

1 Depoe Bay City Council
2 Regular Meeting
3 Tuesday, June 21, 2016 - 7:00 PM
4 Depoe Bay City Hall

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7 PRESENT: Mayor A.J. Mattila, J. Fisher-Brown, R. Gambino, J. Grant, J. Wiseman

8

9 VACANCY: 2 vacant seats

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11 STAFF: City Recorder P. Murray, City Superintendent B. Weidner

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14 I. PLEDGE OF ALLEGIANCE

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

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17 II. CALL TO ORDER

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

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20 III. APPROVE MINUTES: June 7, 2016 Regular Meeting

21 Motion 1: Gambino moved to approve the minutes of the Regular Depoe Bay City Council meeting of
22 Tuesday, June 7. Wiseman seconded the motion.

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24 Mayor Mattila called for the question.

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26 Vote: Motion 1 passed.

27 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Wiseman

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29 IV. ACCOUNTS PAYABLE

30 Motion 2: Gambino said there was a double charge of \$2,974.75 on the billing from The Automation
31 Group. The correction reduced the bill's total from \$15,086.75 to \$12,112.00, and was reflected in the
32 report. He moved to approve the Accounts Payable as changed. Fisher-Brown seconded the motion.

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34 Mayor Mattila called for the question.

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36 Vote: Motion 2 passed.

37 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Wiseman

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39 V. SPECIAL ORDERS

40 There were no special orders.

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

43 A. Parks Commission Recommendation to Pursue Grant Funding for Scenic Park Land Acquisition
44 Bill Spores, Parks Commission Chair, reported: 1) The Mayor asked the Parks Commission to consider
45 a memorial tree planting for Katy Rowe, and the Commission moved to approve a flowering plum
46 memorial tree, which is being purchased by the family. 2) The Commission has been working on a new
47 walking trails map for the past year, which have been printed and he shared with the Council (copy
48 attached to original of these minutes). 3) He expressed appreciation for Parks Commissioners, City
49 Staff, and others for their productivity on various projects. 4) The Commission is interested in seeking

1 grant funding to possibly acquire the Langston property, which could potentially be used for a Depoe
2 Bay museum (see copy of Parks Commission minutes of 5/18/16 attached to original of these minutes).

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4 Fisher-Brown reported on her attendance at last week's Solid Waste Consortium meeting.

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6 VII. PUBLIC COMMENTS

7 Paul Lattig, 937 SW Pine Avenue, addressed the Council regarding an alternative payment proposal in
8 exchange for waiver of water SDC fees at a residence located at 900 SE Hwy 101, which he recently
9 purchased (copy of his proposal attached to original of these minutes). Murray explained the process for
10 disconnecting/re-connecting service, and said the way the Ordinance is structured, she would have to
11 review it to determine whether the Council has the authority to waive the fee. The Council discussed the
12 request in depth. It was noted that SDC fees go up every year on July 1. It was the consensus of the
13 Council that Staff research the Ordinance and revisit this item at the next meeting.

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15 Motion 3: Gambino moved that we freeze the current SDC charges for these individuals until such time
16 we find out what our actions will be. Fisher-Brown seconded the motion.

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18 Mayor Mattila called for the question.

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20 Vote: Motion 3 passed.

21 Ayes: Fisher-Brown, Gambino, Grant, Mattila Wiseman

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23 Debbie Callendar, 151 SE South 40 Lane, addressed the Council 1) in support of the Council's
24 discussion of surveillance cameras at the harbor at a recent meeting, 2) regarding the transient
25 community, trespassers, and people living off the grid, and 3) her negative experience with making a
26 purchase from the Burlwood shop. Gambino reported he and Weidner met with a Day Wireless sales
27 representative who will provide information on what cameras they think the City might like.

