

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

5
6 PRESENT: Mayor A.J. Mattila, D. Goddard, B. Leff, S. Olsen, R. Gambino

7
8 ABSENT: B. Berry

9
10 STAFF: City Recorder P. Murray, City Superintendent B. Weidner

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12 I. PLEDGE OF ALLEGIANCE

13 Mayor Mattila called for all to stand for the Pledge of Allegiance at 7:00 PM.

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15 II. CALL TO ORDER

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

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18 III. APPROVE MINUTES: September 16, 2014 Executive Session and Regular Meeting

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20 Motion 1: Olsen moved to approve the minutes for September 16, 2014. Leff clarified the motion was
21 for both Regular Meeting and Executive Session; Olsen acknowledged. Leff seconded the motion.

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23 Mayor Mattila called for the question.

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25 Vote: Motion 1 passed.
26 Ayes: Leff, Goddard, Olsen, Mattila, Gambino

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28 IV. ACCOUNTS PAYABLE

29 Motion 2: Gambino moved to approve Accounts Payable as presented. Leff seconded the motion.

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

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33 Vote: Motion 2 passed.
34 Ayes: Leff, Goddard, Olsen, Mattila, Gambino

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36 V. SPECIAL ORDERS

37 A. Interview/Appoint Applicant to Fill Vacancy – City Council Position #3
38 Bob Lewis and Kathy Ann Wyatt were present and came forward to tell about themselves and why they
39 were interested in participating, and answered questions from Councilors regarding their qualifications
40 and applications.

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42 Ballots were filled out, signed, and handed in. Murray tallied the votes (copy of ballot and applications
43 attached to original of these minutes) and announced the results. Councilors Goddard and Leff voted to
44 appoint Bob Lewis; Councilors Gambino and Olsen and Mayor Mattila voted to appoint Kathy Wyatt.

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46 Motion 3: Olsen moved to accept the results of the ballot cast for seat 3. Gambino seconded the motion.

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48 Mayor Mattila said it was made and seconded, and called for comments. There were none.

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1 Vote: Motion 3 passed.

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

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

5 There were no reports.

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7 VII. PUBLIC COMMENTS

8 There were no public comments.

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10 VIII. UNFINISHED BUSINESS

11 A. Fish Plant Lease Agreement

12 Geoff Molfino, 923 SE Bay Blvd., Newport, was present and came to the podium to discuss the
13 proposed lease agreement. Olsen, referring to the Executive Session which took place previous to the
14 Regular Meeting, said for the most part the Council said yes to the agreement, but the main issue was
15 the personal guarantee with the bond. He said Staff did research on this and they're not easy to come by
16 in this state, and so they were looking for ways to get around that and to consider Molfino's request to
17 not sign a personal guarantee. Olsen continued that in lieu of a personal guarantee, in lieu of a bond, the
18 City would look for a deposit of two months upon execution of the lease. Mr. Molfino said he spoke
19 with his insurers today, and the bonding company was unsure what type of bond was being looked for.
20 He said if the Council was comfortable with a deposit, then so was he. Regarding the weight limits of
21 the structure, Olsen told Molfino the Council would like to take the engineering diagram that has the
22 weight limits for each section, and attach it to the lease document; Mr. Molfino was agreeable. Mayor
23 Mattila told Molfino that any changes in load limits would have to be run by the engineer, Dave Crimp.
24 There was discussion about how soon papers could be signed; Murray said leases are normally effective
25 on the first of the month. October 15 was the date projected to have everything in place, with the first
26 month being prorated. Mayor Mattila asked Molfino what his plans are to help with fish carcasses
27 generated by sport fishery as far as possibly selling bait to the crab fisheries. Olsen said we have a
28 detailed sheet containing the amounts of wastes there are because they thought it would be helpful to
29 Molfino. Mr. Molfino said he'd do what he can, and that he has plans to put a system on the
30 refrigeration container that will allow him to flash freeze, allowing him to knock carcass temperatures
31 down quick and put them away. Mayor Mattila said that would also address the problem of shooting
32 shaved ice into the vessels. Mr. Molfino said his refrigeration person was going to get back to him on
33 what the budget would be for the system. Mayor Mattila said we've got to have that. Olsen discussed the
34 capacity of Molfino's current equipment and peak summer needs as perceived by a local fisherman. Mr.
35 Molfino spoke of ice problems he's had in Newport and said he can see it's a key function. Goddard
36 noted the lease mentions commercial fishermen, and wanted to ensure that includes charter fishermen;
37 Mr. Molfino said his intention was to talk to everyone in the harbor and get their input. Olsen asked if
38 Molfino would have equipment in place by December 1; Mr. Molfino said he should have, but money is
39 an issue and at this point he doesn't know what the expenditure will be. He said he would get a
40 preliminary situation together.

