

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, January 19, 2016 - 7:00 PM  
4 Depoe Bay City Hall

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

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8 ABSENT: S. Sparks

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10 STAFF: City Recorder P. Murray, City Superintendent B. Weidner, Recording Secretary  
11 E. LuMaye, City Planner L. Lewis

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13 I. PLEDGE OF ALLEGIANCE

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

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16 II. CALL TO ORDER

17 Mayor Mattila called the meeting to order at 7:07 PM and established a quorum.

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19 III. APPROVE MINUTES: January 5, 2016 Regular Meeting and Executive Session

20 Motion 1: Olsen moved to approve the minutes from January 5, 2016, both Executive Session and  
21 Regular Session. Fisher-Brown seconded the motion.

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

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25 Vote: Motion 1 passed.

26 Ayes: Fisher-Brown, Gambino, J. Grant, Mattila, Olsen, Teem

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28 IV. ACCOUNTS PAYABLE

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

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31 Mayor Mattila called for the question.

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33 Vote: Motion 2 passed.

34 Ayes: Fisher-Brown, Gambino, J. Grant, Mattila, Olsen, Teem

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36 V. SPECIAL ORDERS

37 A. 2014-15 Audit Report Presentation

38 Signe Grimstad reviewed portions of the 2014-15 audit. She reported the City has received a clean  
39 opinion. She said this year sees the adoption of GASB (Government Accounting Standards Board) 68,  
40 which is a process of recognizing potential liability, and that the process is not yet completed. She said  
41 this change is similar to when, many years ago, she told the Council that infrastructure and assets needed  
42 to be booked; only now we are looking at needing to book the City's liabilities, which will provide a full  
43 picture of where the City stands. There was lengthy discussion regarding PERS liability; Ms. Grimstad  
44 said the amount of liability could go up or could go down, depending on the Oregon Supreme Court. She  
45 noted that Depoe Bay is fortunate to have reserves, because not all municipalities have them; and new  
46 standards are depleting cities' readily-available cash. She stressed that a lot of municipalities are in a  
47 tight position, and she expects there to be some safety valves because they don't want cities closing their  
48 doors.

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1 Motion 3: Grant moved to accept the audit report. Fisher-Brown seconded the motion.

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3 Discussion: There was brief discussion. Ms. Grimstad noted the audit must be filed by January 29.

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5 Vote: Motion 3 passed.

6 Ayes: Fisher-Brown, Gambino, J. Grant, Mattila, Olsen, Teem

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

9 There were no reports.

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## 11 VII. PUBLIC COMMENTS

12 There were no public comments.

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## 14 VIII. UNFINISHED BUSINESS

15 A. Findings, Conclusions, and final Order Case File #1-APPEAL-CC-15 – Appeal of Planning  
16 Commission Decision Application – Request for Planned Development Amendment (Case File  
17 #1-PD-PC-15)

18 Lewis said the Findings (copy attached to original of these minutes) reflect the Council's decision at the  
19 last meeting, and has been reviewed by the City Attorney.

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21 Motion 4: Olsen moved to accept the Findings, Conclusions, and Final Order pertaining to the Plechaty  
22 Properties Appeal #CC-15. Gambino seconded the motion.

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24 Mayor Mattila called for the question.

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26 Vote: Motion 4 passed.

27 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

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29 B. Social Media

30 Murray reviewed her memo dated 12/14/2015 (copy attached to original of these minutes), drawing  
31 attention to the six recommendations made based on her research. She said if the Council wants to  
32 proceed with creating a social media presence, she will work with the City Attorney to draft up a policy  
33 to bring back to the Council. There was discussion, including that there is a difference between a  
34 community page and a government page which has regulations and public records requirements.

35

36 Motion 5: Teem moved that City Staff will approach the Depoe Bay Chamber of Commerce to explore  
37 if they would like to facilitate this and how we can make that happen. Gambino seconded the motion.

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39 Mayor Mattila called for the question.

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41 Vote: Motion 5 passed.