28
29 Cindy Miller, 127 SE South 40 Lane, addressed the Council regarding her concerns about people
30 camping and making campfires in her neighborhood. Weidner explained there are private property
31 issues, there is an eviction process, a property owner is being fined \$500 per day as of this week, and the
32 Fire Department is aware of the fires. Ms. Miller suggested publicizing the City has a police presence
33 rather than lack of a police presence. Weidner said Deputy Vertner is doing extra neighborhood patrols,
34 and is aware of the situation with the trespassers next to the Burlwood shop and ready to provide
35 assistance. Mayor Mattila said yesterday the Supreme Court ruled the police are allowed to check on
36 anyone, whether driving or walking, and asked Murray to contact the City Attorney to find out the legal
37 ramifications and what we need to know about the new ruling, with copies to the Council for the next
38 meeting.

39
40 VIII. UNFINISHED BUSINESS

41 A. Depoe Bay Chamber of Commerce Annual Report and Request for Reimbursement FY 2015-16
42 Murray reported at the last meeting Bill Johnson said he needed to look at expense figures in the
43 reimbursement request. He has provided an updated listing of expenses (copy attached to original of
44 these minutes); the Chamber is requesting reimbursement in the amount of \$4,374.23 under the current
45 fiscal year contract.

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47 Motion 4: Grant moved that we reimburse the Chamber \$4,374.23 for the reasons outlined , which are
48 probably among others, printing, postage, and advertising for the City of Depoe Bay. Fisher-Brown
49 seconded the motion.

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Mayor Mattila called for the question.

Vote: Motion 4 passed.

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

Murray said a check would be provided to the Chamber before June 30.

IX. NEW BUSINESS

A. Recreational Marijuana Sales – City Tax

Murray referred to her memo dated 6/20/16 (copy attached to original of these minutes), which provides information about the City’s ability to pass an Ordinance to impose up to 3% in a sales tax on recreational marijuana. She noted if the Council wishes to proceed, the issue must be presented to the voters, and getting it on the November ballot is a tight time frame, so an Ordinance and/or Resolution would need to be drafted and presented to the Council at the next meeting. She also noted the proceeds from the tax could be used in any manner the City wants. There was brief discussion.

Motion 5: Gambino smoved that we enact or attempt to move forward, and direct Staff to get with the Attorney and come up with a Resolution and prepare to get this on the November ballot. Wiseman seconded the motion.

Discussion: Grant asked the cost to put this on the ballot; Murray said publication costs would depend on the length of the text, and said there would also be legal costs. Election costs are shared in a General Election; the last time the City put a measure on the ballot it cost around \$200. Fisher-Brown asked why we would want to do this. Her question was followed by lengthy discussion. Gambino called for the question.

Mayor Mattila called for the question. Murray restated the motion. There was brief discussion.

Vote: Motion 5 passed.

Ayes: Gambino, Grant, Mattila, Wiseman

Noes: Fisher-Brown

Murray said the Ordinance and/or Resolution would be prepared for placement on the ballot, and she would bring it back to the next meeting.

B. North Creek Reservoir Dredging Bids

Weidner said this three-acre reservoir has needed dredging for about three years, and the dredging will Segway into the earthen dam construction. He recommended approval of the proposal from Road & Driveway. At \$28,835 this was the low bid over a bid of \$37,360 from James Drayton. (Copies of bids attached to original of these minutes.)

Motion 6: Grant moved to approve the bid from Road & Driveway for \$28,835. Gambino seconded the motion.

Discussion: Mayor Mattila said the dredged material eventually has value after the water leaches out of it. He called for the question.

Vote: Motion 6 passed.

1 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Wiseman

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3 Weidner said the dredging would probably start in mid-July.

4
5 C. Paving Bayview Ave. and Parking Area at Bottom of Winchell St. SVA
6 Weidner said one bid was received. Road & Driveway bid \$2,463.98 to pave the parking area by the
7 Coast Guard station (copy attached to original of these minutes). The area has been compacted in
8 preparation for paving. Road & Driveway also submitted a bid in the amount of \$7,801.30 for a 2-inch
9 overlay of the south end of Bayview Avenue (copy attached to original of these minutes). There was
10 discussion about the two projects.

11
12 Motion 7: Gambino moved that we approve both bids from Road & Driveway for the paving of the
13 City's parking area in the harbor, and for Bayview Avenue. Wiseman seconded the motion.

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15 Mayor Mattila called for discussion; there was none.

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17 Vote: Motion 7 passed.

