

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, November 17, 2015 - 7:00 PM
4 Depoe Bay City Hall

5
6 PRESENT: President S. Olsen, J. Fisher-Brown, R. Gambino, J. Grant, C. Teem

7
8 ABSENT: Mayor A.J. Mattila, S. Sparks

9
10 STAFF: City Recorder P. Murray

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12 I. PLEDGE OF ALLEGIANCE

13 President Olsen called for all to stand for the Pledge of Allegiance.

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15 II. CALL TO ORDER

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

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18 III. APPROVE MINUTES: November 3, 2015 Regular Meeting

19 Motion 1: Gambino moved to approve the minutes from the November 3 Urban Renewal Agency and
20 Regular meeting of the Depoe Bay City Council. Fisher-Brown seconded the motion.

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22 President Olsen called for discussion. There were none.

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24 Vote: Motion 1 passed.

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

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27 IV. ACCOUNTS PAYABLE

28 Motion 2: Gambino recommended approval of Accounts Payable as presented. Grant seconded the
29 motion.

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31 President Olsen called for discussion. There were none.

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33 Vote: Motion 2 passed.

34 Ayes: Fisher-Brown, Gambino, Grant, Olsen, Teem

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36 V. SPECIAL ORDERS

37 There were no special orders. Teem reported he met with Lieutenant Landers from Lincoln County
38 Sheriff's Office, and he will be speaking with the City of Waldport regarding municipal court costs. He
39 hopes to present a proposal to the Council the first of January.

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

42 A. Harbor Master Plan Advisory Committee (HMPAC) November 12, 2015 Meeting

43 There were no Committee members present, so Murray asked to postpone this item to the next Council
44 meeting. There was no objection. President Olsen asked about the status of the RFP (Request For
45 Proposals) for engineering; Murray said the HMPAC reviewed the RFP and had some minor changes to
46 the draft RFP for a Harbor Master Plan engineering consultant, and the City Planner will be making the
47 changes before it is presented to the Council at the December 1 meeting for authorization to
48 advertise. Grant asked if the HMPAC was going to dissolve; Murray said that was discussed at their

1 meeting last week but there was no motion made to make a recommendation to the Council. It was her
2 understanding that Mat DeWitt will be putting together a final report to bring to the Council.

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4 VII. Public Comments

5 There were no public comments.

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7 VIII. UNFINISHED BUSINESS

8 There was no unfinished business.

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10 IX. NEW BUSINESS

11 A. Mike McFarland's Resignation from Harbor Commission

12 President Olsen said Mr. McFarland made a verbal resignation but has yet to put it in writing, but his
13 understanding is that Mr. McFarland wants the Council to accept the verbal resignation. He wanted to
14 thank Mr. McFarland for his service on the committee. Murray said August 26 was the date Mr.
15 McFarland called City Hall and verbally resigned from the Harbor Commission. While she did not speak
16 with him directly that day, she did leave him a voicemail requesting a short note in writing. She said
17 Mayor Mattila has also spoken with Mr. McFarland and said that he has resigned. If the Council's
18 willing to take the verbal resignation, we would proceed with the formality of accepting the resignation
19 and declaring the vacancy tonight.

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21 Motion 3: Gambino moved to accept verbal resignation from Mike McFarland from the Harbor
22 Commission, and declare the seat vacant. Fisher-Brown seconded the motion.

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24 Amendment: President Olsen asked that the motion include sending Mr. McFarland a thank you letter.
25 Gambino and Fisher-Brown accepted the amendment.

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27 President Olsen called for further discussion. There was none.

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29 Vote: Motion 3, as amended, passed.

30 Ayes: Fisher-Brown, Gambino, Grant, Olsen, Teem

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32 B. Abandoned Vessel Enforcement

33 President Olsen referred to Murray's memo dated 11/16/15 (copy attached to original of these minutes)
34 distributed to the Council with Ord. 292 (Harbor Ordinance) prior to the meeting. He said multiple
35 attempts had been made to contact the vessel owner with no success, and Staff was asking the Council to
36 proceed to the next step in the enforcement process, which is to contact legal counsel. Murray noted the
37 process is outlined in Ord. 292 Section 14.020 and that this is always done with the assistance of the
38 City Attorney. There was discussion involving the process, and the City's attempts to resolve the
39 situation.

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41 Motion 4: Fisher-Brown moved to authorize Staff to move forward with the process as outlined in the
42 Ordinance. Teem seconded the motion.

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44 President Olsen called for discussion. Grant asked if at some point the boat would be declared as surplus
45 property; Murray said that can occur, and if that happens the City would offer it for sale. President Olsen
46 suggested the Harbormaster evaluate and photograph the condition of the boat. Murray said the key
47 point right now is to get the boat out of the harbor. There was additional discussion.

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49 Vote: Motion 4 passed.

