

1 Depoe Bay City Council  
2 Regular Meeting  
3 Tuesday, September 6, 2016 - 7:00 PM  
4 Depoe Bay City Hall

5  
6 PRESENT: Mayor A.J. Mattila, C. Bates, R. Gambino, J. Grant, J. Rustenhoven, J. Wiseman

7  
8 ABSENT: J. Fisher-Brown

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

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 7:10 PM and established a quorum.

18  
19 III. APPROVE MINUTES: August 16, 2016 Regular Meeting and Executive Session, and August 23,  
20 2016 Special Meeting with Executive Session

21 Motion 1: Gambino moved to approve the minutes, as presented, of the Depoe Bay City Council  
22 Regular meeting of August 16, and the Special meeting and Executive Session meeting of August 23.  
23 Bates seconded the motion.

24  
25 Mayor Mattila said it was moved and seconded, and called for the question.

26  
27 Vote: Motion 1 passed.

28 Ayes: Bates, Gambino, Grant, Mattila, Wiseman

29 Abstain: Rustenhoven

30  
31 IV. ACCOUNTS PAYABLE

32 Motion 2: Gambino moved to approve the Accounts Payable as presented. Wiseman seconded the  
33 motion.

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

36  
37 Vote: Motion 2 passed.

38 Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

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40 V. SPECIAL ORDERS

41 A. Jenny Demaris, Emergency Manager, Lincoln County Sheriff's Office – Everbridge Mass  
42 Notification Presentation

43 Jenny Demaris gave a presentation on Lincoln County's mass notification system, Everbridge – known  
44 locally as Citizen Alert. Everbridge has acquired the Nixle mass notification system, and is merging the  
45 services. Lincoln County has renegotiated their Everbridge contract and has new services going live  
46 October 1. Land lines are automatically in the system, but those only having cell phones need to opt in.  
47 Up to five local addresses can be registered. Nixle offers a zip code based service allowing registered  
48 users to receive messages when traveling. The County is initiating a Community Engagement program  
49 by offering cities a "key word" they can use as they like. There was brief discussion. (Copy of Cascadia

1 Subduction Zone Earthquake Community Presentations flyer and presentation slides attached to original  
2 of these minutes.)

3  
4 Motion 3: Grant moved to opt in to the program that Jenny presented – Community Engagement.  
5 Gambino seconded the motion.

6  
7 Mayor Mattila said the motion was made and seconded, and called for the question.

8  
9 Vote: Motion 3 passed.

10 Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

11  
12 VI. REPORTS OF OFFICERS, BOARDS, OR STANDING COMMITTEES

13 There were no reports.

14  
15 VII. PUBLIC COMMENTS

16 Jeff Childers, caregiver for recently-passed Mary B. Phillips, and Melanie Meaders addressed the  
17 Council regarding donating a piano for the Community Hall, in Mrs. Phillips' name.

18  
19 Motion 4: Gambino moved to accept the donation of a piano from Melanie and Jeff, in Mary Phillips'  
20 name, and provide a plaque. Wiseman seconded the motion.

21  
22 Discussion: There was brief discussion: Ms. Meaders requested City muscle to help move the piano, and  
23 the piano is a beautiful upright mahogany Conover, and will come with sheet music.

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25 Vote: Motion 4 passed.

26 Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

27  
28 Fran Recht, 66 NE Williams, asked the Council to reconsider their decision to get rid of the glass  
29 recycling bin. Weidner said there's a spot on Vista Street that needs to be developed for the recycle bin  
30 and off-street parking. He anticipates it will be ready by this fall. Ms. Recht suggested putting up signs  
31 to let people know it's coming back; a notice will be posted on the City's website.

32  
33 VIII. UNFINISHED BUSINESS

- 34 A. Second Reading – Proposed Ord. #308 – An Ordinance Providing Consent and Approval of the  
35 Assignment and Transfer of Telecommunications Franchise from CoastCom, Inc. to Astound  
36 Broadband, LLC, a Wholly Owned Direct Subsidiary of Wave Division Holdings, LLC; and  
37 Declaring an Emergency

38 Murray said the Ordinance adoption process started at the last meeting; but the second reading was  
39 delayed due to the passing vote not being unanimous. She then read the Ordinance by title only in  
40 accordance with a motion at the last meeting, and called for questions or comments from the audience.  
41 There were none. She said no written comments were received since the last meeting. There was brief  
42 Council discussion. (Copy of Ord. #308 attached to original of these minutes.)

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44 Motion 5: Gambino moved that we adopt Ord. #308 for a franchise with CoastCom. Wiseman seconded  
45 the motion.

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47 Mayor Mattila said it was made and seconded, and called for discussion. There was none.

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49 Vote: Motion 5 passed.

1           Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

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3       B. Request to Waive Requirement to Connect to City Sewer System – 900 SE Hwy 101  
4 Paul Lattig, 937 Pine, distributed a handout of an estimate of \$16,950 from Bulls Eye Directional Boring  
5 for sewer lateral installation (copy attached to original of these minutes). He said he contacted multiple  
6 boring companies, but this was the only company he could get to respond with a written quote, although  
7 he did receive a verbal quote of \$23,000 from Jon Thompson, but that bid was not fully investigated. He  
8 noted Bulls Eye’s estimate was for boring through dirt only, and if rock was encountered the price  
9 would be higher; and their estimate did not include the cost of installation from the house to the  
10 highway. He said with SDC fees and other installation costs, the price would be \$27,000 which is not  
11 practical for them. He offered to hook up to sewer via mandate when sewer becomes readily available,  
12 and asked the Council for a decision that hooking up now is impractical. There was discussion.