42 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

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## 44 IX. NEW BUSINESS

45 A. City Councilor Resignation Letter – Steve Sparks

46 Mayor Mattila said Councilor Sparks submitted his resignation (copy attached to original of these  
47 minutes). Olsen said he's OK and wishes everyone well.

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1 Motion 6: Olsen moved to accept Steve Sparks' resignation and vacate that seat, and add the usual thank  
2 you very much we appreciate your service. Fisher-Brown seconded the motion.

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4 Amendment: Grant wanted to include wording that he will be missed. Olsen accepted the amendment.

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6 Mayor Mattila called for the question.

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8 Vote: Motion 6, as amended, passed.

9 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

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11 Notice will be posted to receive applications. Interviews will be conducted at the first Council meeting  
12 in March.

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14 B. Harbor Master Plan – Request for Proposals (RFP) for Marine Engineering Consultant Services  
15 Bid Award

16 Weidner said that Lewis wrote up a really good RFP, and that four proposals were received. There was  
17 brief discussion about the proposals (copy of Weidner's memo dated 1/19/2016 attached to original of  
18 these minutes).

19  
20 Motion 7: Olsen moved that we accept PND's bid for \$49,500 for the harbor master planning. Gambino  
21 seconded the motion.

22  
23 Mayor Mattila called for discussion; there was none.

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25 Vote: Motion 7 passed.

26 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

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28 C. Oregon Mayors Association (OMA) – If I Were Mayor... Student Contest

29 Mayor Mattila said we definitely want to sponsor this contest (copy of OMA letter dated 10/2/2015  
30 attached to original of these minutes). Murray noted the City's winners would need to be submitted to  
31 the OMA by May 16. There was discussion about what prizes to offer and when to make the  
32 awards. Grant offered a Mayor's lunch at The Sea Hag. Gambino and Teem were interested in forming  
33 and serving on a subcommittee to review entries; there was no objection. An unidentified audience  
34 member offered to contribute \$50 prize money for each of the three age categories if the City would  
35 match his contribution. The deadline for receiving entries will be Friday, April 15 at 5:00 PM; awards  
36 will be announced at the May 3 Council meeting. Grant called out to audience member Pat Neal, asking  
37 her to be on the subcommittee and help judge entries; she agreed.

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39 Motion 8: Gambino moved to accept the offer from Mr. Woodmark of \$50, and match it with \$50 in  
40 City funds to facilitate \$100 awards in each category.

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42 Discussion: Grant said not to forget lunch with the Mayor at The Sea Hag. Olsen suggested adding a  
43 statement that gifts are being funded by The Sea Hag and John & Talley Woodmark. Fisher-Brown  
44 seconded the motion.

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46 Mayor Mattila called for the question.

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48 Vote: Motion 8 passed.

49 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

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D. Downtown Restrooms Lease – Woodmark

Motion 9: Olsen moved that we renew the contract with Mr. Woodmark, and give him 3%, just as we did the Robisons. (Copy of Woodmark’s letter dated 1/15/2016 and existing lease agreement attached to original of these minutes)

Discussion: Mr. Woodmark asked that changing tables be installed in the restrooms. Weidner will get pricing on a changing table for the women’s restroom and the men’s restroom.

Motion 9, restated: Olsen moved that we accept Mr. Woodmark’s renewal with 3% increase each year, and that we also install restroom changing tables for children. Gambino seconded the motion.

Mayor Mattila called for the question.

Vote: Motion 9 passed.  
Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

E. Schedule Public Hearing – Proposed Amendments to Depoe Bay Zoning Ordinance Section 3.410 Planned Development Zone P-D, and Section 4.030 Off-Street Parking and Off-Street Loading Requirements

Lewis said the Planning Commission has forwarded their recommendations to the Council and the Council needs to schedule a public hearing to consider the amendments. Murray noted the amendments haven’t yet been legally reviewed and asked if the Council wanted that done before scheduling the public hearing; they did. Murray will contact the City Attorney and report back at the next meeting. Grant asked to have copies of the amendments available at the next meeting.

