

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, October 20, 2015 - 7:00 PM
4 Depoe Bay City Hall

5
6 PRESENT: Mayor A.J. Mattila, J. Fisher-Brown, R. Gambino, J. Grant, S. Sparks, C. Teem

7
8 ABSENT: S. Olsen

9
10 STAFF: City Recorder P. Murray, City Superintendent B. Weidner, Recording Secretary
11 E. LuMaye, Interim City Attorney P. Gintner

12
13 I. PLEDGE OF ALLEGIANCE

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

15
16 II. CALL TO ORDER

17 Mayor Mattila called the meeting to order at 7:16 PM and established a quorum. (Meeting start delayed
18 due to Urban Renewal meeting running late.)

19
20 III. APPROVE MINUTES: October 6, 2015 Regular Meeting

21 Motion 1: Gambino moved to approve the minutes of the October 6 Regular Meeting. Fisher-Brown
22 seconded the motion.

23
24 Discussion: Mayor Mattila said due to technical difficulties, the October 6 meeting had not been video
25 recorded and since video recording is mandated, he wasn't going to approve the minutes.

26
27 Vote: Motion 1 passed.

28 Ayes: Fisher-Brown, Gambino, Grant, Teem

29 Abstain: Sparks

30 Noes: Mattila

31
32 Sparks said there were other meetings that were not video recorded due to technical difficulties, and the
33 minutes had been approved. He asked if they needed to be revisited. Mayor Mattila did not recall any
34 other meetings which were not video recorded. LuMaye said a few months ago the tablet that controls
35 the camera had received an update that broke the connection between the tablet and the camera, and two
36 meetings had not been recorded. Mayor Mattila said Staff needs to figure out what it takes to make it
37 happen, and since it's mandated, to see that it happens in the future. Murray said Staff strives to be
38 100% and will continue to do so, but she couldn't make any promises.

39
40 IV. ACCOUNTS PAYABLE

41 Motion 2: Gambino moved to approve Accounts Payable as presented. Sparks seconded the motion.

42
43 Mayor Mattila called for the question.

44
45 Vote: Motion 2 passed.

46 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem

47
48 V. SPECIAL ORDERS

49 Mayor Mattila skipped ahead to:

1 Item IX. F. Renewal Agreement with Lincoln County Sheriff's Office for Law Enforcement Services
2 Lt. Curtis Landers from the Sheriff's Office said he understood there were some concerns about
3 renewing the Agreement, and maybe he could answer some of those questions. Mayor Mattila said he
4 didn't know the reason why, but Depoe Bay wasn't getting attention, and wanted to get that clarified and
5 find out if in the future we'd have police. Lt. Landers said the Sheriff's Office has been shorthanded,
6 and there was no activity in Depoe Bay between December 2014 and July 2015. He reviewed staffing
7 issues in detail. He said finding good officers is hard, and some agencies lower their standards, but
8 Lincoln County doesn't want to do that. He said they can honor and fulfill the agreement at this time,
9 but within the next year there will be a few retirements and one person is leaving the area. He said a new
10 records management system will allow them to push data to the City as frequently as every hour, if
11 desired. There was additional discussion, including the impact of legalizing marijuana, and lack of
12 traffic enforcement to lower the number of people who speed through Depoe Bay. Lt. Landers said the
13 speeding problem is long standing. (Copy of Renewal Agreement attached to original of these minutes.)
14

15 Motion 3: Gambino moved to approve the renewal Agreement for Law Enforcement Services with
16 Lincoln County Sheriff's Office. Fisher-Brown seconded the motion.

17
18 There was brief discussion, then Mayor Mattila called for the question.

19
20 Vote: Motion 3 passed.

21 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem
22

23 Return to published Agenda:

24 A. Ceci Pratt, Outreach Coordinator – My Sister's Place

25 Ceci Pratt handed out packets to the Council (copy attached to original of these minutes, along with a
26 copy of Ms. Pratt's memo dated 10/15/15). She said October is Domestic Violence Awareness Month,
27 and addressed the Council regarding domestic violence and answered Councilors' questions.
28

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

30 Murray reported that in June the Council authorized entering into an agreement to update City Hall
31 municipal software. Information has been shared back and forth with Vision MS (Municipal Solutions),
32 but she'd like to see it moving forward a little faster. She believes the software should be installed
33 around the end of the year; once that's done, training and implementation will begin.
34