13  
14 Motion 6: Wiseman moved that we allow him to replace the septic tank system, and if and when there’s  
15 a chance he can hook directly to the sewer, he do that. There was additional discussion. Wiseman  
16 withdrew his motion.

17  
18 Motion 7: Wiseman moved that Brady work with Quinn getting some answers, and talk to Larry also,  
19 and when we come back in two weeks as a Council, let us come to a conclusion on this matter. Gambino  
20 seconded the motion.

21  
22 Discussion: There was brief discussion.

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24           Vote: Motion 7 passed.

25           Ayes: Bates, Gambino, Mattila, Rustenhoven, Wiseman

26           Noes: Grant

27  
28 Mr. Lattig requested to make a PUBLIC COMMENT, saying he was overlooked earlier. He expressed a  
29 privacy concern in connection with Everbridge services, and wanted to know what information is given  
30 out to the system when the general public accesses it.

31  
32 IX. NEW BUSINESS

33       A. Request for a Franchise Agreement for a Telecommunications Network – LightSpeed Networks,  
34       Inc., DBA LS Networks

35 Murray reviewed an email from Cassandra Mill of LS Networks, who is requesting the City work with  
36 them to come up with a franchise agreement for telecommunications in Depoe Bay. Attached to the  
37 email was a draft Ordinance they’d like to see. They do not currently have any customers in Depoe Bay.  
38 Murray asked for direction.

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40 Motion 8: Grant moved that a representative from LightSpeed appear before the Council. Gambino  
41 seconded the motion. Gambino seconded the motion.

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43 Mayor Mattila called for the question.

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45           Vote: Motion 8 passed.

46           Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

47  
48 Murray said she will extend the invitation and see when they can come.

1 X. CORRESPONDENCE

2 There were two items of correspondence (copies attached to original of these minutes): 1) An email  
3 from Lynlie Gilleo regarding the changing Oregon marijuana laws, which noted the City has special  
4 rules for dispensaries but nothing that addresses recreational marijuana stores, and suggesting the City  
5 extend the same rules for recreational as for medicinal.

6  
7 Motion 9: Gambino moved that we change Ord. #302, revise it to include retail recreational marijuana  
8 outlets, reword the Ordinance as such, and pass it by our attorney for approval. Wiseman seconded the  
9 motion.

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11 Discussion: There was brief discussion.

12

13 Vote: Motion 9 passed.

14 Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

15

16 Murray will pencil in a proposed Ordinance for the next Agenda, and send Mrs. Gilleo an email of  
17 thanks. (Copy of Ord. #302 attached to original of these minutes.)

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19 Correspondence, continued: 2) A nice letter addressed to Public Works in thanks of the support  
20 received during the 2500 Road fire. Weidner said the City supplied 970,000 gallons of water during the  
21 fire.

22

23 XI. CITY STAFF REPORT

24 Weidner: 1) Asked the Council if we should keep the porta-potties at the harbor through the end of  
25 September. There was no objection. 2) Provided updates on the reservoir project and the Hwy 101  
26 bypass project. 3) Said he would saw cut for Mr. Lattig, and get additional information from Quinn and  
27 the City Planner. He will get the depth of the rock, if there is any.

28

29 XII. COUNCIL COMMENTS

30 Mayor Mattila said the Council of Governments (COG) has offered their services in finding a  
31 replacement for Murray. He said he'd like to hire from within. Gambino said Murray's job description  
32 barely scratches the surface of what she does. Wiseman encouraged getting started with the recruitment  
33 process, and said if COG is willing to help we should get advice from them. Mayor Mattila stressed he  
34 wanted to start with contacting existing Staff to determine if anyone is interested, and go from there.  
35 Wiseman said there should be a public notice and all applications should be reviewed. Murray was  
36 directed to contact COG for their input. There was brief discussion regarding the City's policy on hiring  
37 from within. Grant suggested asking Kevin Greenwood's advice. Rustenhoven suggested forming a  
38 Personnel Committee of two to make a recommendation to the Council.

39

40 Motion 10: Rustenhoven moved that the Council forms a Personnel Sub-Committee to make some  
41 recommendations to the Council to fill Murray's replacement. Wiseman seconded the motion.

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43 Mayor Mattila said the motion was made and seconded, and called for discussion. There was none.

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45 Vote: Motion 10 passed.

46 Ayes: Bates, Gambino, Grant, Mattila, Rustenhoven, Wiseman

47

48 Sub-Committee members will be Rustenhoven, Wiseman, and Fisher-Brown. Grant asked if the Council  
49 wanted to invite Kevin Greenwood to talk to the Council. Wiseman said he's heard the Council talk

1 about a City Manager for the past year and a half, and this may be the time to address that issue, too.  
2 Grant said Mr. Greenwood would have information about the potential cost of a City Manager, as well  
3 as cost for a City Recorder.

4

5 Wiseman reminded everyone the Salmon Bake is coming up.

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7 XIII. ADJOURN

8 There being no further business, the meeting was adjourned at 9:00 PM.

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A. J. Mattila, Mayor

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18 Emma LuMaye, Recording Secretary