41
42 Motion 4: Leff moved to approve the lease with the edits as discussed in Executive Session and here in
43 open session with Mr. Molfino, and Staff prepare the lease and other documents with a date of October
44 15, unless that turns out to be uncomfortable for Mr. Molfino, and authorize the Mayor to sign the lease
45 on behalf of the City. Gambino seconded the motion.

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47 Mayor Mattila called for discussion, and then called for the question.

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49 Vote: Motion 4 passed.

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

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3 Mr. Molfino said he'd been in discussion with an electrician and the power would probably need to be
4 increased, because the power was fairly tight, and he's adding water chillers and there was discussion
5 about an additional ice machine and an additional freezer. Mayor Mattila asked if the 400 amps that's in
6 there now wasn't adequate; Mr. Molfino said he was told that 30 horsepower was about the maximum,
7 and he's pretty close to that already; once the water system is in for holding the live, and the chillers,
8 freezers, and coolers all running would be a big load. Mayor Mattila had additional questions about the
9 amperage; Mr. Molfino said each piece of equipment was different. He said the transformers on the pole
10 might need to be changed out to handle the extra power. As he was leaving the podium, he said it's been
11 fun pushing the rock up the hill.

12 13 IX. NEW BUSINESS

14 A. Docks and Pilings Replacement Project – Request for Proposals for Preliminary Engineering 15 Services

16 Murray said the Urban Renewal Agency board moved to start this process, directly focusing on
17 preliminary engineering with associated costs for docks 2 through 4. The City Council would be the
18 agency entering into the contract. As a formality, the Council needs to make a motion to direct Staff to
19 draft an RFP (Request For Proposals).

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21 Motion 5: Goddard so moved. Leff seconded the motion.

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23 Mayor Mattila called for the question. Murray asked if the motion was to direct Staff to get the RFP put
24 together; Leff and Goddard confirmed it was. Murray asked if the Council wanted to see the RFP, Olsen
25 said he'd like to have some discussion. He said it's for the docks and pilings, and asked the Mayor if it
26 was also for the invasive species wash; Leff said that is a separate thing. Mayor Mattila discussed his
27 vision for a fish carcass fertilizer plant, and said he'd like to see that included in the motion. Leff said
28 the motion was for an Urban Renewal project and the projects can't be mixed. Olsen said we know
29 we're doing the docks, and we know that we're going to have to do something with the fish carcasses,
30 and we're going to have to do something with the invasive species; and since we're going to an
31 engineer, maybe we could attach these projects to give to the engineer at the same time. Leff said there's
32 a legal issue there; Goddard suspected that we cannot. Weidner said we can research those two other
33 items and move forward with the docks. Goddard said once the initial engineering is done, we could
34 decide to add to the project. Weidner said he researched and found that frozen fish carcasses are more
35 marketable. Mayor Mattila withdrew his request. Goddard called for the question.

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37 Vote: Motion 5 passed.

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

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40 Murray again asked if the Council wanted to see the draft RFP; it was the consensus of the Council that
41 Staff proceed without bringing it back to the Council.

42 43 X. CORRESPONDENCE

44 There were two items of correspondence (copies attached to original of these minutes): 1) A news
45 release dated 10/2/14 from Lincoln County regarding availability of Community and Economic
46 Development Fund Grant Applications. Applications are due November 4. Murray said the City has
47 benefitted greatly from these grants in the past, and asked the Council if they wanted to schedule
48 discussion of this item at the next meeting, to determine whether the City will submit an application this
49 round, and what project it would be for. Mayor Mattila said that was fine. Murray asked the Council to

1 review the budget and think about projects. She said Weidner had a good project idea for this particular
2 grant. Weidner said the power shed at the harbor is in need of re-siding and re-roofing, and some
3 structural repair; and possibly attaching onto that a storage area for emergency booms. Murray said the
4 maximum the City can request is \$15,000. 2) An email from the Mayor of Newport regarding the action
5 Newport is taking after receiving the news about the closure of the Coast Guard Air Station, and inviting
6 Depoe Bay to join in. Gambino said the air station is a necessity, and the next nearest one is Astoria.
7 Goddard said it was demonstrated again this summer when a boat capsized offshore, and had the
8 helicopter not picked up the people they would have died, as their core temperature was 86 degrees.
9 Mayor Mattila said to remember we have the largest fishing port on the West Oregon coast, plus NOAA
10 and all their facilities, and Depoe Bay should endorse Sandy Roumagoux's request.

11
12 Motion 6: Gambino moved to draft a letter similar to Sandra's letter, and address it to at least all of the
13 people that she has included. Leff added, except to spell Depoe Bay's name correctly, and seconded the
14 motion.

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16 Mayor Mattila called for the question.