35 Sparks reported he and LuMaye attended the Vision MS software conference in Leavenworth,
36 Washington. He looked at the strategic significance, and LuMaye learned about the system. He
37 submitted a written report to the Council via email on 10/12/15 (copy attached to original of these
38 minutes). He was thrilled that the software is upgradeable with additional modules that can be added as
39 the City grows, as well as the availability of a portal allowing customers to pay their bills online. He
40 showed how the bill pay portal works on the City of Quincy, Washington's website. He said there's one
41 thing the Council should think about: communities who move forward with this kind of technology need
42 input from the community as a whole, and most consider putting together a community vision
43 committee to talk about future technology needs, and how we can collaborate with organizations like the
44 Chamber of Commerce and Neighbors For Kids. He said it's all about connecting everybody and
45 providing appropriate access. He emphasized the difficulty of the upcoming conversion to the new
46 software; Murray said City Hall may be closed during installation and training.
47

48 VII. PUBLIC COMMENTS

49 There were no public comments.

1
2 VIII. UNFINISHED BUSINESS

- 3 A. Second Reading – Proposed Ord. #304, An Ordinance Amending Ord. #292, The City of Depoe
4 Bay Harbor Ordinance; Revising Sections 2.000 Harbor Commission, and 3.000 Organization of
5 the Commission; and Declaring an Emergency
6

7 Motion 4: Fisher-Brown moved to read by title only. Gambino seconded the motion.
8

9 Discussion: Mayor Mattila said he has previously tried to advise that the dismissed Harbor
10 Commissioners are entitled to due process, and felt that adopting this Ordinance would further their lack
11 of due process. He suggested this matter be postponed until after the outcome of their hearings, and
12 asked Ginter to comment. Gintner said this subject would be best discussed in executive session, but
13 there's always risk any time you're dealing with the Constitution. He said under the City Charter, the
14 Council has the right to remove people without cause; and if there was any risk at time of removal, there
15 would be no additional risk now. Fisher-Brown said she doesn't know any of the people but they were
16 removed because of the obstruction of the ability of the City to do business; also, there is no way to
17 know how long it will take for their court business to be finished. Sparks said they were ordered not to
18 talk to each other, and how do you conduct City business without talking? Gambino said the Council's
19 action was done with a lot of concern, and with a now-dormant Commission, the Council needs to do
20 something to get the ball rolling. He called for the question. Mayor Mattila said when Harbor
21 Commissioner Goddard resigned at the last Council meeting, he cited a lack of Council action on Harbor
22 Commission recommendations, and was correct on that point. He called for the question.
23

24 Vote: Motion 4 passed.

25 Ayes: Fisher-Brown, Gambino, Grant, Sparks, Teem

26 Noes: Mattila
27

28 Murray performed the second reading of proposed Ord. #304 by title only, then called for questions or
29 comments from the audience. There were none.
30

31 Motion 5: Sparks moved to adopt at the second reading. Grant seconded the motion.
32

33 There was no discussion.
34

35 Vote: Motion 5 passed.

36 Ayes: Fisher-Brown, Gambino, Grant, Sparks, Teem

37 Noes: Mattila
38

- 39 B. Harbor Fuel Rate Review

40 Murray asked if there were questions on the spreadsheet (copy attached to original of these minutes).
41 She said the spreadsheet is informational and did not include an analysis. She noted 43,300.1 gallons of
42 fuel were sold in the first three months of this fiscal year, and if it had been sold at the old rate our
43 revenues would have been about \$6,500 less than they were. She said the City is still taking a loss on
44 fuel sales. There was lengthy discussion about what steps to take to break even, the City shouldn't have
45 to subsidize fuel or to apologize for breaking even, and how to reduce credit card fees. The amount of
46 42¢ over cost per gallon was projected to break even, based on historical revenues and expenses. Murray
47 suggested continuing this Item to the next Agenda, and a Staff recommendation would be made at that
48 time.
49

1 C. Depoe Bay Chamber of Commerce Agreement Renewal 2015-16

2 Beatrice Ray read a prepared statement into the record. The statement reflected the Chamber's request to
3 be treated the same as any other contractor. There was discussion during which Murray said the
4 Chamber contract is a service agreement, and the City doesn't ask for financial information with service
5 agreements; however, when people ask for contributions at Budget time, we do ask for financial
6 information. She also said the Chamber signed off on this Agreement in June (copy of Agreement
7 attached to original of these minutes). There was additional discussion. Fisher-Brown recommended the
8 City drop the request to have the Chamber open their books because how they spend the money is
9 provided for in the agreement.

10
11 Motion 6: Gambino moved to direct the Mayor to sign the agreement with the Depoe Bay Chamber of
12 Commerce for the fiscal year beginning July 1, 2015 and ending June 30, 2016. Fisher-Brown seconded
13 the motion.

14
15 There was no discussion.

16
17 Vote: Motion 6 passed.

18 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem
19

20 D. Loren Goddard Resignation from Harbor Commission

21 Murray said Mr. Goddard's resignation was received at the last meeting, but the formality of accepting it
22 and declaring the vacancy on the Commission was not done.