1 Ayes: Fisher-Brown, Gambino, Grant, Olsen, Teem

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3 X. CORRESPONDENCE

4 There was one item of correspondence (copy attached to original of these minutes): an email from Jaci
5 McKim that included the final design for the portfolio folder. The only change from the original design
6 was adding the QR code. She noted that the Council approved an expenditure of \$1,000 for folder
7 design, and \$500 had been paid up front. The quote for printing provided by Ms. McKim at that time
8 was valid until August 1, and will need to be updated.

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10 Motion 5: Grant moved to approve the layout design. Gambino seconded the motion.

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12 President Olsen called for discussion. There was none.

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14 Vote: Motion 5 passed.

15 Ayes: Fisher-Brown, Gambino, Grant, Olsen, Teem

16
17 Murray said Councilor Sparks forwarded an email from Jennifer at Lincoln County Health and Human
18 Services regarding a mental health first aid training for adults working with children. The training will
19 be held this Saturday at Taft High School in Lincoln City from 9 AM to 5 PM. The email was forwarded
20 to Staff. If any Councilors are interested, please get ahold of Jennifer to see if any spaces are still
21 available.

22
23 XI. CITY STAFF REPORT

24 Murray reported that a final draft of the Transportation System Plan Update is expected to be available
25 by Thanksgiving. When the draft is received, it will be reviewed by Staff and Community Advisory
26 Committee members; any comments or suggestions will be sent back. Then there will be an open house
27 meeting to present it to the public, and then there will be a joint Planning Commission / City Council
28 meeting to review and ultimately approve. She anticipates the joint meeting will probably be held
29 around the end of January or February of next year.

30
31 City Superintendent Report: Murray asked if there were questions on Weidner's written report (copy
32 attached to original of these minutes).

33 ● President Olsen asked if there were any rain-related problems; Murray said she hadn't heard of
34 anything related to the rain, but during yesterday's rain storm someone doing work in Little Whale Cove
35 hit a water line.

36 ● Gambino questioned whether the grant the City applied for to replace the stairs by the Community
37 Hall would remain valid if the material changed from metal to wood; Murray said it would likely be OK,
38 but if there's a change in the materials we would let them know.

39 ● There was discussion about Ordinance violations on tax lot 8400 on Hwy 101. Murray said so far
40 requests for action have been done via phone calls and emails, and suggested proceeding with
41 enforcement by using the City's normal enforcement process. This legal process begins with a written
42 Notice of Violation, and gives the violator 15 days to correct the violation. The next steps would be
43 Weidner informing the Council that the violator was not compliant, at which point the City Attorney
44 would become involved and would issue a citation to the property owner, and the City would go to
45 court. She said the City's enforcement procedure is typically quite successful. There was additional
46 discussion about the situation.

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48 Motion 6: Fisher-Brown moved to have Weidner move forward with legal action and put the machine in
49 action. Gambino seconded the motion.

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2 Discussion: Grant said the only reason this has come to the Council’s attention is because of written
3 complaints, and there are a lot of things going on around town that are a lot worse than this, but
4 nobody’s written a letter about it. He said this is about tolerance, and the vocal minority gets the
5 attention. He said he knows Mr. Cutler, and he’ll do everything he can to remedy the situation. Fisher-
6 Brown said the people who are in violation have been given every chance to take care of it, and
7 unfortunately it’s time where we have to prove that we’re serious. She said enforcement would take
8 place regardless of who made the complaint, and wanted to go on record to the people who will be
9 watching this on video and everybody else who’s going to be reading about it, that if there is any
10 problem or issue in the city, that any citizen has the right to make a written complaint to the City, who is
11 then obligated to follow up on it.

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13 Vote: Motion 6 passed.
14 Ayes: Fisher-Brown, Gambino, Grant, Olsen, Teem

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16 XII. COUNCIL COMMENTS

17 Fisher-Brown brought attention to an article about social media in the *Local Focus*, and that this
18 afternoon Waldport, Yachats, and all those cities were posting about 60 foot waves saying look how
19 cool this is, you should be here – and there’s no reason Depoe Bay should not be on that
20 bandwagon. Murray said she talked with Waldport’s City Manager, who said they’ve had a Facebook
21 page for about six months. She had asked him about Staff time for monitoring and public recordkeeping.
22 He told her they put a disclaimer on the page saying it’s for dissemination purposes only. The City has
23 to follow public records law, and recordkeeping was one of her biggest concerns, which she now feels
24 may be alleviated after having this conversation. She got some other information from him that she will
25 be following up on. Teem added that he attended the recent League of Oregon Cities luncheon, and the
26 guest speaker was a gentleman from Travel Oregon who spoke about social media encouraging people
27 to get on board or be left behind. Grant commented on Travel Oregon. President Olsen asked Murray to
28 put Social Media on the Agenda for the December 15 Council meeting, and have Staff do a little more
29 research and make a recommendation to the Council on what direction to take.

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31 XIII. ADJOURN

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33 There being no further business, the meeting was adjourned at 7:58 PM.

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Seth Olsen, Council President

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43 Emma LuMaye, Recording Secretary