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18 Vote: Motion 6 passed.
19 Ayes: Goddard, Leff, Olsen, Mattila, Gambino

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21 Leff asked if that was all the correspondence; Murray said that was all she had. Leff asked about the
22 Sheriff's Activity Report, saying this is the second time in a row that they essentially have not done
23 what they contracted to do. Olsen said he suspects their time has been sucked over to Siletz. Leff asked
24 if we want to do something about it. Olsen suggested the Mayor call Sheriff Dotson and find out what's
25 going on. Mayor Mattila said the original agreement should be addressed, and if they're in a position
26 where they can't handle that, then an adjustment will have to be made. He asked Murray to call the
27 Sheriff's office and find out what their plan is for the future. Murray said she knows in recent months
28 they've been very short-handed. With the Council's permission, Leff asked Murray to also request we
29 continue to receive the monthly Law Enforcement Report, which we're not getting any more. Gambino
30 brought up the subject of a justice system and police in the City of Depoe Bay. Mayor Mattila liked that.

31
32 XI. CITY STAFF REPORT

33 Murray 1) Briefed the Council on the status of the franchises: A) Tomorrow night is a Central Lincoln
34 PUD board meeting, and there might be some revisions to the agreement. Their attorney has been
35 working with our attorney on that franchise renewal. She expected there would be a draft franchise
36 renewal by the next Council meeting. B) After a long lull in communication, we have finally gotten a
37 response from Wave. They have a new attorney, and we are now moving forward. C) The NW Natural
38 Gas franchise expires in November. D) The CenturyTel franchise expires January 1. There was brief
39 discussion on the Wave and PUD franchise agreements. 2) There is one opening on the Planning
40 Commission, two openings on the Salmon Enhancement Commission, and we're looking for people to
41 serve on the Harbor Master Plan Advisory Committee; no applications have been received. The
42 application period closes again next Thursday, October 16. Please encourage anyone you know who
43 might be interested to apply. Olsen suggested contacting Bob Lewis to see if he would be interested;
44 Murray said she would call him. Goddard said we were waiting for charter boat skippers to wind down
45 for the year, but that hasn't happened quite yet because of ocean conditions. Olsen asked if she thought
46 that opening should be pushed back another month; she did. Leff asked if the closing date can be
47 extended; Murray said if no applications are received, it absolutely can be extended. Mayor Mattila said
48 he has discussed this with two people who are currently out of town but are absolutely interested and
49 will be submitting applications. Murray noted the Planning Commission and Salmon seats have been

1 vacant for months. Steve Sparks 228 SW Nesting Glade, said he'd be happy to encourage Bob Davis to
2 apply for the Planning Commission spot; Councilors noted it was Bob Lewis.

3
4 Weidner reported 1) The Vista force main project is underway. He's meeting with the engineers
5 tomorrow. 2) South of bridge (Hwy 101) striping has been done, but the rest of the striping has been
6 delayed because the contractor's truck ended up in the bay. He'd like to get this done before the rain
7 starts.

8 3) Budgeted projects at the water plant are being done; he's currently focusing on replacing three old
9 turbine pumps one at a time. 4) The gurry drain is finished at the harbor. 5) The jib at the fish plant is
10 going to be installed the week of October 13. 6) Fairfield Designs is drawing up plans for the storage
11 area behind the bus barn.

12 13 XII. COUNCIL COMMENTS

14 Goddard noted audience member Bill wanted to speak: On the helicopter situation, Bill suggested
15 possibly calling a town hall meeting and invite the Coast Guard to speak about what they are doing. He
16 said it worked once before when they were going to move the station to Newport.

17
18 Gambino thought Sandra's letter was too kind and too short, and would like to see our letter more
19 fortified and lengthier, with some examples. Leff said the example from this summer was very telling.
20 Goddard added there were two helicopters out there that day; one came from North Bend, which is an
21 hour's flight time away.

22
23 Goddard said the Salmon Enhancement program was graphically displayed in the North Depoe Bay
24 Creek today, when salmon came in, spawned, and died.

25
26 Mayor Mattila said Murray found something that dates back to 1941. Digging through the archives, she
27 found a document in which the Corps of Engineers admits responsibility for dredging out the check
28 dam; all we need is a lost signature and we're in business. Murray said the document she gave the
29 Mayor is an agreement between the City of Depoe Bay and the Corps of Engineers, relating to the check
30 dam and dredging activities in the harbor. by the Corps of Engineers. The only copy she could locate in
31 the City's records is only signed by City people, so she's contacted the Corps asking for a copy of a
32 fully-executed document, and any other information they might have. Mayor Mattila was tickled to
33 report that two days ago, somebody caught a salmon right by the fuel dock.

34 35 XIII. ADJOURN

36 There being no further business, the meeting was adjourned at 8:11 PM.

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42 A.J. Mattila, Mayor

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45 Emma LuMaye, Recording Secretary