23
24 Motion 7: Gambino moved to regretfully accept the resignation of Mr. Loren Goddard from the Harbor
25 Commission and declare that position vacant. Fisher-Brown seconded the motion.

26
27 Discussion: There was brief discussion.

28
29 Amendment: Teem amended the motion to include sending a thank you letter. Gambino accepted the
30 amendment.

31
32 Discussion: There was brief discussion.

33
34 Amendment: Grant amended the motion to add wording that we hope Mr. Goddard considers applying
35 for the Harbor Commission in the future. Gambino accepted the amendment.

36
37 There was no further discussion.

38
39 Vote: Motion 7, as twice amended, passed.

40 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem
41

42 E. Review Harbor Master Plan Advisory Committee (HMPAC) Status and Preparation of Grant
43 Funding Requests

44 Mat DeWitt said the HIFI (Harbor Infrastructure Funding Initiative) project is now in the hands of Staff,
45 and he will get photos to Murray. The HMPAC stands in recess due to the chaos in the harbor. Once the
46 draft is together, he will call a meeting of the HMPAC for approval to bring the HIFI package to the
47 Council. He has 10-15 agenda action items on a list for the Harbor Commission. Sparks said the
48 Governor's Regional Solutions Center is a resource that can help point us in the directions we should go
49 and helps organize the resources we need to advance our proposals. He suggested the City contact Mark

1 Ellsworth from Tillamook and ask him to come down and meet with us. DeWitt said the HMPAC was
2 set up to do a specific job for the Council: to develop the HIFI project, and make the recommendations
3 for the Harbor Master Plan engineering company to take over the formal master plan to use in grants. He
4 said the HMPAC has completed 96% of both of those tasks. He encouraged the Council to re-seed the
5 Harbor Commission as soon as possible to pick up some of these issues as quickly as possible. He thinks
6 that much of the work that remains to be done is more appropriately done through the Harbor Commis-
7 sion. Mayor Mattila said he wrote to Mr. Goddard the day after his resignation, and he read the letter
8 (copy attached to original of these minutes) into the record. DeWitt said there's 18-24 months' worth of
9 work for the Harbor Commission on his list.

10
11 IX. OREGON DEPARTMENT OF TRANSPORTATION (ODOT) 2018-2021 STATEWIDE
12 TRANSPORTATION IMPROVEMENT PROGRAM (STIP) ENHANCED PROPOSAL

13 Murray said that earlier this evening the Urban Renewal Agency moved to support this funding
14 application, and also they will provide the 10.27% match, which will be a little over \$75,000. It will be
15 the City that applies for the funding, so the Council needs to approve submission of the application for
16 the 2018-2021 Statewide Transportation Improvement Program Enhanced Proposal.

17
18 Motion 8: Gambino so moved. Fisher-Brown seconded the motion.

19
20 There was no discussion.

21
22 Vote: Motion 8 passed.

23 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem

24
25 B. Coast Avenue Improvements – Draft Request for Proposals (RFP) for Engineering Services
26 Weidner asked for approval of the draft RFP that the Urban Renewal Agency approved.

27
28 Motion 9: Grant moved to approve getting out the RFP for engineering services for Coast Avenue
29 improvements. Gambino seconded the motion.

30
31 There was no discussion.

32
33 Vote: Motion 8 passed.

34 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem

35
36 C. Harbor Commission Membership – Recruitment/Advertising Strategy

37 Sparks suggested holding a town hall meeting or workshop and inviting potential applicants in to give
38 them an overview of the challenges we have in the harbor, the opportunities to make a difference, and
39 supporting that effort as part of the advertising and recruiting. Mayor Mattila said Sparks was in charge
40 and to do it; Sparks said he doesn't mind helping out, but he was looking for input on the topic, because
41 he thinks we should do a professional job of recruiting applicants. Teem suggested asking the Harbor
42 Commission to be involved. Mayor Mattila said he would contact the Harbor Commission Chair
43 tomorrow and find out what his plans are. Sparks said we need a recruiting strategy; Grant suggested
44 posting a notice on the website and at the post office, aggressive newspaper advertising, and holding a
45 town hall meeting before a Council meeting. Gambino offered to contact Dave Morgan at
46 NewsLincolnCounty.

47
48 D. Lincoln County Community and Economic Development Grant Opportunity

1 Murray said the City has until Thursday, November 5, 2015 at 5 PM to submit an application to the
2 Lincoln County Board of Commissioners (copy of grant application notice attached to original of these
3 minutes). Last year the City was unable to submit an application because of a paid but open grant for an
4 engineering study on Docks 2 through 4; that grant has since been closed. There was discussion about
5 what a good project for this grant would be; Weidner suggested replacing the stairs at the Community
6 Hall, or a modem for the emergency trailer. Sparks suggested Wi-Fi at the Community Hall, as this
7 might attract people to come in and do things with technology. There was much discussion about
8 options for replacing the stairs at the Community Hall, including removing them altogether and
9 extending the sidewalk down Bay Street for ADA compliance. Murray said the grant is a maximum of
10 \$15,000 per project, and the City can apply for only one project.