18 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Wiseman

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20 X. CORRESPONDENCE

21 There were two items of correspondence (copies attached to original of these minutes): 1) The City of
22 Lincoln City is offering a free ethics training opportunity for public officials. If anyone is interested,
23 please let Cathy Steere know. 2) The League of Oregon Cities (LOC) is asking all cities to submit the
24 top four priorities they would like the LOC to focus on in the upcoming legislative session. The deadline
25 for responses is July 22. This item will appear on the July 5 Agenda.

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27 XI. CITY STAFF REPORT

28 Murray said 1) the Mayor is going to attend the Oregon Mayors Association conference at Salishan. She
29 requested authorization of expenses: registration, one night's lodging, mileage, and a fishing trip fee the
30 Sunday after the conference. The fishing trip was the Mayor's idea to offer to attendees if they are
31 interested. Total estimated cost was \$569.19.

32
33 Motion 8: Grant moved that we approve that amount plus \$200, so \$700, just in case there's an overage.
34 Gambino seconded the motion.

35
36 Mayor Mattila called for the question.

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38 Vote: Motion 8 passed.

39 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Wiseman

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41 Murray said the 91st Annual LOC Conference will be September 29 through October 1, in Salem. She
42 asked that anyone interested in attending let her know by the next meeting.

43
44 Mayor Mattila said there was another item – a memo from the Mayor regarding public restrooms at the
45 harbor (copy attached to original of these minutes). He would like to put three portable toilets in
46 strategic areas at the harbor, for the summer season. Grant asked Murray about cost; Murray said renting
47 one port-a-potty for fin clipping costs \$70 for one day.

1 Motion 9: Grant moved to set aside \$3,000 to rent three port-a-potties to be placed at Brady's discretion
2 down at the harbor. Fisher-Brown seconded the motion.

3
4 Mayor Mattila called for the question.

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6 Vote: Motion 9 passed.

7 Ayes: Fisher-Brown, Gambino, Grant, Mattila, Wiseman
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9 Weidner reported 1) Last week the City received notice that ODOT wants to expedite replacement of
10 two culverts between the entrance to Little Whale Cove and Oceana Street, and that our water mains are
11 in their way. They want us to move them by August 19. The City signed an Ordinance some years ago
12 with ODOT; the Ordinance includes an agreement to move any infrastructure ODOT deems is in their
13 way. Weidner's plan is to sever the line, put in a temporary line, and then replace the original line when
14 ODOT is finished. The City will need to hire a contractor to do the work, and purchase the bypass line.
15 The City would be totally reliant on the Rocky Creek water source during this time because of the
16 reservoir dredging. He would like to ask the City Attorney to find out if there's a way to request an
17 extension. He is brainstorming to find an alternate method of dealing with the situation. ODOT's culvert
18 work should be completed sometime in October. There was no objection to Weidner's contacting the
19 City Attorney on this matter. He will provide an update at the next meeting. 2) Crew has been working
20 with the new meter-reading devices. 3) A temporary employee has been hired for weed-eating, and the
21 temporary harbor employee is working out great. He thanked the Council for allowing the hires, as they
22 have provided relief for backed-up projects.

23
24 Mayor Mattila asked Murray to make her comment. She read her retirement announcement into the
25 record. Her last planned work day is January 6, 2017. She wanted to give the Council plenty of lead time
26 to work on finding someone to step into the position. She said it's been an honor to work for the City all
27 these years.

28 29 XII. COUNCIL COMMENTS

30 Fisher-Brown said she had lots of comments, but would stick to Facebook.

31
32 Wiseman reminded everyone tomorrow night is the Cascadia Presentation. Weidner added it starts at
33 6:00 PM.

34
35 Gambino said Murray would be sorely missed.

36
37 Grant told Murray Kevin Greenwood speaks very highly of her.

38
39 Mayor Mattila, addressing Murray, said we have six glorious months ahead of us with her at the helm
40 and to make the most of them, that she's a real trooper, and he's grown to love her like a sister.

41 42 XIII. ADJOURN

43 There being no further business, the meeting was adjourned at 9:11 PM.
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47 _____
A. J. Mattila, Mayor

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Emma LuMaye, Recording Secretary (transcribed from audio)