that might be the result. <u>Leff</u> said if that's the result, it's unacceptable from the
- 22 point of view of at least one or two Councilors, and is one of the reasons it's important for the attorney
- 23 to review. There was additional discussion. Mayor Mattila said we'll get back to them as soon as we
- 24 know what the attorney's advice is.

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#### IX. NEW BUSINESS

A. Fish Plant Lease Agreement

<u>Mayor Mattila</u> said the proposed lease had been reviewed, and there are some things the Council wants to run by the City Attorney. From the audience, <u>Mr. Molfino</u> said his intention was to get the ball rolling. <u>Mayor Mattila</u> thanked him. <u>Mr. Molfino</u> introduced his partner, Liu Xin.

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B. Request to Schedule Event in City Park – Depoe Bay Chamber of Commerce Annual Salmon Bake and Music in the Park

<u>Murray</u> reviewed the application from the Chamber of Commerce (copy attached to original of these minutes), and said her understanding was there was a question that Music in the Park on the Sunday following the Salmon Bake may not occur, and also that there's no need for an OLCC permit for either event. She said there wasn't much detail provided as to what's being set up, but she believed it was going to be the same as in previous years. <u>Goddard</u> said there will be no more Music in the Park due to the Chamber no longer carrying liability insurance. She also said the Salmon Bake will be the same as it is every year.

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Motion 4: Leff moved to approve the Chamber of Commerce request for the park and the Community Hall for the Salmon Bake. Gambino seconded the motion.

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Mayor Mattila called for the question.

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Vote: Motion 4 passed.

48 Ayes: Goddard, Leff, Olsen, Mattila, Gambino, Berry

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C. Oregon State Marine Board Pumpout and Pump Station Grant Opportunity Mayor Mattila said the State Marine Board (SMB) wants to give the City a new pumpout station, and they are agreeing to provide 100%. Murray asked if the Council wants to submit an application asking the SMB to fund 100% of a replacement. (Copy of letter from SMB dated 8/6/14 attached to original of these minutes.)

Motion 5: Goddard made a motion to that. Leff seconded the motion.

Mayor Mattila called for the question.

<u>Vote</u>: Motion 5 passed.

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

D. Oregon Department of Transportation (ODOT) Letter of Understanding 2015-18 Statewide Transportation Improvement Program (STIP) Enhance Project – U.S. 101 South of Bridge Streetscape Project

Murray reviewed a memo from City Planner Larry Lewis (copy attached to original of these minutes). She reminded the Council the City has been applying for funding to add sidewalks and crosswalks along the highway from south of the bridge down to the Schoolhouse Street intersection. She said there have been a number of rejections over the years, but we now have funding included in the STIP for fiscal years 2015-2018, which we have been approved for. The Council has been requested to approve a Letter of Understanding. She noted the letter is not a legal agreement, and the intent of the letter is to document each party's understanding of the project details and the timeline for moving forward. She said the scope of work is going to be re-scoped, with a change in funding from \$678,625 to \$420,979, and there will be discussions as the process occurs. She said the City is contributing more money for a lesser project, and that Lewis has been working closely with ODOT on this, and Staff has been advised to recommend that the Council authorize signing this Letter of Understanding, checking the box that says "Upon final approval by the OTC – My agency will accept the STIP Enhance Award for this project and has secured the match for this project".

<u>Motion 6</u>: Gambino moved to approve the Mayor to sign both the project Letter of Understanding and also check the upon final approval of the OTC we will accept the funding. Leff seconded the motion.

Mayor Mattila called for the question.

Vote: Motion 6 passed.

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

E. Revision to Agreement with Lincoln County Sheriff's Office – Enhanced Law Enforcement Services

Mayor Mattila noted there was a slight increase in the hourly rate, and the budget for this will result in a less time spent in Depoe Bay. Murray added that the only revision to the agreement (copy attached to original of these minutes) is the overtime rate, which was previously \$53.13 per hour, and the new rate will be \$54.47 effective September 1, 2014. She asked the Council's acceptance and authorization for the Mayor to sign the agreement with the one revision.

Motion 7: Leff so moved. Goddard seconded the motion.

49 Mayor Mattila called for the question.

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            Vote: Motion 7 passed.
            Ayes: Goddard, Leff, Olsen, Mattila, Gambino, Berry
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    X. CORRESPONDENCE
    There was no correspondence.
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    XI. CITY STAFF REPORT
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    Weidner reported 1) The jib was started by US Crane. They will have the old jib removed by mid-
    September, and they have the go-ahead to start fabrication of the new one. He said once the jib is
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    finished, he's going to have a line bored from Hwy 101 down the hill to the fish plant, rather than taking
     a chance by digging a ditch on the steep hillside. He said this still puts the project well under the
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    proposed budget. Olsen commended Weidner, saying that after looking at the budget, the project is
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    coming in well under half of the budgeted amount. Leff asked Weidner to pass along to the Crew how
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     pleased the Council is with the work. Weidner added a lot of work was done by the consortium the SMB
    pays for, and that he wrote a nice thank you letter to their people in Albany. 2) Leff asked if Weidner
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    contacted the people about the encroaching fence on Alsea and Sunset Streets. Weidner said the owner
     picked up the information prepared by the City Planner. The last survey done on that lot was in the late
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    1990s, and the owner will work with the City. They should be writing a letter to the Council, and are
    making plans to make it right. He'll be talking to the contractor to find out why it was done that way.
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     Weidner said part of the rope has been removed, and the fence is not causing people to not get through.
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    Murray had no report, but thanked the Mayor for asking.
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    XII. COUNCIL COMMENTS
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    Mayor Mattila said he was was sad this cloud was in the room, and it disturbed him beyond all words.
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     He believes there are other ways to take care of these sorts of problems.
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    XIII. ADJOURN
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     There being no further business, the meeting was adjourned at 7:44 PM.
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                                                 A.J. Mattila, Mayor
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    Emma LuMaye, Recording Secretary
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