X. CORRESPONDENCE

There were three items of correspondence (copies attached to original of these minutes): 1) A letter from Zoe Teplick requesting a crosswalk near the Neighbors For Kids building. There was discussion. Murray said the request should be forwarded to the consultants doing the TSP (Transportation System Plan) update.

Motion 10: Grant moved to respond to Zoe Teplick by telling her we’re forwarding this concern and this idea to the working group that’s on our STIP plan for the State of Oregon that are with ODOT and when more developments on this become a reality, we’ll keep her advised. Gambino seconded the motion.

Discussion: There was brief discussion.

Vote: Motion 10 passed.  
Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

Correspondence, continued:

2) A memo from Larry & Cindi Ciuffo asking the Council to change the fee for their craft fair business license. There was discussion.

Motion 11: Fisher-Brown moved that we amend our business license practice to allow for any six-month-period usage within the year that the license is purchased. Gambino seconded the motion.

Discussion: There was lengthy discussion.

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2 Vote: Motion 11 failed.

3 Ayes: None

4 Noes: Fisher-Brown, Gambino, Grant, Mattila, Olsen, Teem

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6 Correspondence, continued:

7 3) A letter from the Lincoln County Board of Commissioners advising of dates they would like to hold  
8 their annual joint meeting with the Council. Murray said the only date offered by the Board that the  
9 Council Chambers is available is April 6. The date for the joint meeting was scheduled for April 6 at  
10 6:00 PM.

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12 **XI. CITY STAFF REPORT**

13 Murray reviewed her memo dated 1/19/2016 (copy attached to original of these minutes) regarding  
14 closure dates for City Hall to accommodate on-site training on the new municipal software being  
15 installed next week.

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17 Weidner: 1) While City Hall is closed next week, he'll be having Crew doing maintenance projects in  
18 the building. 2) The final order of extension for water rights for Rocky Creek and South Creek is  
19 finished, and the extension will be effective until 2055 for Rocky Creek and 2047 for South Creek. He  
20 said GSI is registering the wells in Little Whale Cove that were given to the City by the Mahler Estate in  
21 the early 70s. 3) City Crew has been trying to find an old, deep water main on Coast Avenue behind  
22 Mazatlan and by the Channel House, so we know where the old line is when it's time to replace it. He  
23 said re-routing the line might save a lot of money, and he's working with a property owner to develop an  
24 easement. 4) He'll be getting the skiff in the water and going out to take a look at Trollers Island.

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26 **XII. COUNCIL COMMENTS**

27 Olsen announced his resignation from the Council, effective February 3, 2016. He said there were some  
28 changes happening in his life, most of which were positive, and it's been a pleasure serving with the  
29 Council.

30  
31 Teem said he's listed his house for sale, and when it sells he and his wife will be looking for affordable  
32 housing in Depoe Bay.

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34 Fisher-Brown was concerned about a statement made by the appellant in the Plechaty appeal of Planning  
35 Commission decision stating there is no provision in the Depoe Bay Zoning Code that defines the terms  
36 "storage facility" or "parking", and expressed her distress at the use of undefined terms. She would like  
37 to direct the appropriate committee to define the terms in precise language.

38  
39 Grant said he will sorely miss Olsen, and wished him all the best health and prosperity.

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41 Gambino dittoed Grant's statement. He also noted the Lincoln County Sheriff's Deputy on duty recently  
42 made a traffic stop at Lane Street and found the driver had an outstanding warrant for arrest.

43  
44 Mayor Mattila said he would miss Olsen.

45  
46 Murray asked if the Council wanted to accept Olsen's resignation and advertise the vacancy.

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48 Motion 12: Grant moved to accept Olsen's resignation and advertise the position. Fisher-Brown  
49 seconded the motion, with the caveat that the seat will not be vacated until after the next meeting.

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Mayor Mattila called for the question.

Vote: Motion 12 passed.

Ayes: Fisher-Brown, Gambino, Grant, Mattila, Olsen

Noes: Teem

XIII. ADJOURN

There being no further business, the meeting was adjourned at 9:17 PM.

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A. J. Mattila, Mayor

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Emma LuMaye, Recording Secretary