11
12 Motion 9: Grant moved to carry on with Weidner's recommendation to improve the stairway behind the
13 Community Hall. Gambino seconded the motion.

14
15 Discussion: Gambino noted the tight time limit. Mayor Mattila suggested spending the money on
16 engineering to bring the stairway up to wheelchair accessibility, and get the money later on to build
17 it. Murray said funding for engineering could be requested. Gambino suggested in the interest of the
18 short time frame, to go with the simpler thing of coming up with the cost and project idea for the
19 stairs. Murray said there's a Council meeting before the application due date, and suggested Staff bring
20 cost information back to the Council for a decision at the next meeting. Grant withdrew his
21 motion; Gambino withdrew his second.

22
23 E. Oregon Parks and Recreation Department (OPRD) – Local Government Grant Agreement LG13-
24 037 – Amendment #1 (Scenic Lands Park Improvement Project)

25 Murray said this is the first Amendment for the Scenic Lands Park Improvement Project (copy attached
26 to original of these minutes). She said there's construction going on now, and the deadline to spend the
27 money and close the project is October 31, but OPRD is agreeable to extend the date to April 30, 2016.
28 She asked the Council to approve the Amendment and authorize the Mayor to sign.

29
30 Motion 10: Gambino moved to direct Staff to have the Mayor sign the Amendment to Project
31 Agreement with the State of Oregon, Amendment #1 for the Local Government Grant Program. Sparks
32 seconded the motion.

33
34 There was no discussion.

35
36 Vote: Motion 10 passed.

37 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem

38
39 X. CORRESPONDENCE

40 There was one item of correspondence (copy attached to original of these minutes): a letter from Mike
41 Breed, who wrote about a complaint he filed regarding a sandwich board sign at Sea Breeze Bakery. He
42 was asking the Council to enforce the Sign Ordinance. Grant said he has a direct conflict of interest and
43 withdrew from any discussion whatsoever. Weidner said he wrote a letter which he hand-delivered to
44 businesses. He said there's almost a dozen sandwich boards throughout town. Discussion ensued.

45
46 Motion 11: Gambino moved to postpone this Item to the next meeting. Mayor Mattila seconded the
47 motion.

48
49 There was no discussion.

1
2 Vote: Motion 11 passed.

3 Ayes: Fisher-Brown, Gambino, Mattila, Sparks, Teem
4

5 Grant did not vote.
6

7 XI. CITY STAFF REPORT

8 Murray reported: 1) At the September 15 Council meeting, there was a Correspondence Item from the
9 Oregon Association of Chiefs of Police in which they asked the City to contribute to their organization,
10 and Murray had been asked to contact them to find out what percentage of a contribution would go to
11 the organization. She has called and left messages, but has had no response. If she hears back she'll
12 report; otherwise she will not bring this back to the Council. 2) Former Councilor Ted Lewis passed
13 away recently. 3) There has been an appeal filed on a Planning Commission decision, and the Council
14 will be the hearing body. She said she will try to schedule the hearing on a Regular Council Meeting
15 day. 4) The regional League of Oregon Cities Small Cities Luncheon Meeting will be held on Friday,
16 November 6 between 11 AM and 1 PM. She asked for a head count of who would be attending. Grant,
17 Mayor Mattila, Sparks, and Teem confirmed they will be in attendance; Fisher-Brown and Gambino said
18 they would not. Murray will check with absent Councilor Olsen.
19

20 Weidner reported: 1) Sunset Street curbs have been painted yellow, and *No Parking* signs have been put
21 up along the existing area designated as no parking. 2) The budget includes funding for a new City
22 truck, and one of the trucks needs a new transmission. He got three proposals for a standard F-150 basic
23 fleet truck, and recommended the Council accept the low bid of \$22,002.93 from Chuck Colvin Ford.
24 There was brief discussion.
25

26 Motion 12: Gambino moved to accept the requested purchase of a Ford F-150 from Chuck Colvin Ford.
27 Fisher-Brown seconded the motion.
28

29 There was brief discussion about accessories.
30

31 Vote: Motion 12 passed.

32 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Sparks, Teem
33

34 XII. COUNCIL COMMENTS

35 Teem said he was hungry and wanted to go home.
36

37 XIII. ADJOURN
38

39 There being no further business, the meeting was adjourned at 10:28 PM.
40
41
42
43
44

45 _____
46 A.J. Mattila, Mayor
47

48 _____
49 Emma LuMaye, Recording Secretary